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April 20, 2023

The Honorable Aaron Michlewitz
Chairman, House Ways and Means
Room 243
State House
Boston, MA 02133

Amendment #1353 to H3900 - An Act relative to refrigeration technicians

Dear Chairman Michlewitz,

I am writing on behalf of 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 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 equipment manufacturers, wholesalers and distributors of equipment, vocational and technical schools, and others interested in the residential HVAC/R industry.

ACA/NE members oppose the passage of Amendment #1353 - An Act relative to refrigeration technicians. This legislation would require residential HVAC contractors to obtain a refrigeration license for work under ten tons.

ACA/NE is not opposed to licensing residential HVAC contractors. In fact, we recently submitted a proposal to the Massachusetts Board of Building Regulations and Standards (BBRS) to create an HVAC Construction Supervisors License (CSL).

The scope of work covered under the new license would include the construction, reconstruction, installation, maintenance, repair, or removal of heating, ventilation, and air conditioning systems of less than ten-ton capacity. The new license would be subject to all the obligations imposed on other construction supervisors.

We anticipate the new HVAC CSL will result in a simplified and uniform HVAC permit. The BBRS will develop the certification, testing, continuing education, and licensing guideline 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 in the International Energy Conservation (IEC) and International Residential Codes (IRC) already under the authority of the BBRS. Additionally, the mission of the BBRS is the SAFETY and Health of the people and building.

That said, it does not make sense to require residential HVAC contractors to obtain a commercial refrigeration license for work under ten tons. The new license will be duplicative and place residential HVAC contractors within an oversight agency that does not inspect or supervise their work as professional building inspectors currently do.

ACA/NE and Building Officials throughout the Commonwealth have worked together to develop the HVAC CSL proposal. We have already created a curriculum outline and contacted educational institutions like [The Gould Construction Institute](#) to ensure that training and testing will be readily available.

Specific Training Requirements will include the following:

Current MA Base International Residential Code (IRC)

Chapter 1 – Scope & Administration (All)

Chapter 3 – Building Planning

R303 – Light, Ventilation & Heating

Part V – Mechanical

Chapter 13 – General Mechanical System Requirements (All)

Chapter 14 – Heating and Cooling Equipment and Appliances

Chapter 15 – Exhaust Systems

M1501, M1504, M1505

Chapter 16 – Duct Systems (All)

Chapter 17 – Combustion Air (All)

Chapter 18 – Chimneys & Vents (All)

Chapter 20 – Boilers and Water Heaters

Chapter 21 – Hydronic Piping

Chapter 22 – Special Piping and Storage Systems (all)

P2601, P2603, P2606-P2609

P2901 – P2902

Current MA Base International Mechanical Code (IMC)

Chapter 1 – Scope and Administration (All)

Chapter 3 – General Regulation (All)

Chapter 4 – Ventilation (All, Except 404, 407)

Chapter 5 – Exhaust Systems

501-503, 505, 514

Chapter 6 – Duct Systems (All)

Chapter 7 – Combustion Air (All)

Chapter 8 – Chimneys and Vents (All)

Chapter 9 – Specific Appliances, Fireplaces and Solid Fuel-Burning Equipment

901, 905, 909-912, 918-921, 927

Chapter 10 – Boilers, Water Heaters and Pressure Vessels (All)

Chapter 11 – Refrigeration (All)

Chapter 12 – Hydronic Piping (All)

Chapter 13 – Fuel Oil Piping and Storage (All)

Current MA Base International Energy Conservation Code (IECC) & 2021 IECC for Stretch Code

Chapter R1 – Scope and Administration (All)

Chapter R3 – General Requirements

R301, R302, R303.1, R303.1.2, R303.2, R303.3

Chapter 4 – Residential Energy Efficiency

R401, R401.2.1, R401.2.2, R401.2.3, R402.4.4, R403 All & R403.7 References Manual J & S, R408

Chapter 5 – Existing Buildings (All)

The majority of residential and small commercial systems are limited to five tons. Ten-ton systems and above differ significantly from those encountered in residential work, requiring different skill sets, safety requirements, and knowledge. Commercial HVAC work also encompasses refrigerants, voltages, and codes. Also, the questions on the current test, by and large, do not apply to residential work.

Thank you for your attention to our concerns.

Sincerely,

Manuel Chaves

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