



Licensing Reform Task Force Construction Subcommittee

SUMMARY OF PUBLIC COMMENTS AND RECOMMENDATIONS

Below is a compilation of recommendations pulled from public comments received to date for the Construction Subcommittee. The purpose of this document is to summarize the public comments and recommendations contained in the comments to facilitate discussion within the Subcommittee. The comments address electricians, plumbers, contractors, crane operators, tile installers, directional boring and fiber-optic contractors, water well drillers, and engineers.

Summary of comments

The comments reflect two principal themes.

First, several commenters recommend reducing unnecessary licensing barriers that affect workforce entry, mobility, rural contractors, and small businesses.

Second, other commenters urge the Subcommittee to preserve or strengthen licensing requirements where public health, safety, water systems, electrical work, structural construction, or the built environment are implicated.

Main themes across the comments

1. Workforce access and mobility

Several recommendations seek to improve entry into the trades or mobility for qualified workers. These include creating an Electrical Helper permit, improving recognition of out-of-state plumbing credentials, expanding electrical reciprocity, allowing early PE testing, streamlining tile-installation classification, reforming water well driller licensure, and retiring duplicative state crane credentials.

2. Public safety and competency

Other comments emphasize that licensing requirements should not be weakened where work affects public safety, water systems, electrical safety, structural construction, or the built environment. One commenter expressly opposed loosening regulations for electrical, plumbing, and structural construction trades and stated that Montana should require more, not less, from the trades.

3. Rural and small-business impacts

Several comments indicate that existing requirements may have disproportionate impacts on rural contractors and small businesses, particularly in electrical contracting. The comments suggest

reviewing whether current pathways unintentionally restrict small contractors from training apprentices, advancing to master licensure, or competing for projects.

4. Insurance, accountability, and consumer protection

Contractor insurance comments indicate concern that registration alone may not protect consumers unless insurance coverage matches the actual scope of work. Fiber-optic and directional boring comments similarly raise concerns about out-of-state contractors, 1099 labor, lack of insurance, and unrepaired damage.

Takeaways

The public comments do not point uniformly toward deregulation or increased regulation. Instead, they suggest that the Construction Subcommittee may wish to distinguish between requirements that protect the public and requirements that may unnecessarily restrict qualified workers, rural contractors, small businesses, or mobile tradespeople.

The strongest recurring areas for further review are electrical licensure pathways, plumbing competency requirements, contractor insurance verification, out-of-state credential recognition, and representation of built-environment professions in the reform process.

The following pages include specific recommendations for consideration by the Construction Subcommittee. For each recommendation, a decision tool is provided to assist in the discussion.

***Note:** Certain public comment recommendations related to plumbing are omitted from this document as the Board of Plumbers is currently addressing the same recommendations. Staff will present the Board of Plumbers' proposed changes at the June 26 meeting.*

Recommendation 1

Recommendation: Create an Electrical Helper permit allowing a person to use basic tools while working under the supervision of a licensed journey or master electrician.

Reform type: New permit / workforce-entry pathway

Profession(s) affected: Electricians; electrical contractors; electrical apprentices; potential entry-level electrical workers

Stated rationale: Commenter stated that workforce challenges in the skilled trades make it difficult to hire help for simpler tasks but cautioned that stringent guidelines would be needed to prevent the permit from being abused as cheap labor.

Likely policy objective: Expand entry-level workforce access while preserving public safety through supervision and defined limits on permitted work.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Scope of tasks an Electrical Helper could safely perform
 - Required supervision ratio and whether direct or general supervision would be required
 - Whether existing apprentice registration pathways already address this need
 - Enforcement mechanisms to prevent substitution for apprentices or licensed electricians
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine if existing apprentice pathways are sufficient or if the proposal creates enforcement and safety risks.
- **Table for future consideration.** Staff will add to “parking lot” for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Limit the permit to specifically defined low-risk tasks.
 - Require registration, supervision, and a maximum duration or pathway into apprenticeship.
 - Include guardrails against use as unsupervised labor.
- **No.** Request staff to draft recommendation for presentation to Task Force.

Recommendation 2

Recommendation: Consider licensing additional construction trades, including HVAC workers.

