



**HVAC/R SECTION**  
**ARKANSAS DEPARTMENT OF LABOR AND LICENSING**  
 900 W Capitol, Suite 400, Little Rock, Arkansas 72201  
 Phone 501-682-4500 TRS 800-285-1131  
[www.labor.arkansas.gov](http://www.labor.arkansas.gov)

**HVACR REGISTRANT APPLICATION**  
**PAYMENT OF \$25.00 MUST BE SUBMITTED WITH APPLICATION\***

| License Information  |                   |                 |      |
|--|-------------------|-----------------|------|
| <input type="checkbox"/> Registrant \$25.00* <b>If you check yes to ACA §17-3-102 do not submit payment until instructed. See information below.</b>   |                   |                 |      |
| Applicant Information  |                   |                 |      |
| Last Name:   | First:            | Middle Initial: |      |
| Street Address:  | City:             | State:          | Zip: |
| Mailing Address:   | City:             | State:          | Zip: |
| Phone:   | Email Address:    |                 |      |
| SSN:   | DOB: (mm/dd/year) |                 |      |
| <b>ACT 820: (Check all that apply)</b><br>Are you <input type="checkbox"/> or your spouse <input type="checkbox"/> a current member of the U.S. Armed Forces? <input type="checkbox"/> Yes <input type="checkbox"/> No Are you <input type="checkbox"/> or your spouse <input type="checkbox"/> a veteran of the U.S. Military?  |                   |                 |      |
| <b>A.C.A §17-3-102: Have you been convicted of a felony? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide date of conviction name of court and the type of conviction below. <u>(Do Not Provide Court Documents or Sentencing Agreements.)</u></b><br><b><u>*IF YOU CHECK YES TO THIS QUESTION, COMPLETE QUESTIONS BELOW. SUBMIT APPLICATION WITHOUT PAYMENT. SEE ATTACHED INFORMATION SHEET FOR ADDITIONAL INSTRUCTIONS.</u></b>  |                   |                 |      |
| Conviction Statute: _____<br>Date of Conviction: _____<br>Name of Court: _____<br>Probation Completion Date: _____   |                   |                 |      |
| <b>Act 725: any applicant can request an initial license fee waiver if: (Check All Applicable Boxes.)</b><br><input type="checkbox"/> Receives Assistance through the Arkansas Medicaid Program (Provide copy of current enrollment.)<br><input type="checkbox"/> Supplemental Nutrition Assistance Program (SNAP) or the Special Supplemental Program for Women Infants and Children: (Provide proof of current enrollment.)<br><input type="checkbox"/> Temporary Assistance for Needy Families Program or the Lifeline Assistance Program. (Provide proof of enrollment.)<br><input type="checkbox"/> Approved for unemployment compensation in the last twelve (12) months (Provide proof of benefits from the Department of Workforce Services.)<br><input type="checkbox"/> Has an income that does not exceed two hundred percent (200%) of the federal poverty limit. (Submit tax return for previous year.) |                   |                 |      |
| <b>Applicant/Employer Certification:</b><br><input type="checkbox"/> My signature of this application acknowledges it is my responsibility to keep the HVAC/R Section of the Arkansas Department of Labor and Licensing advised of my current address, phone and employer.   |                   |                 |      |
| Employer Name:   |                   |                 |      |
| Responsible License Holder Name:   |                   |                 |      |
| License#   |                   |                 |      |
| Street Address:  | City:             | State:          | Zip: |
| Mailing Address:   | City:             | State:          | Zip: |
| Phone:   | Email Address:    |                 |      |
| Employer Signature:  |                   | Date            |      |
| Employer Printed Name & Title:   |                   |                 |      |
| Applicant Signature:   |                   | Date:           |      |

## **IMPORTANT INFORMATION FOR APPLICANTS SUBJECT TO A.C.A §17-3-102**

Any applicant/registrant who checks yes to a felony conviction of the offenses listed in A.C.A § 17-3-102 requires a board license wavier by the HVACR Board prior to licensing. The applicant can submit a request in writing to appear before the Board to request a waiver. A.C.A § 17-3-102 (b)(1) sets the requirements necessary to be considered for a licensed to be issued under the wavier.

