

198B.650 Definitions for KRS 198B.650 to 198B.689.

As used in KRS 198B.650 to 198B.689, unless the context requires otherwise:

- (1) "Air conditioning or cooling system" means a system in which heat is removed from air, surrounding surfaces, or both;
- (2) "Apprentice heating, ventilation, and air conditioning mechanic" means an individual in the process of learning the heating, ventilation, and air conditioning trade who assists and is under the supervision of a master heating, ventilation, and air conditioning contractor and a journeyman heating, ventilation, and air conditioning mechanic;
- (3) "Burner service" means the servicing of oil or gas burners used for heating air or water for purposes other than the transmission of heat;
- (4) "Certificate" means a document issued by the department to an apprentice heating, ventilation, and air conditioning mechanic to assist a master heating, ventilation, and air conditioning contractor or a journeyman heating, ventilation, or air conditioning mechanic;
- (5) "Commissioner" means the commissioner of the Department of Housing, Buildings and Construction;
- (6) "Department" means the Department of Housing, Buildings and Construction;
- (7) "Heating system" means a system in which heat is transmitted by radiation, conduction, convection, or a combination of any of these methods to air, surrounding surfaces, or both. "Heating system" does not include fireplaces and free-standing stoves not incorporated into a primary heating system, electric thermal storage units, electric ceiling cable heating systems, or electric baseboard heating units;
- (8) "Hydronic system" means a heating and cooling system using liquids to transmit or remove heat;
- (9) "Initial heating, ventilation, or air conditioning system" means the first or original heating, ventilation, or air conditioning system installed in a building;
- (10) "Journeyman heating, ventilation, and air conditioning mechanic" means an individual who is licensed by the department to perform heating, ventilation, and air conditioning work under the supervision, direction, and responsibility of a master heating, ventilation, and air conditioning contractor;
- (11) "Maintenance person or maintenance engineer" means a person who is a regular and bona fide employee of a property owner, property lessor, property management company, or firm, not in the heating, ventilating, and air conditioning business that has jurisdiction of property where the routine maintenance of heating, ventilating, and air conditioning is being performed, provided the maintenance shall not include major repairs;
- (12) "Major repair" means the complete replacement of any of the following heating, ventilation, or air conditioning equipment:
 - (a) Furnaces;
 - (b) Condensing units;
 - (c) Heat pumps;
 - (d) Fan coil units;

- (e) Chiller systems; or
- (f) Heating boiler systems not covered by KRS Chapter 236;
- (13) "Master heating, ventilation, and air conditioning contractor" means a heating, ventilation, and air conditioning contractor who is licensed by the department to advertise and practice heating, ventilation, and air conditioning contracting in this Commonwealth;
- (14) "Permit" means a document issued by the department or its authorized agent allowing the installation of an original heating, ventilation, or air conditioning system;
- (15) (a) "Practice of heating, ventilation, and air conditioning contracting" means the installation, maintenance, altering, remodeling, or repair of heating systems, ventilation systems, hydronic systems, burner service, or cooling systems.
- (b) "Practice of heating, ventilation, and air conditioning contracting" does not include cleaning of duct work. If cleaning of duct work involves cutting an access point or hole into a duct, the access point or hole shall be repaired and resealed in such a manner that the integrity of the duct is restored before the cleaning service is concluded.
- (c) Nothing in this subsection shall be taken to prohibit a person licensed under KRS 198B.650 to 198B.689 from performing the cleaning of duct work;
- (16) "Routine maintenance of heating, ventilation, or air conditioning" means the routine and periodic servicing of heating, ventilation, and air conditioning systems, including cleaning, inspection, and adjustments to ensure the proper operation, and the removal and replacement of component parts. "Routine maintenance of heating, ventilation, or air conditioning" shall not include major repairs; and
- (17) "Ventilation system" means a natural or mechanical system of supplying air to or removing air from any space.

Effective: April 8, 2022

History: Amended 2022 Ky. Acts ch. 108, sec. 1, effective April 8, 2022. -- Amended 2018 Ky. Acts ch. 22, sec. 1, effective July 14, 2018. -- Amended 2017 Ky. Acts ch. 169, sec. 44, effective June 29, 2017. -- Amended 2010 Ky. Acts ch. 24, secs. 286 and 287, effective July 15, 2010. -- Amended 2007 Ky. Acts ch. 86, sec. 9, effective July 1, 2008. -- Created 1994 Ky. Acts ch. 59, sec. 1, effective July 15, 1994.

Legislative Research Commission Note (7/15/2010). This section, in the version effective until July 1, 2010, was amended by 2010 Ky. Acts ch. 24, sec. 286, but that version expired prior to the July 15, 2010, effective date of the legislation. The version of this section which was set to take effect July 1, 2010, was also amended during the 2010 Regular Session of the General Assembly by 2010 Ky. Acts ch. 24, sec. 287, and that version, as amended, is set forth above.

Legislative Research Commission Note (4/18/2008). This statute was created by 2007 Ky. Acts ch. 86, sec. 9, to be effective July 1, 2008, pursuant to sec. 12 of that Act. However, 2008 Ky. Acts ch. 127 (2008 HB 406, the State/Executive Branch Budget) provided in Part I, F., 16., (2) HVAC Permitting and Inspecting, that notwithstanding the delayed effective date provided in 2007 Ky. Acts ch. 86, sec. 12, the effective date of this statute shall be July 1, 2010.