Reform type: Expansion of licensure / public-safety regulation

Profession(s) affected: HVAC workers; construction trades; contractors

Stated rationale: Commenter stated that requiring licensing of additional construction trades, such as HVAC workers, may help address public protection and trade standards, and it seemed that it would help to require licensing of more of the construction trades.

Likely policy objective: Evaluate whether currently unlicensed or less-regulated trades should be subject to licensing because of safety, consumer-protection, or competency concerns.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Current Montana regulatory status of HVAC work
 - Evidence of consumer harm, safety incidents, or enforcement gaps
 - Comparison with neighboring state HVAC licensing requirements
 - Potential impact on workforce supply and small contractors
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine if the comment lacks sufficient evidence for expanding licensure at this time.
- **Table for future consideration.** Staff will add to “parking lot” for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Frame as a study or referral rather than immediate licensure expansion
 - Consider registration, certification, or specialty endorsement alternatives
- **No.** Request staff to draft recommendation for presentation to Task Force.

Recommendation 3

Recommendation: Allow Limited Electrical Contractor License holders to sign off on apprentice hours for apprentices seeking journeyman licensure, at least within a defined residential scope.

Reform type: Apprenticeship supervision / scope of authority change

Profession(s) affected: Limited electrical contractors; electrical apprentices; journeyman electricians; residential electrical contractors

Stated rationale: Commenter stated that limited electrical contractors who own businesses are restricted in their ability to train and advance workers, limiting business growth and workforce development.

Likely policy objective: Increase apprenticeship capacity and workforce development for residential electrical work while maintaining appropriate supervision and competency standards.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Current statutory and rule limits on who may verify apprentice hours
 - Whether hours verified by limited contractors would qualify only for residential or full journeyman licensure
 - Safety and competency implications of limiting verified work to residential scopes
 - Input from the State Electrical Board and apprenticeship programs
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine the proposal could dilute qualification standards if residential hours are used for unrestricted licensure without adequate limits.
- **Table for future consideration.** Staff will add to “parking lot” for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Limit signoff authority to work within the limited contractor’s lawful scope
 - Require documentation distinguishing residential from commercial hours
 - Require Board review of minimum supervision and recordkeeping standards
- **No.** Request staff to draft recommendation for presentation to Task Force.

Recommendation 4

Recommendation: Reassess the scope of work that Limited Electrical Contractors may perform, including restrictions involving multifamily, commercial, or projects over four units.

Reform type: Scope of practice review

Profession(s) affected: Limited electrical contractors; residential electrical contractors; master electricians

Stated rationale: Commenter stated that current restrictions severely limit limited contractors' ability to develop businesses and expand services to the public.

Likely policy objective: Determine whether limited electrical contractor scope restrictions remain justified by safety and competency considerations or unnecessarily restrict small-business growth.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Current statutory and rule scope for limited electrical contractors
 - Historical rationale for the four-unit or commercial-work restrictions
 - Complaint, enforcement, or safety data involving limited contractors
 - Comparison with other states' residential or limited electrical contractor classifications
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine the existing scope restriction is necessary to maintain safety for more complex electrical work.
- **Table for future consideration.** Staff will add to "parking lot" for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Recommend a Board-led scope review rather than immediate expansion
 - Consider incremental expansion tied to documented experience, additional examination, or endorsements
- **No.** Request staff to draft recommendation for presentation to Task Force.

Recommendation 5

Recommendation: Address the 4,000-hour commercial experience requirement for master electricians, particularly as applied to rural electricians and small residential contractors.

Reform type: Experience requirement review / rural workforce access

Profession(s) affected: Journeyman electricians; limited electrical contractors; master electrician applicants; rural electrical contractors

Stated rationale: Commenters stated that the commercial-hours requirement is difficult to satisfy in rural areas and can prevent small contractors from bidding on or performing projects.

