
NEW JERSEY ADMINISTRATIVE CODE

TITLE 13

LAW AND PUBLIC SAFETY

CHAPTER 32

STATE BOARD OF EXAMINERS OF MASTER
PLUMBERS

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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.

13:32-1.2 BOARD MEETINGS

- a) Regular Board meetings shall be held in accordance with a schedule that is published yearly and filed with the Secretary of State.
- b) Special meetings may be held at the request of a Board member or called by the chairman with publication of appropriate notice pursuant to the requirements of the Open Public Meetings Act.
- c) A majority of the voting members of the Board shall constitute a quorum thereof and no action of the Board shall be taken except on the affirmative vote of a majority of the members of the entire Board.
- d) In the absence of the chairman, members shall select one of the members attending the meeting to serve as chairman for that meeting.
- e) Copies of the minutes of meetings shall be mailed to all members as soon as practicable after each meeting.

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:

"Apprentice plumber" means any person other than a master plumber or journeyman plumber who, as his or her principal occupation, is engaged in learning and assisting in the installation of plumbing.

"Board" means the State Board of Examiners of Master Plumbers.

"Bona fide representative" means a licensed master plumber who is the holder of not less than 10 percent of a plumbing contractor in the State of "New Jersey.

"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.

"Licensed master plumber" means a person licensed pursuant to N.J.S.A. 45:14C-1 et seq. who has the qualifications, training, experience and technical knowledge necessary to properly plan, lay out, install and repair plumbing apparatus and equipment and to supervise others in the performance of such work in accordance with the rules established in this chapter.

"Plumbing" means the practice, materials and fixtures used in the installation, maintenance, extension, alteration, repair and removal of all piping, plumbing fixtures, plumbing appliances and plumbing apparatus in connection with any of the following:

1. Sanitary drainage;
2. Storm facilities and building sewers to their respective final connection to an approved point of disposal;
3. Venting systems; and
4. Public and private water supply systems of any premises to and within the property line of any building or structure to their final connection with an approved supply system.

"Plumbing" also means the practice and materials used in the installation, maintenance, extension, alteration, repair or removal of storm water, refrigeration and air conditioning drains, liquid waste or sewage. "Plumbing" does not include the final connection to an approved point of disposal or an approved supply system which extends beyond three feet of a building or structure.

"Plumbing contractor" means any individual licensed master plumber operating as a sole proprietor who, or a firm, partnership, corporation or other legal entity, which undertakes for another the planning, laying out, supervising, installing or making of additions, alterations and repairs in the installation of plumbing who either acts, or has a licensed master plumber who acts, as a bona fide representative as required by N.J.S.A. 45:14C-2(d) and (h) and this chapter.

"Propane services" means the performing of safety and leak testing of, and the performing of installation, maintenance, repair, removal, adjustment and other services to propane appliances including, without limitation, ranges, water heaters, heaters, furnaces, containers, and other propane fueled systems, for residential and commercial applications.

"Supervisory journeyman plumber" means an individual who has completed an apprenticeship program approved by the United States Department of Labor and has completed three additional years as a journeyman plumber working with tools in the installation, maintenance, extension, alteration, repair and removal of all piping, plumbing fixtures, plumbing appliances, and plumbing apparatus as defined in the word "plumbing."

"10 percent ownership" means that the bona fide representative is entitled to 10 percent of any net profits from a business, owns a 10 percent equity interest in a plumbing contractor, and is entitled to 10 percent of the net proceeds from the sale of a business in the event of sale of the business. If the plumbing contractor is a corporation, the bona fide representative owns stock equaling a 10 percent equity interest, and, if there are more than one class of stock, the stock owned by the bona fide representative is the highest level stock with full voting rights.

13:32-1.4 SCOPE OF PRACTICE

- a) This section prescribes the permissible scope of plumbing practice which shall include that which is defined as plumbing in N.J.A.C. 13:32-1.3.
- 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.
- 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) Performing of plumbing work, including minor work and ordinary repairs even though a permit is not required;
- 2) Installation and service of storm, sanitary, and water piping to the final point of connection within three feet of the exterior of a building or structure located on private property;
- 3) Installation, extension, alteration, repair, maintenance and removal of water service piping or water distribution piping, approved backflow prevention devices and assemblies, including:
 - i) Fire protection and suppression systems that are connected to plumbing systems (the performance of such work also requires certification from the Division of Fire Safety in the Department of Community Affairs pursuant to N.J.A.C. 5:74-2.2);
 - ii) Irrigation systems;
 - iii) Mechanical equipment; or
 - iv) Any cross connection between the potable water supply and any potential pollutant, contaminant or hazardous substance;
- 4) Plumbing work performed at a place of business by employees of that business on property owned by the business;
- 5) Disconnection and sealing of water and sewer lines;
- 6) Installation, extension, alteration, repair, maintenance, testing and removal of all direct and indirect drain piping associated with or connected to mechanical equipment that discharges to a sewer system;
- 7) Installation or disconnection of water filtration or water softening equipment, water heaters, humidifiers, ice making equipment or backflow preventers;
- 8) Installation of water piping on the house side of a well water compression tank;
- 9) Installation, extension, alteration, repair, maintenance, testing and removal of storm, sanitary and water piping between buildings or structures on a property;

- 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) The provision of propane services.
- d) If an individual does not charge for the services listed in (c) above, or if he or she provides such services for a nonprofit organization, the provision of these services is the practice of plumbing and the individual shall be a licensed master plumber.
- e) For purposes of this section, the following may be performed by both licensed master plumbers and individuals who are not licensed master plumbers:
- 1) The clearance of stoppages and installation or removal of a cleanout or cleanout equivalent necessary to clear the stoppage;
 - 2) The installation and service of storm, sanitary, and water piping from the final point of connection more than three feet from the exterior of a building or structure located on private property;
 - 3) The installation, service and maintenance of irrigation systems and hydronic and solar systems piping regulated under N.J.S.A. 45:16A-1 et seq., downstream from an approved backflow prevention device or assembly;
 - 4) The installation, service, and maintenance of gas and hydronic piping;
 - 5) The demolition or removal of plumbing, provided the water and sewer utilities are first disconnected and sealed outside the building;
 - 6) The installation and service of transmission piping by water or sewer utilities;
 - 7) The installation, maintenance and repair of water piping to mechanical equipment downstream from an approved backflow prevention device or assembly; and
 - 8) The testing of backflow prevention devices and assemblies by individuals certified by an entity regulated under N.J.A.C. 7:10-10.8.
- f) The provisions of this section shall not apply to:

- 1) A single-family home owner who performs plumbing work in his or her own dwelling; and
 - 2) Plumbing work performed by full-time employees of a public agency on property owned by that agency.
- g) A licensed master plumber may perform a task listed in (e) above, as long as he or she performs the task in a manner consistent with professional plumbing standards.
- h) An individual who is licensed pursuant to N.J.S.A. 58:4A-23 et seq. is not engaged in the unlicensed practice of plumbing when he or she is performing the tasks that he or she is licensed to perform.
- i) A licensed master plumber may perform construction work that is necessary for the completion of plumbing work a licensed master plumber has contracted to perform.
- j) Pursuant to N.J.S.A. 45:16A-27, a licensed master plumber may, without obtaining a license as a master heating, ventilating, air conditioning and refrigeration contractor, engage in:
- 1) The installation, maintenance and repair of power boiler systems, hot water and steam heating systems, fire tube and water tube boilers, pressure steam and hot water boilers, space heaters, unit heaters and appurtenances utilizing electricity, fossil fuel or solar energy;
 - 2) The installation, maintenance and repair of steam, hot water and chilled water pipe, condensate piping, valves, fittings, burners and piping, expansion tanks, pumps and gauges on the load side of a meter;
 - 3) The installation, maintenance and repair of thermostatic controls;
 - 4) The installation, maintenance and repair of natural or manufactured gas piping;
 - 5) The installation, maintenance or connection of pneumatic controls and control piping for the control of air, liquid or gas temperatures, radiators, convectors, cabinet unit heaters, fan coil units, air handlers utilizing hydronic coils, mechanical ventilation for radon mitigation, humidifiers, flues and patented chimneys;
 - 6) The installation, maintenance or connection of pneumatic controls and control piping of automatic oil, gas or coal burning equipment, gasoline or diesel oil dispensing equipment and, in replacement cases only, the connection thereof of the wiring from a dedicated

electrical service disconnect box of adequate size to accommodate the equipment and controls;

- 7) The testing and balancing of hydronic systems; and
- 8) The installation, repair, testing or closure of waste oil underground storage tanks.

13:32-1.5 (RESERVED)

13:32-1.6 (RESERVED)

13:32-1.7 (RESERVED)

13:32-1.8 (RESERVED)

13:32-1.9 (RESERVED)

13:32-1.10 (RESERVED)

13:32-1.11 (RESERVED)

13:32-1.12 (RESERVED)

SUBCHAPTER 2. APPLICATION, EXPERIENCE REQUIREMENTS, EXAMINATION

13:32-2.1 ELIGIBILITY FOR EXAMINATIONS

- a) To be eligible to take the plumbing license examination an applicant shall:
 - 1) Be 21 years of age or older; and
 - 2) Have completed the experience requirements set forth in N.J.A.C. 13:32-2.2.
- b) An applicant for the plumbing licensing examination shall submit to the Board:
 - 1) A completed application for examination, on a form provided by the Board, including a full street name and number. An application containing only a post office box number as a mailing address shall not be considered a complete application;
 - 2) Proof that the applicant has met the experience requirements set forth in N.J.A.C. 13:32-2.2; and
 - 3) The application fee as set forth in N.J.A.C. 13:32-5.1.

- c) After the Board has reviewed the information required in (b) above, the Board shall send a letter that informs the applicant whether he or she is eligible to take the licensing examination required by N.J.A.C. 13:32-2.3 and, if deemed eligible, of the time and place of examination.

13:32-2.2 EXPERIENCE REQUIREMENTS

- a) For purposes of this section, "practical hands-on experience" means experience in the installation, maintenance, extension, alteration, repair and removal of piping, plumbing fixtures, plumbing appliances and plumbing apparatus that, commencing December 21, 2016, is performed pursuant to the plumbing subcode, N.J.A.C. 5:23-3.15, and is inspected by a licensed New Jersey plumbing inspector. Practical hands-on experience does not include time spent in performing managerial tasks, such as supervising, engineering, estimating, or time spent performing tasks, which do not constitute the practice of plumbing as defined in N.J.A.C. 13:32-1.3.
- b) Applicants for examination for a license as a master plumber shall present proof to the Board that he or she:
- 1) Has completed a four-year apprenticeship program approved by the United States Department of Labor, which includes education in propane services that meets the requirements of (c) below, and has completed, after the end of the apprenticeship, one year of practical hands-on experience as a journeyman plumber in New Jersey, consisting of at least 1,200 hours of practical hands-on experience; or
 - 2) 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, which includes education in propane services that meets the requirements of (c) below, and has completed, after completion of the bachelor's degree, one year of practical hands-on experience as a journeyman plumber in New Jersey, consisting of at least 1,200 hours of practical hands-on experience.
- c) Education in propane services required by (b) above shall include substantially the same information covered in either the Fundamentals of LP manual, 2003 edition, published by the Plumbing-Heating-Cooling Contractors Association, 180 S. Washington Street, P.O. Box 6808, Falls Church, VA 22046, incorporated herein by reference, as amended and supplemented, or the Gas Installation for UA Journeyworkers and Apprentices manual, 2003 edition, published by the United Association, Three Park Place, Annapolis, Maryland, 21401, incorporated herein by reference, as amended and supplemented.

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) Examinations shall be held at least four times annually and at such additional times as the Board may determine.
- c) Examinations shall consist of three parts:
 - 1) Written examination based on the National Standard Plumbing Code as adopted by the State of New Jersey pursuant to the Uniform Construction Code Act, N.J.S.A. 52:27D-119 et seq.;
 - 2) Practical examination; and
 - 3) Written examination of laws and regulations governing the occupation and business of plumbing.
- d) In order to pass the examination an applicant must receive a minimum grade of 70 in each of the three areas outlined in (c) above.
- 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) A completed application for a pressure seal; and
 - 3) The licensing fee as set forth in N.J.A.C. 13:32-5.1.

13:32-2.6 RENEWAL OF LICENSE

- a) Licenses shall be renewed biennially on a form provided by the Board. Each applicant for renewal shall attest that the continuing education requirements of N.J.A.C. 13:32-6.1 have been completed during the prior biennial period.
- b) The Board shall send a notice of renewal to each licensed master plumber, at least 60 days prior to the expiration of the license. The notice of renewal shall explain inactive renewal and advise the licensee of the option to renew as inactive. If the notice to renew is not sent at least 60 days prior to the expiration date, no monetary penalties or fines shall apply to the holder for failure to renew provided that the license is renewed within 60 days from the date the notice is sent or within 30 days following the date of license expiration, whichever is later.
- c) A licensed master plumber shall renew his or her license for a period of two years from the last expiration date. The licensed master plumber shall submit the renewal application and

pay the renewal fee pursuant to N.J.A.C. 13:32-5.1 prior to the date of expiration of the license.

