ALABAMA BOARD OF HEATING, AIR CONDITIONING AND REFRIGERATION CONTRACTORS ADMINISTRATIVE CODE

CHAPTER 440-X-4 CONTINUING EDUCATION REQUIREMENTS FOR CERTIFIED CONTRACTORS

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440-X-4-.01 Definitions.

(1) Board Approved Continuing Education Provider: An individual; partnership; association; organization; educational institution; or governmental agency, offering continuing education for heating and air conditioning, and refrigeration contractors that meet Board criteria for approval and are assigned an issued a Provider ID by the Board.

(2) Board Approved Continuing Education Instructor: May be a certified HVAC contractor, certified refrigeration contractor, industry expert professional, or otherwise qualified individual. When the instructor is not a certified contractor, there shall be evidence of knowledge, skill, and experience of the heating, air conditioning and refrigeration industry.

(3) Board Approved Continuing Education Course: A course that meets the definition of continuing education and has been approved by the Board to be administered by a board approved provider. A course may be a program of multiple sessions or a single session lasting at least two hours.

(4) Continuing Education: Planned, organized learning experiences designed to augment the knowledge, skill, and ability to enhance the knowledge of a certified contractor and therefore improve the installation, service or repair of HVAC or commercial refrigeration equipment to the consumer.

(5) Continuing Education Hours: Unit of measurement of continuing education that meets Board criteria for approval and lasts at least two hours.

(6) Provider ID: A permanent, nontransferable number assigned by the Board to designate an approved provider.

(7) Education Committee: An annually designated committee consisting of at least one Board member and the executive director that assist in the review and continuation of the Board's continuing education program and prelicensure program.
Author: Jeffrey M. Becraft
Statutory Authority: Code of Ala. 1975, §31-31-32.
History: **New Rule:** Published May 31, 2022; effective July 15, 2022.

440-X-4-.02 Continuing Education General Standards.

(1) All certified contractors shall be individually accountable for continued competence to renew annually.

(2) The Board may prescribe additional continuing education courses as disciplinary action.

(3) All certified contractors shall meet continuing education requirements as stated in Section 34-31-26 Code of Ala. 1975.

(4) Continuing education is not required for the first year a contractor holds a certification.

(5) Failure to complete the minimum continuing education requirements before November 1st annually will prevent the renewal of a certified contractor's license until proof of compliance is submitted to the Board.

(6) Units of measure for continuing education in hours. One hour equals at least 50 minutes.

(7) Continuing education hours are awarded in increments of two hours not to exceed eight hours.

(8) Certified contractors may roll over up to four hours on an annual basis.

(9) The Board may accept continuing education earned from an alternative continuing education provider by submitting a request for approval of non-traditional continuing education.

(10) Continuing education courses and activities may not be repeated within the earning period for credit.

(11) Proof of compliance with the continuing education requirements must be submitted to the Board before November 1st annually.
Author: Jeffrey M. Becraft
Statutory Authority: Code of Ala. 1975, §31-31-32.
History: Filed August 20, 1986. **Amended:** Filed July 12, 1988; December 29, 1988. **Emergency rule** filed April 16, 1992. **Amended:** Filed June 8, 1992. **Repealed and New Rule:** Filed April 9, 2003; effective May 14, 2003. **Amended:** Filed August 14, 2009; effective September 18, 2009. **Amended:** Published December 31, 2019; effective February 14, 2020. **Repealed and New Rule:** Published May 31, 2022; effective July 15, 2022.

Ed. Note: Rule .01 was renumbered .02 per certification published May 31, 2022; effective July 15, 2022.

440-X-4-.03 Deficiency.

The Board may implement a continuing education deficiency policy in the event a certified contractor cannot submit their continuing education hours before November 1 annually.

Contractors who fail to submit at least four hours of continuing education hours prior to November 1 annually may be granted a continuing education deficiency extension until December 31. A deficiency plan fee of twenty-five dollars ($25) shall be assessed to all contractors who submit continuing education hours taken after November 1 but before January 1 annually.