Likely policy objective: Reduce unnecessary rural and small-business barriers to master electrician licensure while preserving competence for commercial electrical work.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Current statutory and rule basis for the 4,000-hour commercial requirement
 - Whether alternative experience, education, examination, or endorsement pathways exist
 - Number of applicants affected and rural geographic distribution
 - Safety rationale for requiring commercial experience for master licensure
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine commercial experience is essential for the scope of master electrician work.
- **Table for future consideration.** Staff will add to “parking lot” for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Recommend a study of alternatives rather than elimination
 - Consider a residential master, limited master, or endorsement model
 - Consider allowing documented complex residential or mixed-use work to count in part.
- **No.** Request staff to draft recommendation for presentation to Task Force.

Recommendation 6

Recommendation: Consider alternatives for limited electrical contractors seeking master licensure, including whether limited license holders may verify their own qualifying hours under defined circumstances.

Reform type: Licensure pathway modification / experience verification

Profession(s) affected: Limited electrical contractors; master electrician applicants

Stated rationale: Commenter suggested that limited license holders face a bottleneck in qualifying for master licensure and proposed allowing a limited license holder to sign off on their own hours to test for the master license.

Likely policy objective: Create a viable advancement pathway for small electrical contractors while ensuring reliable verification of experience.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Current requirements for verification of master electrician qualifying hours
 - Existing safeguards against inaccurate or self-serving experience documentation
 - Possible third-party verification options, such as permits, inspections, tax records, project logs, or affidavits
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine self-certification creates too great a risk of unverifiable or non-qualifying experience.
- **Table for future consideration.** Staff will add to “parking lot” for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Avoid pure self-certification; require objective documentation or third-party verification
 - Limit eligible hours to lawful work performed within the limited contractor’s scope
 - Required Board review before exam approval
- **No.** Request staff to draft recommendation for presentation to Task Force.

Recommendation 7

Recommendation: Expand the approved reference list for electrical licensing examinations to include commonly used field reference tools, including Ugly’s Electrical Reference, Tom Henry’s Keywork Index to the NEC, and Ferm’s Fast Finder Index.

Reform type: Examination administration / testing-reference reform

Profession(s) affected: Electrical license applicants; apprentices; journeyman electricians; master electricians

Stated rationale: Commenter stated that Montana’s open-book electrical exam permits the NEC, Montana Building Codes Amendments, and a print reading textbook, but excludes field reference tools allowed in neighboring states. The commenter argued this tests navigation of the NEC rather than competence.

Likely policy objective: Improve exam fairness and candidate success by allowing reference materials commonly used in the field, while maintaining examination integrity.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Current approved reference list and exam vendor policies
 - Whether proposed references contain prohibited answer aids
 - Practices in Idaho, Oregon, Washington, and other comparable states
 - Input from the State Electrical Board, exam vendors, and apprenticeship schools
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine exam-reference decisions should remain entirely with the Board or exam vendor.
- **Table for future consideration.** Staff will add to “parking lot” for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Recommend board review of specific titles rather than mandating named references by statute
 - Require that approved references be commercially published, publicly available, and not contain exam answers.
- **No.** Request staff to draft recommendation for presentation to Task Force.

Recommendation 8

Recommendation: Formalize criteria for adding future materials to the electrical exam approved reference list.

Reform type: Examination administration / rule or policy criteria

Profession(s) affected: Electrical license applicants

Stated rationale: Commenter proposed that future reference materials should be commercially published, publicly available, not contain pre-computed exam answers or question-specific study guides, and be commonly used by licensed electricians while in the field.

Likely policy objective: Create predictable, transparent, and competency-based standards for exam-reference approval.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Existing Board policies for approving exam references
 - Whether criteria should be adopted in rule, policy, or exam bulletin
 - Administrative burden of maintaining and reviewing reference lists
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine the Board already has adequate discretion and procedures.
- **Table for future consideration.** Staff will add to “parking lot” for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Refer to the Electrical Board to develop criteria through policy or rulemaking
 - Include exam-security and exam-vendor compatibility requirements
- **No.** Request staff to draft recommendation for presentation to Task Force.

Recommendation 9

Recommendation: Conduct a formal review of the electrical exam approved reference list with each new NEC cycle.

Reform type: Periodic regulatory review / examination administration

Profession(s) affected: Electrical license applicants

Stated rationale: Commenter stated that Montana adopts each new NEC edition through rulemaking and recommended a parallel process to review and update the approved exam reference list at the same time.

