

RULE ADOPTIONS
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PUBLIC NOTICES
LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF EXAMINERS OF MASTER PLUMBERS

44 N.J.R. 1782(c)

Adopted Amendment: [N.J.A.C. 13:32-3.2](#)

Bona Fide Representative; Reporting Responsibilities

Proposed: November 7, 2011 at [43 N.J.R. 2720\(a\)](#).

[page=1783] Adopted: January 26, 2012 by the State Board of Examiners of Master Plumbers, Peter Voros, Chairman.

Filed: May 23, 2012 as R.2012 d.117, **without change**.

Authority: [N.J.S.A. 45:14C-7](#).

Effective Date: June 18, 2012.

Expiration Date: August 4, 2015.

Summary of Public Comment and Agency Response follows:

The official comment period ended January 6, 2012. The Board received one comment from Ronald Veiss, NJPIA, New Jersey State League of Master Plumbers.

COMMENT: The commenter contends that the duties of a bona fide representative should be defined to clarify whether a bona fide representative's role is supervisory or if the bona fide representative has to perform work. The commenter contends that there are many licensed master plumbers who are working with heating, ventilating, and air conditioning companies who are not laying out work or checking the work before an inspection.

RESPONSE: [N.J.A.C. 13:32-3.3](#) sets forth the duties of a bona fide representative and establishes that the bona fide representative must supervise the work performed by a plumbing contractor. There is no requirement that a bona fide representative perform the work him- or herself. The Board points out that it has no authority over the practices of heating, ventilating, and air conditioning companies that are under the purview of the State Board of Examiners of Heating, Ventilating, Air Conditioning, and Refrigeration Contractors.

Federal Standards Statement

A Federal standards analysis is not required because there are no Federal laws or standards applicable to the adopted amendment.

Full text of the adoption follows:

SUBCHAPTER 3. IDENTIFICATION OF LICENSEES; BONA FIDE REPRESENTATIVE; SUPERVISION

13:32-3.2 Bona fide representative; reporting responsibilities

(a) A licensed master plumber seeking to act as a bona fide representative for any firm, partnership, corporation, or other legal entity shall comply with the following within 30 days of assuming the role of a bona fide representative:

1. (No change.)
2. Provide the Board documentary proof of his or her ownership interest in the business;
3. Provide to the Board proof that the plumbing contractor has consented that the bona fide representative will act as the agent for service of process within this State. Such proof shall be in writing and on a form provided by the Board;
4. Provide to the Board the acceptance of liability by the plumbing contractor for any monetary penalty, monies to be paid for restoration to consumers of fees paid for services or for delays suffered by consumers and costs assessed against the bona fide representative while acting within the scope of his or her employment on behalf of the plumbing contractor. Such acceptance of liability shall be in writing and on a form provided by the Board; and
5. Provide the Board with the name of the licensed master plumber who previously acted as the bona fide representative for the plumbing contractor, if any.

(b)-(d) (No change.)