

By Mr. Galvin of Boston, petition of William F. Galvin and Michael W. Morrissey for legislation to require the registration of lead paint inspectors and lead paint removal contractors. Government Regulations.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Seven.

AN ACT REQUIRING THE REGISTRATION OF LEAD PAINT INSPECTORS AND LEAD PAINT REMOVAL CONTRACTORS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 194 of chapter 111 of the General Laws, as most recently
2 amended by section 1 of chapter 449 of the acts of 1974, is hereby
3 further amended by adding the following four paragraphs: —

4 The director shall register and certify lead paint inspectors and
5 lead paint removal contractors. Applications for registration as
6 qualified lead paint inspectors and lead paint removal contractors,
7 signed and sworn to by the applicants, shall be made upon blanks
8 furnished by the director. Each applicant who shall furnish the
9 director with satisfactory proof of graduation from an approved
10 program of lead paint inspection and of such practical experiences
11 as the director may by regulation prescribe, shall upon payment of
12 a fee to be determined by the director, be examined, and, if found
13 qualified by the director, be registered as a qualified lead paint
14 inspector or lead paint removal contractor and entitled to a certifi-
15 cate in testimony thereof, signed by the director.

16 The director shall require that all lead paint inspectors and lead
17 paint removal contractors registered in the commonwealth renew
18 their certificates of registration with the director effective January
19 the fifteenth, nineteen hundred and eighty-three and at one year
20 intervals thereafter. The renewal application shall be accompanied
21 by a fee to be determined by the director.

22 The director shall investigate all complaints relating to the proper
23 inspection of lead paint in residential dwellings and the proper

24 removal of lead paint from residential dwellings. The director may,
25 after a hearing pursuant to chapter thirty A, revoke, suspend, or
26 cancel the certificate of registration, or reprimand, censure, or
27 otherwise discipline a lead paint inspector or lead paint removal
28 contractors registered under this section upon proof that the lead
29 paint inspector does not conduct proper lead paint inspections and
30 re-inspections in residential dwellings in accordance with the
31 provisions of this chapter; or the lead paint removal contractor
32 does not properly nor safely remove lead paint hazards from
33 residential dwellings in accordance with this chapter.

34 Whoever, not being lawfully registered under this section to
35 inspect lead paint in residential dwellings or to remove lead paint
36 from said dwellings, holds himself out as a lead paint inspector or
37 lead paint removal contractor or conducts inspections or attempts
38 to conduct inspections or removes lead paint or attempts to remove
39 lead paint hazards from residential dwellings shall be punished by a
40 fine of not less than one hundred dollars nor more than five
41 hundred dollars.