- d) A licensed master plumber may renew his or her license by choosing inactive status. A licensed master plumber electing to renew as inactive shall return his or her pressure seal to the Board. A licensed master plumber with an inactive license shall not practice as a licensed master plumber, or hold himself or herself out as eligible to practice as a licensed master plumber, in New Jersey until such time as the license is returned to active status.
- e) If a licensed master plumber does not renew the license prior to its expiration date, the licensed master plumber may renew the license within 30 days of its expiration by submitting a renewal application, a renewal fee, and a late fee as set forth in N.J.A.C. 13:32-5.1. During this 30-day period, the license shall be valid and the licensed master plumber shall not be deemed practicing without a license.
- f) A licensed master plumber who fails to submit a renewal application within 30 days of license expiration shall have his or her license suspended without a hearing.
- g) A person who continues to practice or hold himself or herself out as a licensed master plumber after being suspended pursuant to (f) above shall be deemed to have committed unlicensed practice pursuant to N.J.S.A. 45:14C-12.3 and shall be subject to action consistent with N.J.S.A. 45:1-14 et seq., even if no notice of suspension has been provided to the person.

13:32-2.6A LICENSE REACTIVATION

- a) A licensed master plumber who holds an inactive license pursuant to N.J.A.C. 13:32-2.6(d) may apply to the Board for reactivation of the inactive license. A licensed master plumber seeking reactivation of an inactive license shall submit:
 - 1) A renewal application;
 - 2) A certification of employment listing each job held during the period the license was inactive, which includes the names, addresses, and telephone number of each employer;
 - 3) The renewal fee for the biennial period for which reactivation is sought as set forth in N.J.A.C. 13:32-5.1; and
 - 4) Evidence of having completed all continuing education credits for the current biennial registration period, consistent with the requirements set forth in N.J.A.C. 13:32-6.1.

- b) An applicant who holds a valid, current license in good standing issued by another state to practice as a licensed master plumber and submits proof of having satisfied that state's continuing education requirements, shall be deemed to have satisfied the requirements of (a)4 above. If the other state does not have any continuing education requirements, the requirements of (a)4 above shall apply.
- c) The Board shall return the licensed master plumber's pressure seal when the licensed master plumber returns to active status.
- d) If a Board review of an application establishes a basis for concluding that there may be practice deficiencies in need of remediation prior to reactivation, the Board may require the applicant to submit to, and successfully pass, an examination or an assessment of skills, a refresher course, or other requirements as determined by the Board prior to reactivation of the license. If that examination or assessment identifies deficiencies or educational needs, the Board may require the applicant as a condition of reactivation of licensure to take and successfully complete education or training, or to submit to supervision, monitoring, or limitations, as the Board determines are necessary to assure that the applicant practices with reasonable skill and safety. The Board may restore the license subject to the applicant's completion of training within a period of time prescribed by the Board following the restoration of the license. In making its determination whether there are practice deficiencies requiring remediation, the Board shall consider the following non-exhaustive issues:
 - 1) Length of time the license was inactive;
 - 2) Employment history;
 - 3) Professional history;
 - 4) Disciplinary history and any action taken against the applicant's license by any professional or occupational board;
 - 5) Actions affecting the applicant's privileges taken by any institution, organization, or employer related to practice as a licensed master plumber or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction;
 - 6) Pending proceedings against a professional or occupational license issued to the applicant by a professional or occupational board in New Jersey, any other state, the District of Columbia, or in any other jurisdiction; and

- 7) Civil litigation related to practice as a licensed master plumber or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction.

13:32-2.6B LICENSE REINSTATEMENT

- a) A person who has had his or her license suspended pursuant to N.J.A.C. 13:32-2.6(f) may apply to the Board for reinstatement. A person applying for reinstatement shall submit:
 - 1) A reinstatement application;
 - 2) A certification of employment listing each job held during the period of suspended license, which includes the names, addresses, and telephone number of each employer;
 - 3) The renewal fee set forth in N.J.A.C. 13:32-5.1 for the biennial period for which reinstatement is sought;
 - 4) The past due renewal fee for the biennial period immediately preceding the renewal period for which reinstatement is sought;
 - 5) The reinstatement fee set forth in N.J.A.C. 13:32-5.1; and
 - 6) Evidence of having completed all continuing education credits for the current biennial registration period, consistent with the requirements set forth in N.J.A.C. 13:32-6.1.
- b) An applicant who holds a valid, current license in good standing issued by another state to practice as a licensed master plumber and submits proof of having satisfied that state's continuing education requirements, shall be deemed to have satisfied the requirements of (a)6 above. If the other state does not have any continuing education requirements, the requirements of (a)6 above shall apply.
- c) If a Board review of an application establishes a basis for concluding that there may be practice deficiencies in need of remediation prior to reinstatement, the Board may require the applicant to submit to, and successfully pass, an examination or an assessment of skills, a refresher course, or other requirements as determined by the Board prior to reinstatement of the license. If that examination or assessment identifies deficiencies or educational needs, the Board may require the applicant as a condition of reinstatement of licensure to take and successfully complete education or training, or to submit to supervision, monitoring, or limitations, as the Board determines are necessary to assure that the applicant practices with reasonable skill and safety. The Board may restore the license subject to the applicant's completion of training within a period of time prescribed by the Board following the

restoration of the license. In making its determination whether there are practice deficiencies requiring remediation, the Board shall consider the following non-exhaustive issues:

- 1) Length of time the license was suspended;
- 2) Employment history;
- 3) Professional history;
- 4) Disciplinary history and any action taken against the applicant's license by any professional or occupational board;
- 5) Actions affecting the applicant's privileges taken by any institution, organization, or employer related to practice as a licensed master plumber or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction;
- 6) Pending proceedings against a professional or occupational license issued to the licensee by a professional or occupational board in New Jersey, any other state, the District of Columbia, or in any other jurisdiction; and
- 7) Civil litigation related to practice as a licensed master plumber or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction.