All documentation, character references and conviction background information (DO NOT ATTACH A COPY OF YOUR COURT RECORDS) must be submitted at the time of application and shall be accompanied by a completed request for hearing. A copy of the hearing request form is included in this application packet or can be found on the HVACR Board webpage at <https://www.labor.arkansas.gov/labor/code-enforcement/hvac-r/>

**DO NOT SEND PAYMENT WITH THE APPLICATION OF ANY APPLICANT OR REGISTRANT SUBJECT TO A.C.A §17-3-102. ANY APPLICANT/REGISTRANT(S) NOT SUBJECT TO A.C.A 17-3-102 SHOULD BE SUBMITTED WITH PAYMENT SEPARATELY. COMBINING APPLICATIONS WITH THOSE APPLICATIONS SUBJECT TO THE PROVISIONS OF A.C.A §17-3-102 WILL RESULT IN ALL APPLICATIONS BEING RETURNED.**

A COPY OF THE STATUTE IS LISTED BELOW.

### **17-3-102. Licensing restrictions based on criminal records.**

(a) An individual is not eligible to receive or hold a license issued by a licensing entity if that individual has pleaded guilty or nolo contendere to or been found guilty of any of the following offenses by any court in the State of Arkansas or of any similar offense by a court in another state or of any similar offense by a federal court, unless the conviction was lawfully sealed under the Comprehensive Criminal Record Sealing Act of 2013, § 16-90-1401 et seq., or otherwise previously sealed, pardoned or expunged under prior law:

- (1) Capital murder as prohibited in § 5-10-101;
- (2) Murder in the first degree and second degree as prohibited in § 5-10-102 and 5-10-103;
- (3) Manslaughter as prohibited in § 5-10-104;
- (4) Negligent homicide as prohibited in § 5-10-105;
- (5) Kidnapping as prohibited in § 5-11-102;
- (6) False imprisonment in the first degree as prohibited in § 5-11-103;
- (7) Permanent detention or restraint as prohibited in § 5-11-106;
- (8) Robbery as prohibited in § 5-12-102;
- (9) Aggravated robbery as prohibited in § 5-12-103;
- (10) Battery in the first degree as prohibited in § 5-13-201;
- (11) Aggravated assault as prohibited in § 5-13-204;

- (12) Introduction of a controlled substance into the body of another person as prohibited in § 5-13-210;
- (13) Aggravated assault upon a law enforcement officer or an employee of a correctional facility as prohibited in § 5-13-211, if a Class Y felony;
- (14) Terroristic threatening in the first degree as prohibited in § 5-13-301;
- (15) Rape as prohibited in § 5-14-103;
- (16) Sexual indecency with a child as prohibited in § 5-14-110;
- (17) Sexual extortion as prohibited in § 5-14-113;
- (18) Sexual assault in the first degree, second degree, third degree, and fourth degree as prohibited in §§ 5-14-124 through 5-14-127;
- (19) Incest as prohibited in § 5-26-202;
- (20) Offenses against the family as prohibited in §§ 5-26-303 through 5-26-306;
- (21) Endangering the welfare of an incompetent person in the first degree as prohibited in § 5-27-201;
- (22) Endangering the welfare of a minor in the first degree as prohibited in § 5-27-205;
- (23) Permitting the abuse of a minor as prohibited in § 5-27-221;
- (24) Engaging children in sexually explicit conduct for use in visual or print media, transportation of minors for prohibited sexual conduct, pandering or possessing visual or print media depicting sexually explicit conduct involving a child, or use of a child or consent to use of a child in a sexual performance by producing, directing, or promoting a sexual performance by a child, as prohibited in §§ 5-27-303 through 5-27-305, 5-27-402, and 5-27-403;
- (25) Computer child pornography as prohibited in § 5-27-603;
- (26) Computer exploitation of a child in the first degree as prohibited in § 5-27-605;
- (27) Felony adult abuse as prohibited in § 5-28-103;
- (28) Theft of property as prohibited in § 5-36-103;
- (29) Theft by receiving as prohibited in § 5-36-106;
- (30) Arson as prohibited in § 5-38-301;
- (31) Burglary as prohibited in § 5-39-201;
- (32) Felony violation of the Uniform Controlled Substances Act, § 5-64-101 et seq., as prohibited in the former § 5-64-401, and §§ 5-64-419 through 5-64-442;
- (33) Promotion of prostitution in the first degree as prohibited in § 5-70-104;
- (34) Stalking as prohibited in § 5-71-229;
- (35) Criminal attempt, criminal complicity, criminal solicitation, or criminal conspiracy, as prohibited in §§ 5-3-201, 5-3-202, 5-3-301, and 5-3-401, to commit any of the offenses listed in this subsection; and
- (36) All other crimes referenced in this title.