All applications for a continuing education deficiency extension must be received by the Board prior to December 31, of the year in which the license certification was to be renewed.
Author: Jeffrey M. Becraft
Statutory Authority: Code of Ala. 1975, §31-31-32.
History: **New Rule:** Filed April 9, 2003; effective May 14, 2003. **Amended:** Filed August 14, 2009; effective September 18, 2009. **Amended:** Published January 31, 2020; effective March 16, 2020. **Repealed and New Rule:** Published May 31, 2022; effective July 15, 2022. **Amended:** Published May 30, 2025; effective July 14, 2025.

440-X-4-.04 Education Committee.

(1) The Board may designate an Education Committee on an annual basis to assist in the development of a curriculum of courses each year. The Board may charge fees for reviewing continuing education providers, courses, instructors, and non-traditional continuing education course applications to the applicant.

(2) The Education Committee shall be tasked with the following duties:

(a) Approve all pre-licensure curricula applications;

(b) Approve apprentice/technician curricula;

(c) Approve or deny course applications that meet the requirements for Board Approved Continuing Education Course;

(d) Approve or deny provider applications that meet the requirements for Board Approved Continuing Education Providers;

(e) Approve or deny instructor applications that meet the requirements for Board Approved Continuing Education Instructors;

(f) Approve or deny applications for non-traditional continuing education.

Author: Jeffrey M. Becraft
Statutory Authority: Code of Ala. 1975, §31-31-32.
History: New Rule: Published May 31, 2022; effective July 15, 2022.

440-X-4-.05 Qualifications And Standards For Board Approved Providers And Instructors.

(1) An application for approval as a Board approved provider of continuing education shall submit to the Board the required fee and a complete application that demonstrates:

(a) An organized plan for quality continuing education for heating and air conditioning or refrigeration contractors;

(b) The mission and objectives of the provider;

(c) Policies and procedures for implementation and evaluation of the educational programs and the educational unit;

(d) An identifiable educational unit with designated qualified personnel and resources for conducting an organized plan of continuing education.

(2) Approved providers are accountable for the quality, accuracy and veracity of continuing education provided.

(3) Approved providers are responsible for ensuring the instructor(s) possess qualifications appropriate to the content of the activity.

(4) Approved providers shall submit electronic records of all contact hours awarded to certified contractors to the Board in a format and method specified by the Board.

(5) Records and reports shall be maintained for a minimum of two years.

(6) An assigned provider number shall be issued upon approval of the entity as an approved provider of continuing education.

(a) The Board Approved Provider ID does not expire, provided standards for approval are maintained;

(b) The provider ID shall be listed on course announcements, certificates, records, and reports including all correspondence with the Board;

(c) Name of entity attached to the Board assigned provider number may be changed upon written request from the contact person or administrator.

(7) Withdrawal of approval as a provider may occur if the provider fails to adhere to requirements in these rules. Grounds for withdrawal of approval include, but are not limited to:

(a) Lack of qualified personnel for planning and conducting continuing education for industry contractors,

(b) Inadequate record maintenance,

(c) Fraud, deception, or misrepresentation relating to the educational program,

(d) Failure to comply with request for documents, submitting false, inaccurate, or incomplete evidence of continuing education programs conducted, and certificates issued,

(e) Aiding or abetting a licensee who fails to meet the continuing education requirement by altering or falsifying certificates.

Author: Jeffrey M. Becraft
Statutory Authority: Code of Ala. 1975, §31-31-32.

History: New Rule: Published May 31, 2022; effective July 15, 2022.

440-X-4-.06 Application For Continuing Education Course Standards.

(1) An application for course approval from an approved provider of continuing education shall be submitted to the Board with the required fee.

(2) The Board will consider proposed courses and curricula for approval only after a review of the proposal by the Board's Education Committee. Requests for approval of proposed courses and curricula shall contain:

(a) Detailed information regarding the instructors to be used;

(b) The proposed facilities or platform, including equipment to be utilized in instruction;

(c) A detailed course syllabus, which shall include a sufficient description of the planned instruction, resource materials, and textbooks involved in the instruction;

(d) The number of contact hours and continuing education hours requested.