13:32-2.7 CREDIT TOWARDS LICENSURE FOR EDUCATION, TRAINING, AND EXPERIENCE RECEIVED WHILE SERVING AS A MEMBER OF THE ARMED FORCES

- a) An applicant who has served in the Armed Forces of the United States (Armed Forces) and who does not meet all of the training, education, and experience requirements for licensure under N.J.A.C. 13:32-2.2 may apply to the Board for recognition of the applicant's training, education, or experience received while serving as a member of the Armed Forces, which the Board shall consider, together with any training, education, and experience obtained outside of the Armed Forces, for determining substantial equivalence to the training, education, and experience required for licensure.
- b) The Board shall issue a license to the applicant, if the applicant presents evidence to the Board that:
 - 1) The applicant has been honorably discharged from active military service;

- 2) The relevant training, education, and experience the applicant received in the military, together with any training, education, and experience obtained outside of the Armed Forces, is substantially equivalent in scope and character to the training, education, and experience required for licensure under N.J.A.C. 13:32-2.2.
 - i) An applicant seeking credit for military training and experience shall submit to the Board the applicant's Verification of Military Experience and Training (VMET) Document, DD Form 2586.
 - ii) An applicant seeking credit for education courses and/or training completed while in the military shall submit to the Board a Joint Services Transcript of his or her education/training for a determination that the education courses and/or training completed are substantially equivalent in level, scope, and intent to the program required for licensure under N.J.A.C. 13:32-2.2. For the purpose of determining substantial equivalence of the applicant's military education and/or training, the Board shall consider only those education courses and/or training relevant to the practice of plumbing that have been evaluated by the American Council on Education for substantial equivalence to civilian plumbing education; and
 - 3) The applicant complies with all other requirements for licensure, including successful completion of licensing examination.
- c) It is the applicant's responsibility to provide timely and complete evidence of the training, education, and experience gained in the military for review and consideration.
 - d) If the applicant's military training, education, and experience, or a portion thereof, is not deemed to be substantially equivalent to that required for licensure, the Board shall credit whatever portion of the military training, education, and experience that is substantially equivalent towards meeting the requirements under N.J.A.C. 13:32-2.2 for the issuance of the license.
 - e) Satisfactory evidence of such training, education, and experience shall be assessed on a case-by-case basis.

13:32-2.8 TEMPORARY COURTESY LICENSE

- a) An applicant may obtain a temporary courtesy license pursuant to P.L. 2013, c. 264, if he or she:

- 1) Is currently licensed in good standing in another state or territory of the United States, or the District of Columbia that has licensure requirements equivalent to those in New Jersey;
 - 2) Is not a resident of New Jersey;
 - 3) Has not committed an act in another jurisdiction that would have constituted grounds for the denial, suspension, or revocation of a plumbing license in New Jersey or has not been disciplined, or is not the subject of an investigation, by a professional or occupational licensing or credentialing entity in another jurisdiction;
 - 4) Is the spouse of an active duty member of the Armed Forces of the United States who has been transferred to New Jersey in the course of his or her service; and
 - 5) Is legally domiciled in New Jersey or has moved to New Jersey on a permanent change-of-station basis.
- b) An applicant for a temporary courtesy license shall submit, or arrange to submit, to the Board:
- 1) A completed application form;
 - 2) The application and temporary courtesy license fees as set forth in N.J.A.C. 13:32-5.1(a)1 and 16;
 - 3) Written or electronic verification of status of licensure from every state or territory of the United States, or the District of Columbia, in which the applicant was ever licensed. The verification shall either be forwarded directly to the Board from the applicable state board, if written, or if electronic, be issued by the applicable state board; and
 - 4) Proof that the applicant was engaged in the practice of plumbing in another jurisdiction, including any time spent discharging official duties in the Armed Forces or for an agency of the Federal government, for at least two of the last five years immediately preceding the date of application.
- c) A temporary courtesy license shall be valid for one year.
- d) A holder of a temporary courtesy license shall comply with the continuing education requirements of N.J.A.C. 13:32-6.1.

- e) An individual who holds a temporary courtesy license may apply to the Board for an extension of the license for an additional year by submitting a renewal application to the Board.

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

**13:32-3.1 IDENTIFICATION OF LICENSED MASTER PLUMBER; VEHICLES,
STATIONERY; ADVERTISING**

- a) All commercial vehicles used in the practice of State-licensed master plumbing shall be marked on both sides with the following information:
- 1) The name of the licensed master plumber in lettering at least one inch in height;
 - 2) The words "Plumbing license number" or "Plumbing Lic. #" followed by the license number of the owner or qualified bona fide representative in lettering at least one inch in height; and
 - 3) The name of the owner or lessee of the vehicle and the municipality from which the licensed master plumber practices or where the licensed master plumber has a principal office in lettering at least three inches in height.
 - i) Where available space for lettering is limited, either by design of the vehicle or by the presence of other legally specified identification markings, making strict compliance with (a)3 above impractical, the size of the lettering shall be as close to three inches high as is possible within the limited space, provided the name is clearly visible and readily identifiable.
- b) All business correspondence, invoices and stationery shall display:
- 1) The name of the licensed master plumber; and
 - 2) The words "Plumbing license number" or "Plumbing Lic. #" followed by the license number of the owner or qualified bona fide representative; and
 - 3) The New Jersey business address, including the street name and number of the owner or qualified bona fide representative.

- c) All advertising shall include:
- 1) The name of the licensed master plumber;
 - 2) The New Jersey business address, including the street name and number of the owner or qualified bona fide representative; and
 - 3) The words "Plumbing license number" or "Plumbing Lic. #" followed by the license number of the owner or qualified bona fide representative.
- d) Every State-licensed master plumber whose name, New Jersey office address, place of practice or license number appears or is mentioned in any advertisement of any kind or character shall be presumed to have caused, permitted, or approved the advertising and shall be personally responsible for its content and character.
- e) If a plumbing contractor intends to subcontract, in a calendar year, more than one-third of the work which it contracts to perform, or subcontracted in the previous calendar year more than one-third of the work which it contracted to perform, all advertising by the plumbing contractor shall state: "A substantial part of the work which we undertake may be performed by independent licensed plumbing subcontractors."

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) Register with the Board, providing the name of the plumbing contractor, its New Jersey business address and if the plumbing contractor is a corporation, the names of the officers of record;
 - 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) In order to evaluate the claims relating to the bona fide representatives ownership interest in the plumbing contractor pursuant to (a)2 above, the Board, at any time, may request that the bona fide representative provide any Federal, State or local government tax documentation, which the plumbing contractor is required to file with governmental tax authorities.

- c) If a bona fide representative for any firm, partnership, corporation or other legal entity withdraws as the bona fide representative, the firm, partnership, corporation or other legal entity may continue to operate for 60 days without a bona fide representative provided that:
 - 1) A licensee supervises all work conducted in the same manner as required by a bona fide representative pursuant to N.J.A.C. 13:32-3.3(a)3;
 - 2) The bona fide representative and the firm, partnership, corporation or other legal entity notifies the Board within 10 days of the withdrawal of the bona fide representative; and
 - 3) The supervising licensee notifies the Board within 10 days of being appointed as the supervising licensee.

