

Reasons for considering Swimming Pool Licensing

- In the last twenty years, Federal and State Laws, Codes, Standards, and Rules requiring understanding of Energy Efficiency, Suction Entrapment, Barrier Codes, and Pool Plumbing Hydraulics have been developed. Individuals who are not aware of these minimum requirements for pools and spas negatively affect pool owners and swimmers on a daily basis.
- Lack of licensure for those who either build or service swimming pools and spas leaves an educational gap with negative repercussions for consumers. Damage and injuries occur, with consumers incurring undue repair costs and far worse, swimming in pools that do not adhere to federal and state laws and codes, resulting in unsafe conditions.
- Without training on rules and laws, an individual will not know proper maintenance procedures and guidelines for swimming pools – they will not know to look for deficiencies in safety devices, the pools hydraulic system, the federal Virginia Graeme Baker compliant drain covers, and pool barriers. Pool builders will not know to build to American National Standards Institute standards for pools and spas. All resulting in an increased risk to consumers.
- The typical homeowner who hires companies to either build or service a pool or spa naturally assume that these individuals do have the knowledge and training to perform services. The electricians and plumbers they hire are licensed by the state and are required to have minimum training; consumers deserve the same protection when hiring a pool and spa contractor.
- The technological advancements in the industry, as well as the health and safety aspects that have come to light were not there twenty years ago - there were no salt chlorinators or UV systems being installed; there were no barrier laws and we were just beginning to understand the science behind suction entrapment. Now we have an American National Standards Institute approved Suction Entrapment Avoidance Standard, and the 2007 Federal Virginia Graeme Baker Pool & Spa Safety Act.
 - By not having a builder understand proper pool hydraulics and how to build to suction entrapment avoidance standards found in federal law, citizens are at risk. By not understanding minimum construction and design guidelines the quality of the pool may suffer.
 - By not having a maintenance, service and repair technician understand the chemicals used in a pool or spa, improper water quality can occur, effecting the

health of citizens using the pool or spa. More importantly, improper water quality can cause recreational water illnesses which the CDC recognizes as causative factors in outbreaks such as legionnaires.

- Legislation would provide that anyone building or working on a pool or spa have a license. That license would require proper understanding of the new codes, laws, and rules by ensuring proper training and certification occurred before a license is provided. We do not want to limit entrance to our profession with this law; we want to make our industry better and safer.
- If we do not propose reasonable regulations someone else will propose them for us. Working on legislation is a pro-active approach.
- A law would provide limited provisions, but require a state agency to promulgate rules on the specific requirements. Would put forward APSP Certification programs (or equivalent programs)as a means to become educated and obtain the license.
- Grandfathering should be considered for individuals who meet certain requirements.

Current Massachusetts Requirements

- Pool Builder:
 - In-ground pool or spa = Construction Supervisor License required
 - Above-ground pool or spa = exempt from any licensure or training requirements
- Pool Service:
 - Residential = no licensure or training requirements.
 - Public = CPO or equivalent, but this does not cover aspects of repair.

Proposed Massachusetts Legislation Requirements

- Provides two pool and spa licenses:
 - Swimming Pool Builder
 - Swimming Pool Maintenance, Service and Repair Technician
- Provides that the Division of Professional Licensure adopt regulations to implement these new license requirements, administer such licenses, and oversee the enforcement of said licenses.
- Provides for violations for those not properly license.
- Provides for fees to obtain and renew these licenses.
- Provides an effective date.