

50 N.J.R. 208(a)

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RULE ADOPTIONS

Reporter

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NJ - New Jersey Register > 2018 > JANUARY > JANUARY 2, 2018 > RULE ADOPTIONS > LAW AND PUBLIC SAFETY -- DIVISION OF CONSUMER AFFAIRS

Agency

LAW AND PUBLIC SAFETY > DIVISION OF CONSUMER AFFAIRS > STATE BOARD OF EXAMINERS OF MASTER PLUMBERS

Administrative Code Citation

Adopted Amendments: N.J.A.C. 13:32-1.1, 1.3, 1.4, 2.3, 2.4, 2.5, 3.3, 6.1, and 6.3

Adopted Repeal: N.J.A.C. 13:32-7.6

Text

Purpose and Scope; Definitions; Scope of Practice; Examinations; Failure of Examination; When Retaking Permitted; Licensure; Bona Fide Representative Responsibilities; License Renewal, Continuing Education Requirement; Required Course Topics; Certification for Individuals Engaged in Practice Prior to January 7, 2004

Proposed: July 3, 2017, at 49 N.J.R. 1826(a).

Adopted: October 26, 2017, by the State Board of Examiners of Master Plumbers, Peter Voros, Chairman.

Filed: November 30, 2017, as R.2018 d.015, **without change**.

Authority: N.J.S.A. 45:14C-7.

Effective Date: January 2, 2018.

Expiration Date: May 21, 2022.

Summary of Public Comment and Agency Response:

The official comment period ended September 1, 2017. **The Board received no comments.**

Federal Standards Statement

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

Regulations

Full text of the adopted amendments follows:

SUBCHAPTER 1. PURPOSE AND SCOPE, BOARD MEETINGS

13:32-1.1 Purpose and scope

The rules contained in this chapter implement the provisions of the State Plumbing Licensing Law of 1968 (N.J.S.A. 45:14C-1 et seq.) and P.L. 2003, c. 205 (N.J.S.A. 45:14C-28 et seq.), and provide for the licensing and regulation of master plumbers, the regulation of plumbing contractors, and the certification and regulation of medical gas piping installers, brazers, and instructors.

13:32-1.3 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

...

"Journeyman plumber" means an individual who works under the supervision of a licensed master plumber or supervisory journeyman plumber and who has completed either four years in an apprenticeship program approved by the United States Department of Labor or has been awarded a bachelor's degree in mechanical, plumbing, or sanitary engineering from a college or university accredited by a regional accreditation agency recognized by the Council on Post-Secondary Accreditation or the United States Department of Education.

...

13:32-1.4 Scope of practice

(a) (No change.)

(b) Plumbing shall only be performed by a master plumber, an authorized plumbing contractor, or by employees whose remuneration is reported on a Form W-2 to the Internal Revenue Service and who work under the supervision of a master plumber as permitted by N.J.S.A. 45:14C-1 et seq., and N.J.A.C. 13:32-3.3(a)3.

[page=209] **(c)** For purposes of this section, the following shall also be considered within the scope of the practice of plumbing and shall only be performed by individuals designated in (b) above:

1.-9. (No change.)

10. Installation and service of closed loop, non-potable water systems, such as gray water or rain collection systems of any sort, not including geothermal heating and

cooling systems or fire protection and suppression systems that are not connected to plumbing systems; and

11. (No change.)

(d)-(j) (No change.)

SUBCHAPTER 2. APPLICATION, EXPERIENCE REQUIREMENTS, EXAMINATION

13:32-2.3 Examinations

(a) Examinations shall be prepared and administered by a third-party vendor, but no license shall be granted except by the Board. The Board chairman may designate members of the Board to oversee the administration of the examination.

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

(e) An applicant taking the examination for the first time shall complete all three sections of the examination.

(f) If an applicant fails to obtain a passing score on all sections of the examination within five years of the date he or she is approved to take the examination for the first time, the application for licensure shall be deemed abandoned and closed.

(g) If an applicant fails to sit for the examination within two years of the date he or she is approved to take the examination for the first time, the application for licensure shall be deemed abandoned and closed.

13:32-2.4 Failure of examination; when retaking permitted

(a) An applicant who has failed the plumbing licensing examination may review his or her examination upon written request to the third-party vendor that administered the examination, and payment to the testing service of its review fee.