Likely policy objective: Keep exam materials current, practical, and aligned with code cycles and field practice.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Current timing for NEC adoption and exam updates
 - Whether Board, Department, or exam vendor controls reference-list changes
 - Stakeholder input process for apprenticeship schools and licensed electricians
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine existing exam-update processes are sufficient.
- **Table for future consideration.** Staff will add to “parking lot” for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Recommend Board adoption of a periodic review policy rather than a statutory mandate
 - Align review with NEC adoption and exam-vendor update timelines.
- **No.** Request staff to draft recommendation for presentation to Task Force.

Recommendation 10

Recommendation: Pursue expanded electrical reciprocity with neighboring states, particularly Oregon and Washington, where standards are substantially equivalent.

Reform type: Reciprocity / license mobility

Profession(s) affected: Journeyman electricians; electrical contractors

Stated rationale: Commenter stated that Montana has journeyman reciprocity agreements with multiple states and endorsement pathways with additional jurisdictions, but that Oregon and Washington are absent from the full reciprocal list despite workforce mobility with Montana’s construction labor pool.

Likely policy objective: Improve electrician mobility and workforce availability while maintaining substantially equivalent licensing standards.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Current reciprocity agreements and endorsement pathways
 - Legal or administrative barriers to reciprocity with Oregon and Washington
 - Comparison of education, experience, examination, and code standards
 - Whether exam-reference alignment affects reciprocity negotiations
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine reciprocity is already sufficiently addressed by endorsement / substantial equivalency pathways.
- **Table for future consideration.** Staff will add to “parking lot” for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Recommend that the Electrical Board evaluate substantial equivalency and report back.
 - Prioritize states with demonstrated workforce movement into Montana.
- **No.** Request staff to draft recommendation for presentation to Task Force.

Recommendation 11

Recommendation: Improve recognition of out-of-state plumbing licenses, apprenticeships, hours, and experience for experienced plumbers seeking Montana licensure.

Reform type: Reciprocity / endorsement / experience recognition

Profession(s) affected: Plumbers; master plumbers; journeyman plumbers; plumbing contractors

Stated rationale: Commenter stated that Montana does not recognize out-of-state apprenticeships, hours, or licenses adequately and that even an experienced out-of-state master plumber was required to “test out” for something they have been doing for over 15 years.

Likely policy objective: Improve labor mobility and reduce unnecessary barriers for experienced plumbers while ensuring Montana-specific competency and code knowledge.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Current plumbing endorsement, reciprocity, and experience-recognition rules
 - Requirements imposed on applicants from states with comparable licensing standards
 - Complaint or competency data for out-of-state licensees
 - Whether Montana-specific code or law examination is required or could be required
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine current endorsement procedures adequately protect mobility and safety.
- **Table for future consideration.** Staff will add to “parking lot” for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Recommend a substantial-equivalency pathway rather than blanket recognition
 - Require proof of active licensure, good standing, experience, and Montana code/law knowledge.
- **No.** Request staff to draft recommendation for presentation to Task Force.

Recommendation 12

Recommendation: Support a plumbing Pre-Apprenticeship pathway that allows verified experience and time in the trade to shorten a formal apprenticeship.

Reform type: Apprenticeship pathway / workforce-entry reform

Profession(s) affected: Plumbers; plumbing apprentices

Stated rationale: Commenter supported a Pre-Apprenticeship position if the individual's experience and time in the trade could be used to shorten the actual apprenticeship.

Likely policy objective: Provide a structured entry point into plumbing while recognizing relevant prior experience without weakening licensure standards.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Whether Montana currently recognizes pre-apprentice experience
 - How experience would be documented and verified
 - Maximum credit allowed toward apprenticeship
 - Alignment with federal apprenticeship standards
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine if existing apprenticeship credit procedures are sufficient.
- **Table for future consideration.** Staff will add to "parking lot" for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Require documented supervised work and Board or apprenticeship-program approval
 - Cap the amount of credit toward apprenticeship
 - Ensure pre-apprentices do not perform regulated plumbing work outside allowed supervision
- **No.** Request staff to draft recommendation for presentation to Task Force.