**(b)**

**(1) If an individual has been convicted of a crime listed in subsection (a) or subsection (e) of this section, a licensing entity may waive disqualification or revocation of a license based on the conviction if a request for a waiver is made by:**

**(A) An affected applicant for a license; or**

**(B) The individual holding a license subject to revocation.**

**(2) A basis upon which a waiver may be granted includes without limitation:**

**(A) The age at which the offense was committed;**

**(B) The circumstances surrounding the offense;**

**(C) The length of time since the offense was committed;**

**(D) Subsequent work history since the offense was committed;**

**(E) Employment references since the offense was committed;**

**(F) Character references since the offense was committed;**

**(G) Relevance of the offense to the occupational license; and**

**(H) Other evidence demonstrating that licensure of the applicant does not pose a threat to the health or safety of the public.**

**(3) The waiver requirements of this section are not required for a renewal of a license if an individual has been convicted of a crime listed in subsection (a) of this section and has either:**

**(A) Completed the waiver requirements of this section at his or her initial licensure;**

**(B) Been licensed in this state before the enactment of subsection (a) of this section; or**

**(C) Attended a professional or occupational school, program, or training in pursuit of an occupational license before the enactment of subsection (a) of this section and would have been qualified to hold an occupational license on or before July 24, 2019.**

**(c) If an individual has a valid criminal conviction for an offense that could disqualify the individual from receiving a license, the disqualification shall not be considered for more than five (5) years from the date of conviction or incarceration or on which probation ends, whichever date is the latest, if the individual:**

**(A) Was not convicted for committing a violent or sexual offense; and**

**(B) Has not been convicted of any other offense during the five-year disqualification period.**

**(d) A licensing entity shall not, as a basis upon which a license may be granted or denied:**

**(1) Use vague or generic terms, including without limitation the phrases “moral turpitude” and “good character”; or**

**(2) Consider arrests without a subsequent conviction.**

**(e) Due to the serious nature of the offenses, the following shall result in disqualification for licensure, regardless of the date of conviction or the date on which probation or incarceration ends unless a waiver is granted under subsection (b) of this section:**

**(1) Capital murder as prohibited in § 5-10-101;**

**(2) Murder in the first degree as prohibited in § 5-10-102 and murder in the second degree as prohibited in § 5-10-103;**

**(3) Kidnapping as prohibited in § 5-11-102;**

**(4) Aggravated assault upon a law enforcement officer or an employee of a correctional facility as prohibited in § 5-13-211, if a Class Y felony;**

**(5) Rape as prohibited in § 5-14-103;**

**(6) Sexual extortion as prohibited in § 5-14-113;**

**(7) Sexual assault in the first degree as prohibited in § 5-14-124 and sexual assault in the second degree as prohibited in § 5-14-125;**