- d) If the bona fide representative for any firm, partnership, corporation or other legal entity is unable to perform the duties of a bona fide representative because of death, illness or disability, the firm, partnership, corporation or other legal entity may continue to operate for six months without a bona fide representative provided that:
 - 1) A licensed master plumber supervises all work conducted in the same manner as required by a bona fide representative pursuant to N.J.A.C. 13:32-3.3(a)3;
 - 2) The firm, partnership, corporation or other legal entity notify the Board within 10 days of the death, illness or disability of the bona fide representative; and
 - 3) The supervising licensee notifies the Board within 10 days of being appointed as the supervising licensee.

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) Give notice to the Board in writing concerning any change in the name or address of the entity within 10 days of the change;
- 2) Secure or instruct an authorized employee, or for the purpose of this section only, an independent contractor licensed as a master plumber, to secure all necessary permits as may be required by State and local law for the performance of plumbing work to be performed by the plumbing contractor for which the licensed master plumber acts as a qualified bona fide representative. In making an application for permit issuance, the authorized employee or independent plumbing contractor shall have in his or her possession a letter authorizing him or her to make the application. A letter of authorization may authorize a permit application for a specific period of time, not to exceed 60 days, and shall have affixed to it the seal of the bona fide representative. In all circumstances, the permit shall be signed by a licensed master plumber and all work shall be supervised in the manner set forth in (a)3 below;
- 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 complete 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 supervisor 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) Be responsible for any and all violations of N.J.S.A. 45:14C-1 et seq. committed by employees of the plumbing contractor for which he or she is serving as a bona fide representative if said violations were committed during the course of work which he or she was required to supervise;
- 5) Serve as a bona fide representative for only one plumbing contractor;
- 6) Maintain a place of business in the State of New Jersey; and
- 7) Provide each supervisory journeyman of the plumbing contractor that performs plumbing work with an identification card that includes:
 - i) The name of the supervisory journeyman;
 - ii) The name and New Jersey address of the plumbing contractor;
 - iii) The name and license number of the bona fide representative;
 - iv) The seal of the bona fide representative; and
 - v) The issue and expiration dates of the identification card. The expiration date shall not exceed one year from the date of issue.
- b) Nothing herein shall preclude the Board from proceeding against both the bona fide representative for an entity or any other licensed master plumber employed by such an entity who can be shown to have violated the Board's enabling legislation or any regulation adopted thereunder. Nothing shall preclude any person entitled to maintain an action on a bond from proceeding pursuant to N.J.A.C. 13:32-4.3 against the bona fide representative and any other licensed master plumber who has failed to perform the duties required by N.J.S.A. 45:14C-1 et seq.
- c) The bona fide representative of any plumbing contractor, which contracts to provide plumbing services to a consumer and wishes to subcontract that plumbing work to another plumbing contractor shall:

- 1) Subcontract only to a plumbing contractor who is either a sole proprietor or which has a bona fide representative who is registered with the Board. The bona fide representative for the original plumbing contractor shall be responsible for ensuring that the subcontractor has a registered bona fide representative;
 - 2) Require of the subcontractor that a copy of any permit applications, permits and changes in application or permit shall be delivered to the original plumbing contractor within five business days of the date the application or permit is filed;
 - 3) Notify the consumer, prior to the beginning of any work, that the work has been subcontracted to another licensed master plumber or legally qualified plumbing contractor and provide the consumer with the name, New Jersey address and telephone number of the subcontractor and the name and license number of the subcontractor's bona fide representative;
 - 4) Advise the consumer prior to the beginning of any work that he or she has the right to terminate the contract prior to the beginning of any work because of the subcontracting;
 - 5) Notify the consumer that the original contractor as well as the subcontractor remain liable for any defects, damages or other losses which may result from the negligence, misconduct or insolvency of the subcontractor;
 - 6) Require that the subcontractor immediately notify the original contractor of any complaints by the consumer or the consumer's representative or by any governmental official; and
 - 7) Supervise the work of the bona fide representative for the subcontractor in the same manner as required by (a)3i above.
- d) The bona fide representative shall have sufficient knowledge of the plumbing contractor's bookkeeping system and financial accounts to inform the Board, upon request by the Board, regarding the plumbing contractor's price-setting, billings, costs, subcontractors, overhead costs and profits.

13:32-3.4 RESPONSIBILITY OF LICENSED MASTER PLUMBER TO PERFORM CONTRACTED WORK

Any plumbing work that a licensed master plumber agrees to perform, that has not been subcontracted to another licensed master plumber, shall be performed only by the licensed master plumber or the employees of the licensed master plumber or the plumbing contractor.

**SUBCHAPTER 4.
MISCELLANEOUS**

**13:32-4.1 REQUIREMENT OF PRESSURE SEAL; PENALTIES FOR MISUSE;
RETURN OF PRESSURE SEAL**

- a) At the time of the issuance of the license to a licensed master plumber, the Board shall authorize the vendor that issues pressure seals to furnish a pressure seal to the licensed master plumber. After the Board has informed an applicant that he or she has passed the licensing examination, the applicant shall submit to the Board the initial pressure seal fee pursuant to N.J.A.C. 13:32-5.1. The pressure seal shall remain the property of the Board and shall be returned to the Board as provided in (e) below.
- b) The seal shall be used exclusively by the licensed master plumber in the conduct of the plumbing business practice. The licensed master plumber shall impress the seal upon all applications for plumbing permits.
- c) Use of a seal by any person other than the State licensed master plumber to whom it was issued or the securing of a plumbing permit for an unlicensed person shall be deemed to be the use or employment of dishonesty, fraud, deception, misrepresentation or false pretense. Such conduct may be grounds for the suspension or revocation of the license of an unauthorized user if he or she is already licensed by the Board. With respect to an unlicensed user, such conduct shall be grounds for the refusal to issue a State license at any point in the future. Nothing herein shall be deemed to preclude a bona fide representative from securing a plumbing permit for the plumbing contractor he or she represents.
- d) A licensed master plumber who willfully or negligently allows an unlicensed or unauthorized person to use his or her seal shall be subject to such penalties and sanctions as shall be imposed by the Board pursuant to authority granted by N.J.S.A. 45:14C-1 and 45:1-14 et seq.
- e) A licensed master plumber who has been suspended for failure to renew the license in accordance with N.J.A.C. 13:32-2.6 or who has had his or her license suspended or revoked for any reason shall return the pressure seal to the Board within 30 days of the suspension, revocation or lapse of license.
- f) A licensed master plumber who no longer possesses a pressure seal due to theft, loss or other cause, shall replace the seal by submitting to the Board a notarized letter detailing why the licensed master plumber no longer possesses the pressure seal. The licensed master plumber shall submit to the Board the replacement pressure seal fee pursuant to N.J.A.C. 13:32-5.1. The replacement pressure seal shall remain the property of the Board and shall be returned to the Board as provided in (e) above.