Recommendation 13

Recommendation: Remove or clarify confusing plumbing apprenticeship and experience provisions, including provisions that indirectly require apprenticeship or use unclear terms such as “major phase of plumbing”.

Reform type: Statutory clarification / licensure requirement cleanup

Profession(s) affected: Plumbers; plumbing apprentices, journeyman applicants

Stated rationale: Commenter stated that certain statutory language is difficult to determine, indirectly requires apprenticeship, and should be removed to simplify and clearly state requirements.

Likely policy objective: Improve clarity, consistency, and administrability of plumbing licensure requirements.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Exact statutory subsections proposed for deletion or amendment
 - Department and Board interpretation of the current language
 - Applicant confusion, call volume, denial, or appeal data
 - Whether removing language would unintentionally reduce competency requirements
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine the provision requires deeper legal and Board review before action.
- **Table for future consideration.** Staff will add to “parking lot” for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Direct staff to prepare a technical cleanup proposal with Board input.
 - Replace unclear terms with defined experience categories rather than deleting substantive requirements outright.
- **No.** Request staff to draft recommendation for presentation to Task Force.

Recommendation 14

Recommendation: Require contractor liability insurance to match the contractor’s scope of work.

Reform type: Consumer protection / insurance verification

Profession(s) affected: Construction contractors; independent contractors

Stated rationale: Commenter reported that a contractor was registered for “remodels” but allegedly lacked liability insurance listed for that work, causing significant homeowner losses.

Likely policy objective: Improve consumer protection by ensuring contractors have insurance coverage aligned with the work they perform or advertise.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Current contractor registration insurance requirements
 - Whether the Department verifies policy scope or only proof of coverage
 - Insurance industry feasibility of classifying coverage by registered scope
 - Legal implications of Department reliance on insurance representations
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine insurance-scope verification is outside licensing authority or administratively impractical.
- **Table for future consideration.** Staff will add to “parking lot” for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Require proof of coverage for declared work categories, if feasible
 - Include disclaimers clarifying that registration does not guarantee claim coverage unless verified
 - Consider insurer certification rather than contractor self-attestation
- **No.** Request staff to draft recommendation for presentation to Task Force.

Recommendation 15

Recommendation: Add a contractor licensing or registration checkbox requiring contractors to confirm they have appropriate liability insurance coverage for the work performed as stated on their license or registration.

Reform type: Administrative attestation / consumer protection

Profession(s) affected: Construction contractors; independent contractors

Stated rationale: Commenter recommended adding a simple checkbox for contractors to confirm appropriate liability coverage for the work being performed as stated on the license.

Likely policy objective: Improve contractor accountability and consumer protection through a low-burden attestation mechanism.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Existing registration application questions about insurance.
 - Whether contractor self-attestation would create meaningful enforcement authority.
 - Whether false attestation could support discipline or registration action.
 - Whether insurer verification is preferable to a checkbox.
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine a checkbox alone gives consumers a false sense of protection without meaningful verification.
- **Table for future consideration.** Staff will add to “parking lot” for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Pair the checkbox with a requirement to maintain supporting documentation.
 - Include an acknowledgement that false statements may result in enforcement action.
- **No.** Request staff to draft recommendation for presentation to Task Force.

Recommendation 16

Recommendation: Require contractor’s insurance companies to provide proof of liability coverage directly to the Department, with coverage commensurate with the contractor’s authorized work.

Reform type: Insurance verification / consumer protection

Profession(s) affected: Contractors

Stated rationale: Commenter recommended making insurer-provided proof of commensurate liability coverage part of the contractor’s file.

Likely policy objective: Provide stronger verification of contractor insurance coverage than self-attestation and improve consumer protection.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Whether insurers can provide standardized certificates showing covered work categories
 - Administrative burden on the Department and insurers
 - Whether coverage can be meaningfully matched to contractor registration categories
 - Enforcement effect of lapsed, excluded, or misclassified coverage
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine whether the proposal would impose significant administrative burdens or exceed Department capacity.
- **Table for future consideration.** Staff will add to “parking lot” for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Consider requiring certificates of insurance from insurers or agents rather than full policy review
 - Require notice of cancellation or lapse if feasible
 - Limit Department role to collecting certificates, unless statutory authority supports substantive verification.
- **No.** Request staff to draft recommendation for presentation to Task Force.