(3) Acceptable content for continuing education courses shall include one or more of the following:

(a) Technology, procedures, and industry related applications;

(b) Specialty areas of heating and air conditioning and refrigeration practices;

(c) HVAC techniques, indoor air quality, system controls, and safety factors;

(d) Administration, management, and supervision in heating, air conditioning, or related trade;

(e) Heating and air conditioning and/or refrigeration education;

Author: Jeffrey M. Becraft
Statutory Authority: Code of Ala. 1975, §31-31-32.
History: New Rule: Published May 31, 2022; effective July 15, 2022.

440-X-4-.07 Denial Of Application For Course Or Curricula; Request For Reconsideration.

(1) The Board may deny any education related application that fails to meet the established standards of the Board or which the Board considers inadequate to properly educate its certified contractors. The Board may consider requests for reconsideration for applications which have been denied upon a submission of a written request to the Board.

(2) Upon approval of a proposed course or curriculum by the Board, the Board shall require the Board approved provider to execute a written agreement to conduct the Board approved course and curriculum in accordance with the terms of the Board's approval process. This agreement shall be signed by the applicant for course and curriculum approval.
Author: Jeffrey M. Becraft
Statutory Authority: Code of Ala. 1975, §31-31-32.
History: New Rule: Filed April 9, 2003; effective May 14, 2003.
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440-X-4-.08 Revocation, Suspension, Termination Of Course Or Curricula.

(1) The Board may revoke, suspend, or terminate any provider, course, instructor, or curriculum approval if the Board determines that a course provider or curriculum has failed to comply with the Rules of the Board or its education requirements or has failed to comply with its written agreement regarding conduct of the approved course or curriculum.

(2) The Board may request that a course provider reapply to the Board for approval if the provider has not held any classes for continuing education credit or submitted a roster to the Board for a period of four years. The provider will be required to submit a new application along with all appropriate fees to the Board for approval prior to holding a class for continuing education credit.
Author: Jeffrey M. Becraft
Statutory Authority: Code of Ala. 1975, §31-31-32.
History: New Rule: Filed April 9, 2003; effective May 14, 2003.
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440-X-4-.09 Over 65 Years Of Age Exemption From Continuing Education Requirements For Inactive Contractors Only.

(1) Any INACTIVE contractor who is 65 years of age or older is exempt from continuing education requirements. The inactive contractor is not eligible for this exemption until the year after they turn 65 years old. This exemption does not apply for the year in which the inactive contractor turns 65 years old.

(a) Example: (1) If the inactive contractor is 64 on January 1, 2010 and turns 65 on January 2, 2010 the inactive contractor does not qualify for the exemption for the 2010 licensing year, however the inactive contractor will qualify for the exemption during the renewal period for the 2011 licensing year.

(b) Example: (2) If the inactive contractor turns 65 on December 31, 2009 they would qualify for the exemption and not be required to have 4 hours of continuing education to renew for 2010 licensing year because their birthday occurred prior to the 2010 licensing year.

(2) Once the inactive contractor returns to active status after the age of 65, they will be required to submit 8 hours of Continuing Education prior to receiving an active contractor's license.

(3) This exemption DOES NOT apply to contractors 65 years or older who hold an ACTIVE certification.
Author: Jeffery M. Becraft, Kathy S. Byrom
Statutory Authority: Code of Ala. 1975, §31-31-32.
History: New Rule: Filed August 14, 2009; effective September 18, 2009. **Repealed and New Rule:** Published May 31, 2022; effective July 15, 2022.

440-X-4-.10 First Year Continuing Education Exemption.

A certified contractor is not required to obtain four (4) hours of continuing education hours to renew their license for the first renewal year following the year he or she received their initial license.
Author: Jeffrey Becraft, Kathy S. Byrom
Statutory Authority: Code of Ala. 1975, §31-31-32.

History: New Rule: Filed March 6, 2013; effective April 10, 2013. **Repealed and New Rule:** Published May 31, 2022; effective July 15, 2022.