



## Changes to the Iowa Code affecting Commercial, Public, and Private Pesticide Applicators effective July 1, 2012

The 2012 Iowa legislature passed [Senate File 2311](#) which includes changes affecting commercial, public, and private pesticide applicators. These changes go into effect July 1, 2012. Some changes include:

- 1) **Commercial, Public, and Private Pesticide Applicator Certifications:** The provision for one-year certification fees has been removed. Effective July 1, 2012, any fees submitted in payment for a commercial, public, or private pesticide applicator certification will need to be a three-year fee.
- 2) **Evidence of Financial Responsibility Required by Commercial Applicators:** The minimum amounts of financial responsibility required for issuance of a commercial pesticide applicator's license have been raised to \$250,000 for property damage and \$250,000 public liability, each separately.

Implementation of these updates is planned as follows:

### **Commercial, Public, and Private Pesticide Applicator Certifications:**

(SF2311, Sec. 120, Section 206.5, subsection 2, paragraph a, Code 2011, is amended)

New Certification. Applications submitted on or after 7/1/2012 will require payment of the three-year certification fee. One-year certification and fees will no longer be available.

Recertification. Currently certified pesticide applicators who are in the midst of a three-year qualification cycle and paying one-year fees, will be eligible to renew one-year fees until the existing cycle expiration date.

Example 1: An individual who began a certification cycle during the spring of 2012 will be eligible for one-year certification renewal options until the existing cycle expires on 12/31/2014.

Example 2: An individual who began a certification cycle during 2011 and renewed prior to 12/31/2011, will be eligible for a one-year certification renewal option until the existing cycle expires on 12/31/2013.

Example 3: An individual who began a certification cycle during 2010 will have a cycle expiration date of 12/31/2012. That individual will be eligible only for a three-year certification renewal to be paid at the time of the 2013 renewals.

Recertification by Exam or Continuing Instructional Course (CIC). Upon initial certification the commercial or public private applicator enters a three-year qualification cycle. Certification is renewable by completion of an educational program consisting of either testing every third year or attending approved CICs. To fulfill this requirement, commercial or public applicators must pass an examination each third year following initial certification or may elect to attend two hours of CIC courses each year.

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*Important note:* The fee changes do not affect CIC training requirements. If an applicator is choosing to renew certification by training, 2 hours of approved CIC training is needed for each year of the certification cycle INCLUDING the first year certified. If one or more years of CIC are missed, the applicator is required to complete certification exams for renewal of the certification.

**Evidence of Financial Responsibility Required by Commercial Applicators:**

(SF2311, Sec. 129. Section 206.13, Code 2011, is amended)

Minimum requirements for limits of financial responsibility have been at \$50,000 property damage and \$50,000 public liability since the requirement was first adopted in the mid-1970's. Effective 7/1/2012, commercial pesticide applicator licensees will be required to provide proof of financial responsibility of not less than \$250,000 property damage and \$250,000 public liability, each separately, in order for a license to be issued. Proof of financial responsibility may consist of a surety bond, liability insurance or irrevocable letter of credit issued by a financial institution

Transition Plan for Existing Commercial Pesticide Applicator Licenses.

Certificates of insurance issued to a commercial pesticide applicator prior to 7/1/2012 shall expire on December 31, 2012. As part of the 2013 pesticide applicator license renewal process, all commercial pesticide applicators will be required to provide a certificate of insurance meeting the \$250,000 property damage and \$250,000 public liability minimum requirements for financial responsibility. This information is being provided now so that adequate coverage can be obtained prior to the expiration of policies now in effect.

For licensees with continuous certificates of insurance or surety bonds, those documents will need to be updated and submitted as proof of compliance with the amended financial responsibility requirements to be submitted with the 2013 commercial pesticide applicator license renewal applications.

Commercial pesticide applicators applying for new licenses and renewals that expire on or before December 31, 2013 may apply for a restricted license that limits the applicant to the use of certain pesticides. Submission of application materials shall include evidence of financial responsibility of not less than \$250,000 property damage and \$250,000 public liability, each separately, demonstrating coverage of the pesticide classifications specified on the restricted license. Applicants will also be required to sign a statement of pesticide use classification and provide this to the Department before issuance of the restricted license.

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