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Testimony Submitted by
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Air Conditioning Association of New England (ACA/NE)
Friday, June 2, 2023
Joint Committee on Consumer Protection and Professional Licensure

H251 – An Act relative to refrigeration technicians
S143 – An Act relative to refrigeration technicians

Dear Chairperson Cronin and Chairperson Chan,

Thank you for allowing me to submit this testimony in opposition of H251, An Act relative to refrigeration technicians and S143, An Act relative to refrigeration technicians.

My name is Catherine Flaherty and I am the Executive Director for the Air Conditioning Association of New England (ACA/NE), a not-for-profit trade association for residential heating, ventilating, air conditioning, and refrigeration contractors.

ACA/NE is a not-for-profit trade association for residential heating, ventilating, air conditioning and refrigeration contractors (HVAC/R). The Association represents and serves companies that design, install, service and repair air conditioning, heating, refrigeration, air purification, ventilating systems, plumbing, piping, sheet metal and energy management systems of all sizes and complexities. In addition, membership includes manufacturers of equipment, wholesalers and distributors of equipment, vocational and technical schools, and others with an interest in the residential HVAC/R industry.

ACA/NE members are opposed to these bills because they would require residential HVAC contractors to obtain a refrigeration license to perform work on refrigerant systems under ten-tons, under M.G.L. 146 – which licenses commercial refrigeration technicians, ten-tons and over. As you may know, these industries are different in a number of ways.

It does not make sense to require that residential HVAC contractors obtain a commercial refrigeration license. This license would not cover the scope of work residential HVAC contractors undertake – including the construction, reconstruction, installation, maintenance, repair, or removal of heating, ventilation, and air conditioning equipment.

The license would create a competitive disadvantage for residential HVAC workers who would not have access to the commercial training programs that are currently available. Even for the few who can access the training, they would have to pay for renewals and continuing education for a refrigeration license for work they do not currently perform.

Moreover, the refrigeration license would be created within an oversight agency that does not inspect or supervise residential HVAC work as professional building inspectors do currently.

If required, fewer technicians would then enter the field in an industry already suffering from a shortage of workers. This legislation would add to the labor crisis and then also negatively impact the housing shortage in Massachusetts.

In addition, this new refrigeration license would not benefit the Commonwealth's consumers nor increase safety standards in the industry.

With that said, ACA/NE is not opposed to licensing residential HVAC/R contractors. In fact, we are working with the Massachusetts Board of Building Regulations and Standards (BBRS) to create an HVAC Construction Supervisors License (CSL).

The proposed HVAC CSL would be subject to all the obligations currently imposed on other construction supervisors. We anticipate that the new HVAC CSL will result in a simplified and uniform HVAC permit application. The BBRS regulations already have in place certification, testing, continuing education, and licensing guidelines, which can be adjusted, if necessary, with assistance and input from the relevant parties, including city and town building inspectors.

It makes sense to develop an HVAC CSL through the BBRS because ninety percent (90%) of the work that residential contractors do is defined and governed by in the International Energy Conservation (IEC) and International Residential Codes (IRC), both of which are already under the authority of the BBRS. Additionally, the mission of the BBRS includes the safety and health of the people and building.

In summary, ACA/NE respectfully asks that the Committee reject H251 and S143. We welcome an opportunity to discuss this matter further with the Committee and answer any questions they may have.

Thank you for considering the residential HVAC/R industry's position on this legislation.

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