

(S.B. 823)

**(No. 5)**

(Approved January 5, 2006)

## **AN ACT**

To amend Section 10 of Act No. 281 of September 1, 2000, better known as the “Puerto Rico Roof Waterproofing, Coating and Repair Contractors Board Act,” in order to harmonize the provisions of this Section with the approval process of the Regulations of the Board; and the certification of those contractors who are registered in the Department of Consumer Affairs and against whom there are no complaints in said body.

### **STATEMENT OF MOTIVES**

This Act was created to establish the controls needed to protect consumers from breach of contract, fraud, use of inferior quality products or inadequate application thereof, and failure to comply with warranties and insurance in the roof waterproofing, coating and repair services in Puerto Rico.

The Act also provides that in order to engage in this type of activity, every person who wishes to be contracted as a contractor shall hold a license to such effect. For this, the creation of an Examining Board was provided, which shall have the authority to issue licenses, adopt norms and rules, and maintain a registry of those persons who have been issued a license, among others.

The Board, however has not been able to carry out its functions since it was constituted a year after Act No. 281 of September 1, 2000 was approved, and Section 10 establishes a term of six months “as of the effectiveness of the Act” to issue licenses without examination, which is

impossible since the term of six (6) months has expired and it does not have Regulations approved by the Board, and the Department of Consumer Affairs has not yet approved the Regulations created by it.

It is for this reason that the Act should be amended to the effects that the six (6) month term begins to count after the By-laws of the Board have been approved.

**BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:**

Section 1.- Section 10 of Act No. 281 of September 1, 2000, is hereby amended to read as follows:

Section 10.- Granting of license without examination

During the term of six (6) months, as of the approval of the By-laws of the Board, the persons who on the date of approval of this measure are able to present evidence that they have engaged actively and consecutively as Roof Waterproofing, Coating and Repair Contractors for a term of not less than three (3) years, and who meet the requirements provided in this chapter, may apply for a license to the Board without having to pass an examination. The Board shall only certify those contractors who are registered in the Department of Consumer Affairs, and against whom no complaints have been filed in said agency.

They shall, however, meet all other requirements established by law and those required by the Board. Said application shall be accompanied by an internal revenue voucher worth forty dollars (\$40.00) as payment for the application and license certificate. The Board shall approve its by-laws in a term not to exceed six (6) months as of the effectiveness of this Act.”

Section 2.- This Act shall take effect immediately after its approval.

## CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 5 (S.B. 823) of the 2<sup>nd</sup> Session of the 15<sup>th</sup> Legislature of Puerto Rico:

**AN ACT** to amend Section 10 of Act No. 281 of September 1, 2000, better known as the “Puerto Rico Roof Waterproofing, Coating and Repair Contractors Board Act,” in order to harmonize the provisions of this Section with the approval process of the Regulations of the Board; and the certification of those contractors who are registered in the Department of Consumer Affairs and against whom there are no complaints in said body,

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, today 2nd of June of 2006.

Francisco J. Domenech  
Director