Recommendation 17

Recommendation: Retire the Montana Crane License where national certification already applies.

Reform type: License elimination / recognition of national certification

Profession(s) affected: Crane operators

Stated rationale: Commenter stated that Montana recognizes national certification, such as NCCCO, but still requires operators to pay state fees and maintain a separate Montana credential.

Likely policy objective: Reduce duplicative licensing burdens where accredited national certification already establishes competence and is required by federal law.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Current Montana crane licensing requirements
 - Federal OSHA requirements and recognized national certifications
 - Whether Montana’s license imposes additional safety, code, or local-law requirements
 - Number of licensees and enforcement history
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine the Montana credential provides safety value not captured by national certification.
- **Table for future consideration.** Staff will add to “parking lot” for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Consider automatic recognition of accredited national certification rather than full license repeal.
 - Retain any Montana-specific safety or registration requirements only if justified
- **No.** Request staff to draft recommendation for presentation to Task Force.

Recommendation 18

Recommendation: Create a streamlined tile-installation classification and portability pathway for out-of-state tile licenses.

Reform type: Specialty trade classification / license portability

Profession(s) affected: Tile installers; remodel contractors; specialty contractors

Stated rationale: Commenter requested a streamlined ‘tile installs’ classification and a pathway to portability or recognize out-of-state tile licenses.

Likely policy objective: Clarify the regulatory pathway for specialty trade work and reduce barriers for qualified out-of-state specialty contractors.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Whether Montana currently licenses, registers, or classifies tile installation work
 - Whether tile work overlaps with plumbing, building code, waterproofing, or remodeling requirements
 - Whether out-of-state licenses are comparable to any Montana classification
 - Consumer-protection concerns in bathroom remodel work
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine Montana does not need a separate tile classification or that existing contractor registration is sufficient.
- **Table for future consideration.** Staff will add to “parking lot” for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Consider specialty registration rather than licensure if public-safety risk is limited.
 - Define when tile installation implicates plumbing, structural, or building -code requirements.
- **No.** Request staff to draft recommendation for presentation to Task Force.

Recommendation 19

Recommendation: Address concerns about unlicensed or undocumented construction workers bypassing Montana licensing and regulatory requirements.

Reform type: Enforcement / unlicensed-practice review

Profession(s) affected: Construction workers; contractors; specialty trades

Stated rationale: Commenter asked how Montana will prevent undocumented or unlicensed construction workers from skirting the regulatory process.

Likely policy objective: Improve enforcement against unlicensed construction activity and ensure a level playing field for compliant contractors.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Existing enforcement authority for unlicensed construction activity.
 - Complaint volume and enforcement outcomes.
 - Whether the concern relates to immigration status, licensure status, worker classification, or contractor registration.
 - Coordination with local building departments and permitting authorities.
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine whether the issue is too broad or outside the occupational licensing scope as framed.
- **Table for future consideration.** Staff will add to “parking lot” for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Focus on unlicensed practice, misclassification, and contractor compliance rather than immigration status unless directly relevant to state licensing authority.
 - Recommend improved complaint intake, public education, and enforcement coordination.
- **No.** Request staff to draft recommendation for presentation to Task Force.

Recommendation 20

Recommendation: Address competitive disadvantages for unionized directional boring contractors competing against non-union contractors.

Reform type: Labor-market concern / public contracting or workforce policy review

Profession(s) affected: Directional boring contractors; utility contractors; union-signatory contractors; non-union contractors;

Stated rationale: Commenter stated that being signed with a certain local union hall is required for certain utility projects but creates a disadvantage because non-union competitors can underbid and union work is insufficient to sustain the business.

Likely policy objective: Identify whether licensing, public contracting, or labor standards create unequal competitive conditions for local or unionized utility contractors.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Whether the issue falls within occupational licensing authority
 - Whether directional boring contractors are licensed, registered, bonded, or insured under current law
 - Public procurement or prevailing wage rules applicable to the projects described
 - Whether the issue is better referred to another agency or forum
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine the issue is primarily labor-relations or procurement policy rather than occupational licensing.
- **Table for future consideration.** Staff will add to “parking lot” for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Reframe as a review of licensing, registration, insurance, and accountability requirements for directional boring rather than union-competition policy.
 - Refer labor-relations or procurement issues to the appropriate body if outside the subcommittee’s scope.
- **No.** Request staff to draft recommendation for presentation to Task Force.