13:32-4.2 REQUIREMENT OF IDENTIFICATION CARD

- a) At the time of the biennial renewal of the license, the Board shall furnish a wallet size identification card to every licensed master plumber. The card shall be used exclusively by the licensed master plumber in the conduct of his or her practice. A licensed master plumber is required to present the identification card upon request when applying for plumbing permits.
- b) Use of an identification card by any person, other than the licensed master plumber to whom the identification card is issued or by the agent authorized to act on behalf of the licensed master plumber, shall be deemed to be the use or employment of dishonesty, fraud, deception, misrepresentation or false pretense. Such conduct shall be unlawful and may be grounds for the suspension or revocation of the license of the unauthorized user if he or she is already licensed by the Board. With respect to an unlicensed user, such conduct shall be grounds for the refusal to issue a State license in the future.
- c) A licensed master plumber who willfully or negligently allows an unlicensed or unauthorized person to use his or her identification card shall be deemed to have engaged in occupational misconduct and shall be subject to such penalties and sanctions as shall be imposed by the Board pursuant to authority granted by N.J.S.A. 45:14C-1 and 45:1-14 et seq.

13:32-4.3 ACTIONS ON THE SURETY BOND

Any person, partnership or corporation, including any political subdivision of State government who has been injured, aggrieved or damaged through the failure of a licensed master plumber to perform the duties required by N.J.S.A. 45:14C-1 et seq. or this chapter shall be eligible to receive the financial protection of, and may maintain an action on the surety bond.

13:32-4.4 CHANGE OF ADDRESS; SERVICE OF PROCESS

- a) Every licensed master plumber shall notify the Board in writing of his or her New Jersey office address. Every licensed master plumber shall notify the Board in writing of any change in his or her residence or office address within 10 days after such change.
- b) Service of an administrative complaint or other process initiated by the Board, the Attorney General or the Division of Consumer Affairs at the licensed master plumber's address on file with the Board shall be deemed adequate notice for the commencement of any inquiry or disciplinary proceeding against the licensed master plumber.

13:32-4.5 UNCONSCIONABLE PRICING

- a) A licensed master plumber of the Board shall not charge an excessive price for services. A price is excessive when, after review of the facts, a licensed master plumber of ordinary

prudence would be left with a definite and firm conviction that the price is so high as to be manifestly unconscionable or overreaching under the circumstances.

- b) Factors which may be considered in determining whether a price is excessive include, but are not limited to, the following:
- 1) The time and effort required;
 - 2) The novelty or difficulty of the job;
 - 3) The skill required to perform the job properly;
 - 4) Any special conditions placed upon the performance of the job by the person or entity for which the work is being performed;
 - 5) The experience, reputation and ability of the licensed master plumber to perform the services; and
 - 6) The price customarily charged in the locality for similar services.
- c) Charging an excessive price shall constitute occupational misconduct within the meaning of N.J.S.A. 45:1-21(e) and may subject the licensed plumber to disciplinary action.

SUBCHAPTER 5. FEES

13:32-5.1 FEE SCHEDULE

- a) The following fees shall be charged by the Board:
- 1) Application fee without prior registration (nonrefundable)..... \$100.00
 - 2) Application fee with prior registration (nonrefundable) 50.00
 - 3) Initial license fee:
 - i) If paid during the first year of a biennial renewal period 160.00
 - ii) If paid during the second year of a biennial renewal period 80.00

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| 4) License renewal fee, biennial..... | 160.00 |
| 5) Registration as an apprentice (non-refundable) | 50.00 |
| 6) Registration as a journeyman without prior registration (non-refundable)..... | 75.00 |
| 7) Registration as a journeyman with prior registration (non-refundable)..... | 50.00 |
| 8) Late renewal fee | 50.00 |
| 9) Reinstatement fee..... | 150.00 |
| 10) Initial pressure seal..... | 25.00 |
| 11) Replacement pressure seal | 25.00 |
| 12) Duplicate license fee..... | 25.00 |
| 13) Replacement wall certificate | 40.00 |
| 14) Verification of licensure | 25.00 |
| 15) Continuing education sponsor application fee | 100.00 |
| 16) Temporary courtesy license | 80.00 |
- b) The following fees shall be charged by the Board in connection with the certification of medical gas piping installers, medical gas piping brazers, and medical gas piping instructors:
- | | |
|--|----------|
| 1) Application fee..... | \$75.00 |
| 2) Initial certification as medical gas piping installer: | |
| i) If paid during the first year of a triennial renewal period | \$150.00 |
| ii) If paid during the second year of a triennial renewal period..... | \$100.00 |
| iii) If paid during the third year of a triennial renewal period | \$50.00 |
| 3) Initial certification as medical gas piping brazer | \$50.00 |

- 4) Initial certification as instructor in medical gas piping:
 - i) If paid during the first year of a triennial renewal period \$150.00
 - ii) If paid during the second year of a triennial renewal period..... \$100.00
 - iii) If paid during the third year of a triennial renewal period \$50.00
- 5) Certification renewal as a medical gas piping installer, triennial..... \$150.00
- 6) Certification renewal as a medical gas piping brazer, annual \$50.00
- 7) Certification renewal as a medical gas piping instructor, triennial..... \$150.00
- 8) Late renewal fee \$50.00
- 9) Reinstatement fee..... \$150.00
- 10) Inactive fee (to be determined by Director by regulation)
- 11) Temporary courtesy certification as a medical gas piping installer or instructor .. 75.00
- 12) Temporary courtesy certification as a medical gas piping brazer 25.00

SUBCHAPTER 6. CONTINUING EDUCATION

13:32-6.1 LICENSE RENEWAL, CONTINUING EDUCATION REQUIREMENT

- a) Every licensee shall successfully complete five credits of continuing education at an approved course per biennial period. Licensees applying for their first biennial renewal are exempt from this continuing education requirement.
- 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 regulations pertinent to the practice of a master plumber as required by N.J.A.C. 13:32-6.3(a).

- c) A licensee shall indicate on the license renewal form that he or she has completed the continuing education requirements required by this subchapter. Failure to meet the continuing education requirements as set forth in this subchapter or the falsification of any information submitted with the renewal application may result in an appearance before the Board, or the imposition of disciplinary sanctions pursuant to N.J.S.A. 45:1-21 et seq.
- d) Every licensee shall maintain, for a period of four years, a record of all verification of attendance forms for all continuing education courses the licensee has completed. Licensees who teach a continuing education course during a biennial period shall maintain, for a four year period, records which indicate that the licensee has taught a Board approved continuing education course.
- e) The Board may review the records of any licensee, at any time, in order to ensure that the licensee has complied with the continuing education requirements.