**(8) Incest as prohibited in § 5-26-202;**

**(9) Endangering the welfare of an incompetent person in the first degree as prohibited in § 5-27-201;**

**(10) Endangering the welfare of a minor in the first degree as prohibited in § 5-27-205;**

**(11) Adult abuse that constitutes a felony as prohibited in § 5-28-103;**

**(12) Arson as prohibited in § 5-38-301; and**

**(13) Engaging children in sexually explicit conduct for use in visual or print media, transportation of minors for prohibited sexual conduct, pandering or possessing visual or print media depicting sexually explicit conduct involving a child, or use of a child or consent to use of a child in a sexual performance by producing, directing, or promoting a sexual performance by a child, as prohibited in §§ 5-27-303 through 5-27-305, 5-27-402, and 5-27-403.**

**(f) This chapter does not preclude a licensing entity from taking emergency action against a licensee as authorized under § 25-15-211 for the sake of public health, safety, or welfare.**

**(g) The disqualification for an offense listed in subsection (a) of this section and the disqualification for an offense listed in subsection (e) of this section do not apply to:**

**(1) An individual who holds a valid license on July 24, 2019;**

- (2) An individual who holds a valid license on or before July 24, 2019, but failed to renew his or her license for any reason; or**
- (3) An individual who was a student on or before July 24, 2019, in a professional or occupational school, program, or training in pursuit of an occupational license and would have been qualified to hold an occupational license on or before July 24, 2019.**
- (h) This section does not apply to licensure or certification:**
  - (1) Of professions not governed by this title;**
  - (2) Of polygraph examiners and voice stress analysis examiners under § 17-39-101 et seq.;**
  - (3) Of private investigators and private security agencies under the Private Security Agency, Private Investigator, and School Security Licensing and Credentialing Act, § 17-40-101 et seq.; or**
  - (4) Of body artists under § 17-26-601 et seq.**



**Arkansas Department of Labor and Licensing  
Code Compliance Section  
A.C.A §17-3-102 License Waiver Hearing Request  
READ INSTRUCTIONS BEFORE COMPLETING AND  
SUBMITTING REQUEST**

**INSTRUCTIONS**

To submit a consideration for licensure pursuant to A.C.A §17-3-102 (Attached), complete this form in its entirety. Incomplete forms will result in delays in processing. A.C.A §17-3-102(B) provides information the Board may consider in their decision to grant a waiver. **DO NOT ATTACH ANY COURT SENTENCING DOCUMENTS TO THIS REQUEST.** All letters of reference/support or verification of employment for the waiver request must be submitted with this request. These documents should be on company, personal letterhead or have the references name, contact information and signature.

**DO NOT SEND PAYMENT FOR LICENSING UNTIL APPROVED BY THE BOARD.**

**You will be notified by mail and email of the hearing date and instructions.**

**General Information**

I \_\_\_\_\_ Name (printed), request an eligibility license waiver hearing pursuant to A.C.A §17-3-102(B) before the (Check appropriate box)  Boiler  Elevator  Electrical  HVAC/R Section.

Name (First, Last, M.I):

Phone:

Mailing Address:

State:

Zip:

Email Address:

Date of Birth \_\_\_\_/\_\_\_\_/\_\_\_\_

License Type:

Boiler  Operator

Electrical  Apprentice  Journeyman  Master  Industrial Maintenance  Sign Spec.  Air Conditioning

Elevator  Mechanic

HVAC/R  Registrant  Class A  Class B  Class C  Class D  Class E

**Sentencing Information**

**(Do Not Attach Court Sentencing Documents)**

Name of Court:

Date of Sentencing:

Type of Conviction:

Statute Reference:

Date Probation Began:

Probation Completion Date:

Total Years/Months of Completed Probation Served:

Age at Date of Sentencing:

Have you been or are you currently employed since your conviction? Yes  No  If Yes, list your employers in space below

Name

Address

City, State, Zip

1.

2.

3.

Attach separate sheet if needed

The following reference/character letters are attached:  Personal Reference  Business/Professional Reference

Law Enforcement/Parole Officer  Church /Pastor  Other (Please list)

Signature:

Date: