

CHAPTER 1105a. KEY EMPLOYEES

Sec.

1105a.1. Key employee licenses.

Authority

The provisions of this Chapter 1105a added under 4 Pa.C.S. §§ 3301(a) and (b)(30) and 3302, unless otherwise noted.

Source

The provisions of this Chapter 1105a added August 20, 2021, effective August 21, 2021, 51 Pa.B. 5207, unless otherwise noted.

Cross References

This chapter cited in 58 Pa. Code § 1102a.1 (relating to terminal operator licenses); and 58 Pa. Code § 1102a.4 (relating to terminal operator licensee change of control).

§ 1105a.1. Key employee licenses.

(a) A key employee as defined in this subpart shall apply for licensure as a key employee in accordance with § 435a.2 (relating to key employee license).

(b) In addition to information required under § 435a.2, an individual required to be licensed as a key employee, unless otherwise directed by the Board, shall file all of the following:

(1) Verification of status as a key employee from a terminal operator licensee, an establishment licensee, manufacturer licensee or supplier licensee.

(2) A description of employment responsibilities.

(3) The consent to a background investigation by the Bureau of the applicant, and a release to obtain the information necessary for the completion of the background investigation, including information from governmental agencies, employers and other organizations.

(4) Details relating to a similar license or other authorization obtained in another jurisdiction.

(5) Other information required by the Board.

(c) Following review of the application and background investigation, the Board may issue a key employee license if the applicant has proven by clear and convincing evidence that the applicant is a person of good character, honesty and integrity and is eligible and suitable to be licensed as a key employee.

(d) A key employee license is not transferable.

(e) A temporary credential, which may be valid up to 270 days, may be issued by the Board to a key employee applicant if the Board determines additional time is needed to complete an investigation for licensure.

(f) An individual may not perform duties associated with a position that requires a key employee license prior to receiving a temporary or permanent credential unless otherwise authorized by the Board.

Cross References

This section cited in 58 Pa. Code § 1106a.1 (relating to supplier licenses).

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