13:32-6.2 CONTINUING EDUCATION SPONSORS; BOARD APPROVAL; DUTIES

- a) All sponsors of continuing education courses shall obtain Board approval prior to offering a continuing education course for an upcoming biennial period. The Board shall maintain a list of approved courses at the Board offices and shall furnish this information to licensees upon request.
- b) A sponsor seeking Board approval shall appear before the Board and submit, prior to that appearance, the following:
 - 1) Detailed descriptions of course content and estimated hours of instruction;
 - 2) Curriculum vitae of each instructor, including specific background which qualifies the individual as an instructor in specific areas; and
 - 3) The continuing education sponsor application fee pursuant to N.J.A.C. 13:32-5.1(a)15.
- c) The sponsor of a continuing education course shall furnish each attendee a verification of attendance, which shall include the following:
 - 1) The title, date and location of course or program offering;
 - 2) The name and license number of the attendee;

- 3) The number of hours attended; and
 - 4) The name and signature of the sponsor or instructor.
- d) The sponsor of a continuing education course shall monitor the attendance at each approved course and maintain an attendance log that lists the name and license number of every licensee who attends a course. The program sponsor shall maintain the attendance log for four years from the date of the course and shall submit the log to the Board upon request. The log shall document that each licensee has completed the sponsor's course.
 - e) The sponsor shall obtain course evaluations from both participants and instructors and maintain these evaluations as part of the sponsor records.
 - f) The Board may evaluate the performance of any continuing education instructor through observation of the instructor during the presentation of a course or evaluate the qualifications and abilities of the instructor by conducting an interview during a Board meeting.
 - g) A continuing education class shall consist of no more than 50 people.

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.
- c) The list of topics which shall be required by the Board for a biennial period shall be published as a public notice in the New Jersey Register and shall be available at the Board offices.
- d) During the biennial renewal period beginning July 1, 2015 and ending on June 30, 2017, sponsors of continuing education courses shall include one hour of education in propane services which includes substantially the same information covered in either the Fundamentals of LP manual, published by the Plumbing-Heating-Cooling Contractors Association, 2003 edition or the Gas Installation for UA Journeyworkers and Apprentices manual, published by the United Association, 2003 edition.

- e) After completion of the education in propane services required by (c) above, sponsors of continuing education courses shall administer a competency evaluation examination which tests a licensee's understanding of the information provided on propane services.

13:32-6.4 CREDIT AWARDED

- a) One continuing education credit shall equal one hour of attendance at a continuing education course.
- b) A licensee who teaches a continuing education course shall earn five credits of continuing education for the biennial period in which he or she teaches.
- c) A licensee who has completed the continuing education requirements for renewal of a license as a master HVACR contractor shall have earned four credits of continuing education. Such a licensee shall be required to complete one credit of continuing education in the statutes and rules governing the practice of a master plumber required by N.J.A.C. 13:32-6.3.

13:32-6.5 WAIVER OF CONTINUING EDUCATION REQUIREMENT

- a) The Board may waive continuing education requirements on an individual basis for reasons of hardship, such as illness, disability, military duty or other good cause which prevents the licensee from completing continuing education credits during a biennial period.
- b) Any licensee seeking a waiver of the continuing education requirements shall apply to the Board in writing and set forth in specific detail the reasons for requesting the waiver. The licensee shall provide the Board with such supplemental materials as will support the request for waiver.

SUBCHAPTER 7. MEDICAL GAS PIPING

13:32-7.1 PURPOSE AND SCOPE

- a) The purpose of this subchapter is to implement the provisions of P.L. 2003, c. 205 (N.J.S.A. 45:14C-28 et seq.), which requires medical gas piping installers and brazers to be certified by the Board.
- b) Except as set forth in (d) below, unless a person is certified by the Board he or she shall not install, improve, repair or maintain medical gas piping located after the source valve and intended for patient or animal use within a health care facility licensed pursuant to P.L. 1971, c. 136 (N.J.S.A. 26:2H-1 et seq.), the office of a licensed dentist, or a dental clinic, as

defined in section 1 of P.L. 1951, c. 199 (N.J.S.A. 45:6-15.1), or an animal or veterinary facility as defined in section 1 of P.L. 1983, c. 98 (N.J.S.A. 45:16-1.1). No person shall provide instruction regarding the installation, improvement, repair or maintenance of medical gas piping unless certified as an instructor by the Board.

- c) This subchapter shall not apply to any electrical contractor licensed pursuant to P.L. 1962, c. 162 (N.J.S.A. 45:5A-1 et seq.), or any person employed by such an electrical contractor, who is performing the duties of his or her employment and who is acting within the scope of his or her profession or occupation.

13:32-7.2 DEFINITIONS

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

"ASSE" means the American Society of Sanitary Engineering.

"AWS" means the American Welding Society.

"Board" means the State Board of Examiners of Master Plumbers.

"Brazing" means joining metals by the use of brass filler or intensely heating the metals to be joined and applying a high temperature melting solder which ranges in melting point from alloys rich in silver to pure copper.

"Medical gas piping" means the piping used for medical gases, located after the source valve and intended for patient or animal use, within:

1. A health care facility licensed pursuant to P.L. 1971, c. 136 (N.J.S.A. 26:2H-1 et seq.);
2. The office of a licensed dentist, or a dental clinic, as defined in section 1 of P.L. 1951, c. 199 (N.J.S.A. 45:6-15.1); or
3. An animal or veterinary facility as defined in section 1 of P.L. 1983, c.98 (N.J.S.A. 45:16-1.1).

"NFPA" means the National Fire Protection Association.

"NITC" means the National Inspection Testing and Certification Corporation.

13:32-7.3 CERTIFICATION AS A MEDICAL GAS PIPING INSTALLER

a) To be eligible for certification as a medical gas piping installer an applicant shall be either:

- 1) A licensed master plumber in New Jersey;
- 2) A journeyman plumber who has successfully completed an apprenticeship program accredited by the United States Department of Labor;
- 3) An apprentice plumber who has successfully completed at least three years of an apprenticeship program accredited by the United States Department of Labor;
- 4) A steam fitter or pipe fitter employed by a plumbing contractor; or
- 5) An individual who holds certification from NFPA.

b) An applicant for certification as a medical gas piping installer shall submit to the Board:

- 1) A completed application for certification;
- 2) Two affidavits attesting to the applicant's good moral character;
- 3) Evidence that the applicant has met the qualifications of (a) above;
- 4) Evidence that the applicant has successfully completed 32 hours of classroom training, taught by an instructor certified pursuant to N.J.A.C. 13:32-7.5, in the January 19, 2004 ASSE Series 6010 Professional Qualifications Standards for Medical Gas Systems Installers, incorporated herein by reference, as amended and supplemented, published by the ASSE, 901 Canterbury Road, Suite A, Westlake, OH, 44145;
- 5) Evidence that the applicant has passed the examination requirements of (c) below; and
- 6) The application fee and initial certification fee pursuant to N.J.A.C. 13:32-5.1.

c) To qualify for certification, an applicant shall either:

- 1) Successfully pass the NITC Medical Gas Installer examination; or

- 2) Successfully pass a brazer examination offered by the AWS and successfully complete a training program in installation approved by a major medical gas producer.

