

4775-2-07

Substantial compliance with board's registration requirements.

- (A) The standard by which the board determines if an operator is in substantial compliance with its registration requirements shall be that the ~~collision~~ repair operator is currently in possession of the board's required documentation, identification numbers, licenses, permits, policy(s), and/or registrations but who, by virtue of newly imposed or enacted requirements set forth in federal, state, or local statute, or by company policy, has not yet been able to secure, obtain, implement, or incorporate the equipment, training, controls, processes, ratings, or other requirements as set forth in the newly imposed requirements.
- (B) The ~~collision~~ repair operator who is deemed by the board to be in substantial compliance shall be afforded a reasonable period of time in which to achieve full and complete compliance with the newly enacted requirements as they relate to the board's registration ~~requirements~~. An operator shall not construe or interpret the board's determination of substantial compliance to mean the operator is, has been, or shall be relieved from the requirements put upon them by the agency compelling such compliance. The operator shall be afforded a period of one year with which to achieve full compliance as required by outside agencies or entities. Said time period shall expire on the first anniversary of the date of the board's original determination of the operator's substantial compliance.
- (C) The ~~collision~~ repair operator who is determined to be in substantial compliance by the board shall periodically prepare and provide, by regular U.S. mail, the board with a typewritten narrative upon paper measuring eight and one-half inches by eleven inches, which narrative shall detail the activities of the preceding three month period as they relate to the newly imposed requirements. Documents provided by a ~~collision~~ repair operator in support of the substantial compliance status will be reviewed annually by the board not later than the anniversary of issuance of the operator's registration. Upon review by the board, the board shall determine whether the operator continues to be or shall continue to be considered in substantial compliance or if other action by the board is warranted.

Effective:

Five Year Review (FYR) Dates: 01/12/2016

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4775.04
Rule Amplifies: 4775.02
Prior Effective Dates: 01/21/99, 12/2/05, 02/20/11.