(b) An applicant who has failed any section of the examination shall not be eligible to be reexamined for a period of six months from the date of the examination filed by such person.

(c) An applicant who fails to pass one or two sections of the examination shall be permitted to retake the sections that he or she failed two more times. If he or she is unable to pass all sections of the examination after these two additional attempts, he or she shall forfeit all passing scores received on any sections and shall be required to retake all sections of the examination.

13:32-2.5 Licensure

(a) After an applicant has successfully passed the licensing examination, he or she shall submit to the Board:

- 1.** A surety bond in the sum of \$ 3,000 as required pursuant to N.J.S.A. 45:14C-26. An applicant who has obtained a surety bond in the sum of \$ 3,000 in order to satisfy the requirements of N.J.S.A. 45:16A-23 and N.J.A.C. 13:32A-2.4 shall meet this requirement if he or she submits proof that such a bond has been

submitted to the State Board of Examiners of Heating, Ventilating, Air Conditioning, and Refrigeration Contractors;

2.-3. (No change.)

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

13:32-3.3 Bona fide representative responsibilities

(a) A bona fide representative registered with the Board pursuant to N.J.A.C. 13:32-3.2 shall:

1.-2. (No change.)

3. Supervise, in the manner described in (a)3i through iv below, the performance of all plumbing work performed by employees of the plumbing contractor for which the licensed master plumber acts as the bona fide representative. Such supervision shall assure the effective compliance with State and local plumbing codes and the performance of work in accordance with proper plumbing practice.

- i.** If the employee performing the work is a New Jersey licensed master plumber, the bona fide representative shall require at the beginning of the job an initial report on the work to be performed and upon completion of the job a final report on the work performed;
- ii.** If the employee performing the work is a supervisory journeyman, the bona fide representative or a New Jersey licensed master plumber employed by the bona fide representative shall maintain daily contact with the supervisory journeyman either directly, by telephone, or through writing. Any such contact shall be recorded by and maintained in the files of the bona fide representative or the New Jersey licensed master plumber employed by the bona fide representative;
- iii.** If the employee performing the work is a journeyman or has completed four years engaged in learning and assisting in the installation of plumbing, the bona fide representative, a New Jersey licensed master plumber employed by the bona fide representative or the supervisory journeyman shall maintain daily contact with the journeyman either directly, by telephone, or through writing and, where the work requires a plumbing permit, shall inspect the work upon completion. Any such contact shall be recorded by the bona fide representative, the New Jersey licensed master plumber employed by the bona fide representative, or the supervisory journeyman; and
- iv.** If the employee performing the work is an apprentice, the bona fide representative shall ensure constant on-site supervision by a New Jersey licensed master plumber employed by the bona fide representative or a supervisory journeyman during all times that plumbing services are being performed;

4.-7. (No change.)

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

SUBCHAPTER 6. CONTINUING EDUCATION

13:32-6.1 License renewal; continuing education requirement

- (a) (No change.)
- (b) A licensee who has completed continuing education required by the Department of Community Affairs as a plumbing inspector pursuant to N.J.A.C. 5:23-5.21 shall not be required to complete four of the five credits required by (a) above for the biennial renewal period during which he or she completed the continuing education required for plumbing inspectors. Such a licensee shall be required to complete one hour reviewing the laws and rules pertinent to the practice of a master plumber as required by N.J.A.C. 13:32-6.3(a).

Recodify existing (b)-(d) as (c)-(e) (No change in text.)

13:32-6.3 Required course topics

- (a) Every biennial period, licensees shall complete one hour reviewing the laws and regulations pertinent to the practice of a master plumber, specifically N.J.S.A. 45:14C-1 et seq., and this chapter.
- (b) Three months prior to the beginning of a biennial period, the Board shall determine which topics shall be provided by program sponsors for the upcoming biennial period in addition to the one hour reviewing laws and rules required by (a) above. The Board shall determine these topics at a regularly scheduled public Board meeting.

Recodify existing (b)-(d) as (c)-(e) (No change in text.)

SUBCHAPTER 7. MEDICAL GAS PIPING

13:32-7.6 (Reserved)