

661—235.7(272C) Licensure of persons licensed in other jurisdictions.

235.7(1) For the purposes of this rule, “issuing jurisdiction” means the duly constituted authority in another state that has issued a professional license, certificate, or registration to a person.

235.7(2) Notwithstanding any other provision of law, a commercial explosive contractor license or commercial blaster license shall be issued without an examination to a person who establishes residency in this state or to a person who is married to an active duty member of the military forces of the United States and who is accompanying the member on an official permanent change of station to a military installation located in this state if all of the following conditions are met:

a. The person is currently licensed by at least one other issuing jurisdiction as a commercial explosive contractor or commercial blaster with a substantially similar scope of practice and the license is in good standing in all issuing jurisdictions in which the person holds a license.

b. The person has been licensed by another issuing jurisdiction for at least one year.

c. When the person was licensed by the issuing jurisdiction, the issuing jurisdiction imposed minimum educational requirements and, if applicable, work experience, and the issuing jurisdiction verifies that the person met those requirements in order to be licensed in that issuing jurisdiction.

d. The person previously passed an examination required by the other issuing jurisdiction for licensure, if applicable.

e. The person has not had a license revoked and has not voluntarily surrendered a license in any other issuing jurisdiction or country while under investigation for unprofessional conduct.

f. The person has not had discipline imposed by any other regulating entity in this state or another issuing jurisdiction or country. If another jurisdiction has taken disciplinary action against the person, the state fire marshal shall determine if the cause for the action was corrected and the matter resolved. If the state fire marshal determines that the matter has not been resolved by the jurisdiction imposing discipline, the state fire marshal shall not issue or deny a license to the person until the matter is resolved.

g. The person does not have a complaint, allegation, or investigation pending before any regulating entity in another issuing jurisdiction or country that relates to unprofessional conduct. If the person has any complaints, allegations, or investigations pending, the state fire marshal shall not issue or deny a license to the person until the complaint, allegation, or investigation is resolved.

h. The person pays all applicable fees.

i. The person does not have a criminal history that would prevent the person from holding the commercial explosive contractor license or commercial blaster license applied for in this state.

235.7(3) A person licensed pursuant to this rule is subject to the laws regulating the person’s practice in this state and is subject to the jurisdiction of the state fire marshal.

235.7(4) This rule does not apply to any of the following:

a. The ability of the state fire marshal to require the submission of fingerprints or completion of a criminal history check.

b. The ability of the state fire marshal to require a person to take and pass an examination specific to the laws of this state prior to issuing a license. If the state fire marshal requires an application to take and pass an examination specific to the laws of this state, the state fire marshal shall issue an applicant a temporary license that is valid for a period of three months and may be renewed once for an additional period of three months.

235.7(5) Except as provided in subrule 235.7(2), a person applying for a license in this state who relocates to this state from another state that did not require a license to practice as a commercial explosive contractor or commercial blaster may be considered to have met any education, training, or work experience requirements imposed by the state fire marshal in this state if the person has three or more years of related work experience with a substantially similar scope of practice within the four years preceding the date of application as determined by the state fire marshal.

235.7(6) A person applying for a license in this state under the requirements of this subrule shall submit the request in writing to the state fire marshal as established in subrule 235.1(1) providing proof of residency in this state and documentation to verify all conditions are met under this subrule.

[ARC 5395C, IAB 1/13/21, effective 2/17/21]