

**211.9107 Prohibition against conduct of radon measurement, mitigation, or laboratory analysis without certification -- Exceptions.**

No person or business entity shall conduct radon measurement, mitigation, or laboratory analysis in this Commonwealth after January 1, 2013, without the appropriate certification pursuant to KRS 211.9101 to 211.9135. No person or business entity shall advertise or claim to be a "certified measurement contractor," "certified mitigation contractor," or "certified radon laboratory," unless certified pursuant to KRS 211.9101 to 211.9135. Certification requirements under KRS 211.9101 to 211.9135 shall apply to a radon measurement contractor, radon mitigation contractor, or radon laboratory, but shall not apply to:

- (1) A person performing measurement or mitigation on a single-family residential building that he or she owns and occupies;
- (2) A person performing measurement on a residential or commercial building that he or she owns;
- (3) An apprentice in the process of learning radon measurement, mitigation, or laboratory analysis who assists and is under the general supervision of a measurement or mitigation contractor;
- (4) An agent of the federal, state, or local government agency acting within an official capacity who shall make payment of certification fees but who shall not otherwise be required to comply with KRS 211.9101 to 211.9135;
- (5) A person performing measurement or mitigation as part of a scientific research project approved by the cabinet;
- (6) A retail store or any other organization that sells or distributes radon measurement devices and is not engaged in a relationship with the client for other services, such as home inspection or real estate brokerage, and that does not conduct measurement, mitigation, or laboratory analysis; or
- (7) A person performing measurement or mitigation as part of radon training approved by the cabinet.

**Effective:** June 8, 2011

**History:** Created 2011 Ky. Acts ch. 74, sec. 4, effective June 8, 2011.