Recommendation 21

Recommendation: Consider labor, insurance, and accountability standards for fiber-optic and directional boring work, particularly on publicly funded or grant-funded infrastructure projects.

Reform type: Contractor accountability / insurance and workforce standards

Profession(s) affected: Fiber-optic installation contractors; directional boring contractors; utility contractors

Stated rationale: Commenter stated that out-of-state contractors working on fiber projects may use 1099 workers without insurance or benefits, undercut local contractors, and leave damage unrepaired.

Likely policy objective: Ensure contractors on infrastructure projects are insured, accountable for damages, and subject to appropriate workforce or classification standards.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Existing licensing, registration, bonding, and insurance requirements for fiber and boring contractors
 - BEAD or other grant-program requirements applicable to contractor selection and labor standards
 - Evidence of unrepaired damage, misclassification, or uninsured work
 - Which agency has authority over publicly funded broadband infrastructure contracts
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine grant conditions and procurement standards fall outside occupational licensing.
- **Table for future consideration.** Staff will add to “parking lot” for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Recommend coordination with broadband, procurement, and labor standards authorities.
 - Focus on insurance, bonding, damage repair, and contractor registration where within licensing authority.
- **No.** Request staff to draft recommendation for presentation to Task Force.

Recommendation 22

Recommendation: Reform water well driller licensing to reduce incumbent control over apprenticeship sign-off and allow applicants to qualify through demonstrated knowledge or educational qualifications.

Reform type: Licensure pathway / apprenticeship verification reform

Profession(s) affected: Water well drillers

Stated rationale: Commenter stated that licensed drillers control apprenticeship documentation and sign-off, which may restrict competition because established drillers have little incentive to train future competitors.

Likely policy objective: Reduce anticompetitive barriers to water well driller licensure while maintaining competence and public protection.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Current water well driller licensure requirements and apprenticeship verification rules, including licensing authority.
 - Whether applicants have alternative ways to document experience.
 - Public safety, groundwater, and environmental risks associated with water well drilling.
 - Potential third-party or education-based verification models.
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine existing supervision requirements are necessary for public safety and environmental protection, or the topic falls outside the Department's authority.
- **Table for future consideration.** Staff will add to "parking lot" for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Consider testing, education, third-party verification, or supervised experience alternatives.
 - Preserve minimum field-experience requirements if needed for groundwater and consumer protection.
- **No.** Request staff to draft recommendation for presentation to Task Force.

Recommendation 23

Recommendation: Allow early Professional Engineer testing in Montana.

Reform type: Examination timing / licensure pathway modernization

Profession(s) affected: Engineers; engineer interns

Stated rationale: Commenter asked whether Montana is considering early PE testing, noting that other states allow it, and stated that it would encourage more young engineers to pursue professional licensing in Montana.

Likely policy objective: Encourage earlier engagement with the engineering licensure pathway and reduce timing barriers for qualified engineering candidates.

Decision tool for considering possible subcommittee actions

1. Does the subcommittee need more information about the recommendation?

- **Yes.** What information?
 - Current Montana PE examination timing requirements.
 - States that allow early PE testing and their experience requirements for licensure.
 - Whether early testing affects competence, pass rates, or licensure completion.
 - Input from the Board of Professional Engineers and Land Surveyors.
- **No.** Proceed with question 2.

2. Should the subcommittee proceed with the recommendation?

- **Yes.** Proceed with question 3.
- **No. Why?**
 - The subcommittee may determine this issue belongs with the engineering board rather than the Construction Subcommittee.
- **Table for future consideration.** Staff will add to “parking lot” for a future meeting

3. Should the recommendation be amended?

- **Yes. How?**
 - Refer the issue to the engineering board for analysis and recommendation.
 - Distinguish early examination eligibility from final licensure eligibility.
- **No.** Request staff to draft recommendation for presentation to Task Force.