

This document contains the Connecticut regulations for the Practice of Arboriculture. These regulations became effective on March 4, 2013. This document was prepared by the State of Connecticut Department of Energy and Environmental Protection and is provided for the convenience of the reader. This is not the official version of the regulations. The official regulations are published by the State of Connecticut, Judicial Branch, Commission on Official Legal Publications in the Connecticut Law Journal. In the event there is inconsistency between this document and the regulations as published in the Connecticut Law Journal, the Connecticut Law Journal publication will serve as the official version.

Sections 23-61a-1 to 23-61a-7, inclusive, of the Regulations of Connecticut State Agencies

Sec. 23-61a-1. Purpose

The commissioner shall examine the qualifications of a person desiring to perform arboriculture as defined in section 23-61a of the Connecticut General Statutes. The commissioner shall issue a license to a qualified applicant and renew such license as provided in section 23-61a-4 of the Regulations of Connecticut State Agencies. The commissioner may cause to be investigated complaints against licensees. Information on licensing requirements may be obtained from the Department of Energy and Environmental Protection.

Sec. 23-61a-1a. Definitions

As used in sections 23-61a-1 to 23-61a-7, inclusive, of the Regulations of Connecticut State Agencies:

- (1) "Arboriculture" means any work done for hire to improve the condition of fruit, shade or ornamental trees by feeding or fertilizing, or by pruning, trimming, bracing, treating cavities or other methods of improving tree conditions, or protecting trees from damage from insects or diseases or curing these conditions by spraying or any other method;
- (2) "Board" means the state tree protection examining board; and
- (3) "Commissioner" means the Commissioner of Energy and Environmental Protection.

Sec. 23-61a-2. Examinations

- (a) The commissioner shall administer examinations for licensure in consultation with the board as needed. Examinations for licensure to perform arboriculture shall be held at least four times a year. The form of the examination, oral or written, or both, shall be determined by the commissioner.
- (b) Each candidate for a license shall file an application with the commissioner at least thirty days prior to the date set for the examination. The commissioner shall notify each applicant by mail as to the time, date and place of the exam. No person shall be admitted to an exam without presenting picture identification showing such person to be the person for whom an examination is scheduled.
- (c) An applicant shall submit a check or money order for fifty dollars, made payable to "Department of Energy and Environmental Protection" with each application. The fee shall be nonrefundable.
- (d) If a candidate fails to pass an examination, such candidate may subsequently reapply for examination and take any other examinations at dates specified by the commissioner upon payment of the required fee for each examination.

(e) The commissioner shall inform each candidate in writing of examination results. If the commissioner finds a candidate unqualified, the commissioner shall indicate areas of deficiency revealed by the examination.

Sec. 23-61a-3. Licenses

(a) An initial license is valid from date of issue until the expiration date indicated on the license, unless sooner suspended or revoked. A licensee shall renew an initial license on or before the expiration date indicated on the license and each five years thereafter on or before the last day of January.

(b) For each organization, there shall be at least one licensed person actively engaged in supervisory duties for each ten unlicensed personnel actively engaged in arboriculture.

(c) No licensee shall be designated to be licensed on behalf of more than one organization engaged in arboriculture at any time.

(d) Each licensee shall notify the commissioner of any change of address not later than thirty days after such change. If any licensee is licensed on behalf of an organization engaged in arboriculture that licensee shall notify the commissioner of any change of the name of the organization or of any change of address not later than thirty days after such change.

Sec. 23-61a-4. Renewal

(a) The commissioner shall issue a license renewal for a period of five years unless sooner suspended or revoked. The expiration date of each license shall be clearly displayed on the face of said license.

(b) At least sixty days before the date of expiration of a license, the commissioner shall mail or otherwise provide a notice of expiration and a renewal application to each licensee. If a signed renewal application accompanied by the statutory renewal fee has not been received by the commissioner on or before midnight of the expiration date, or if the expiration date is Saturday, Sunday, or a legal holiday, on or before midnight of the next working day following, the license automatically lapses. Failure of a licensee to receive a notice of expiration and renewal application shall not prevent lapse of license.

(c) The holder of a license lapsed less than one year may renew the license upon submission of a signed renewal application and payment of the statutory renewal fee. The holder of a license lapsed more than one year shall be examined in accordance with section 23-61a-2 of the Regulations of Connecticut State Agencies and licensed in accordance with section 23-61a-3 of the Regulations of Connecticut State Agencies.

Sec 23-61a-5. Complaints and investigations

A person shall forward a complaint to the commissioner for investigation under the uniform rules of procedure of the Department of Energy and Environmental Protection, as contained in sections 22a-3a-5 to 22a-3a-6, inclusive, of the Regulations of Connecticut State Agencies.

Sec. 23-61a-6. Hearings, suspension and revocation

(a) The commissioner shall hold such hearings as necessary to decide on suspension or revocation of license or the issuance of an order of immediate discontinuance pursuant to sections 22a-6, 22a-7, 23-61b(f), and 22a-61 of the Connecticut General Statutes. The commissioner shall provide notice and conduct hearings in accordance with Chapter 54 of the Connecticut General Statutes and section 22a-3a-5 of the Regulations of Connecticut State Agencies.

(b) The commissioner may suspend or revoke a license if the licensee is found to have:

(1) violated any provision of sections 23-61a through 23-61d of the Connecticut General Statutes;

(2) violated any provision of the regulations promulgated pursuant to section 23-61a of the Connecticut General Statutes;

(3) engaged in substandard or improper workmanship; or

(4) engaged in fraudulent practices regarding work to be performed.

Sec. 23-61a-7. Records and reports

(a) Each licensee or the senior licensed officer of an organization with more than one licensee shall report to the commissioner on request, but not more than once yearly, the kinds and amounts of pesticides applied during the period covered by the report on forms provided by the commissioner.

(b) Each individual, firm or corporation doing arboriculture in this state shall furnish the commissioner upon request, but not more than once yearly, the maximum number of unlicensed personnel employed by such individual, firm, or corporation and actively engaged in arboriculture. In organizations with more than one licensee, the report shall include the maximum number of licensed personnel employed in supervisory duties.

Section 23-61a-8 of the Regulations of Connecticut State Agencies is repealed.