13:32-7.4 CERTIFICATION TO PERFORM ONLY BRAZING INCIDENTAL TO INSTALLATION OF MEDICAL GAS PIPING

- a) To be eligible for certification to perform only brazing incidental to installation of medical gas piping, an applicant shall be either:
 - 1) A licensed master plumber in New Jersey;
 - 2) A journeyman plumber who has successfully completed an apprenticeship program accredited by the United States Department of Labor;
 - 3) An apprentice plumber who has successfully completed at least three years of an apprenticeship program accredited by the United States Department of Labor;
 - 4) A steam fitter or pipe fitter employed by a plumbing contractor; or
 - 5) An individual who holds a certification from NFPA.
- b) An applicant for certification to perform only brazing incidental to installation of medical gas piping shall submit to the Board:
 - 1) A completed application for certification;
 - 2) Two affidavits attesting to the applicant's good moral character;
 - 3) Evidence that the applicant has met the qualifications of (a) above;
 - 4) Evidence that the applicant has successfully completed 20 hours of classroom training related to the performance of brazing duties required to install, improve, repair or maintain medical gas piping taught by an instructor certified pursuant to N.J.A.C. 13:32-7.5, including 10 hours in practical, hands-on experience in brazing;
 - 5) Evidence that the applicant has passed the examination requirements of (c) below; and
 - 6) The application fee and initial certification fee pursuant to N.J.A.C. 13:32-5.1.
- c) To qualify for certification, an applicant shall either:

- 1) Successfully pass the NITC Brazing Processes; or
- 2) Successfully pass a brazer examination offered by the AWS and successfully complete a training program in brazing of medical gas piping approved by a major medical gas producer.

13:32-7.5 CERTIFICATION OF MEDICAL GAS PIPING INSTRUCTORS

a) To be eligible for certification as a medical gas piping instructor an applicant shall be either:

- 1) A licensed master plumber in New Jersey;
- 2) A journeyman plumber who has successfully completed an apprenticeship program accredited by the United States Department of Labor;
- 3) A steam fitter or pipe fitter employed by a plumbing contractor;
- 4) An individual who has engaged in the practice of installing medical gas piping for the past five years; or
- 5) An individual who holds certification from NFPA for the past five years.

b) An applicant for certification as a medical gas piping instructor shall submit to the Board:

- 1) A completed application for certification;
- 2) Evidence that the applicant has met the qualifications of (a) above;
- 3) Evidence that the applicant has successfully completed a 40-hour course that covers the January 19, 2004 ASSE Series 6050 Professional Qualifications Standards for Medical Gas Systems Instructors, incorporated herein by reference, as amended and supplemented, published by the ASSE, 901 Canterbury Road, Suite A, Westlake, OH, 44145;
- 4) Evidence that the applicant has passed the examination requirements of (c) below; and
- 5) The application fee and initial certification fee pursuant to N.J.A.C. 13:32-5.1.

c) To qualify for certification, an applicant shall:

- 1) Successfully pass the NITC Medical Gas Instructor examination; or
- 2) Successfully pass a brazer examination offered by the AWS and a training program in instructional training approved by a major medical gas producer.

13:32-7.5A CREDIT TOWARDS CERTIFICATION FOR EDUCATION, TRAINING AND EXPERIENCE RECEIVED WHILE SERVING AS A MEMBER OF THE ARMED FORCES

- a) An applicant who has served in the Armed Forces of the United States (Armed Forces) and who does not meet all of the training, education, and experience requirements for certification under N.J.A.C. 13:32-7.3, 7.4, or 7.5 may apply to the Board for recognition of the applicant's training, education, or experience received while serving as a member of the Armed Forces, which the Board shall consider, together with any training, education, and experience obtained outside of the Armed Forces, for determining substantial equivalence to the training, education, and experience required for certification.
- b) The Board shall issue a certificate to the applicant, if the applicant presents evidence to the Board that:
 - 1) The applicant has been honorably discharged from active military service;
 - 2) The relevant training, education, and experience the applicant received in the military, together with any training, education, and experience obtained outside of the Armed Forces, is substantially equivalent in scope and character to the training, education, and experience required for certification under N.J.A.C. 13:32-7.3, 7.4, or 7.5.
 - i) An applicant seeking credit for military training and experience shall submit to the Board the applicant's Verification of Military Experience and Training (VMET) Document, DD Form 2586.
 - ii) An applicant seeking credit for education courses and/or training completed while in the military shall submit to the Board a Joint Services Transcript of his or her education/training for a determination that the education courses and/or training completed are substantially equivalent in level, scope, and intent to the program required for certification under N.J.A.C. 13:32-7.3, 7.4, or 7.5. For the purpose of determining substantial equivalence of the applicant's military education and/or training, the Board shall consider only those education courses and/or training relevant to the practice of installing or brazing medical gas piping, or acting as a medical gas piping instructor, that have been evaluated by the American Council on Education for substantial equivalence to civilian medical gas piping education; and

- 3) The applicant complies with all other requirements for certification, including successful completion of certification examination.
- c) It is the applicant's responsibility to provide timely and complete evidence of the training, education, and experience gained in the military for review and consideration.
- d) If the applicant's military training, education, and experience, or a portion thereof, is not deemed to be substantially equivalent to that required for certification, the Board shall credit whatever portion of the military training, education, and experience that is substantially equivalent towards meeting the requirements under N.J.A.C. 13:32-7.3, 7.4, or 7.5 for the issuance of the certificate.
- e) Satisfactory evidence of such training, education, and experience shall be assessed on a case-by-case basis.

13:32-7.5B TEMPORARY COURTESY CERTIFICATION

- a) An applicant may obtain a temporary courtesy certification pursuant to P.L. 2013, c. 264, if he or she:
 - 1) Is currently certified in good standing in another state or territory of the United States or the District of Columbia that has certification requirements equivalent to those in New Jersey;
 - 2) Is not a resident of New Jersey;
 - 3) Has not committed an act in another jurisdiction that would have constituted grounds for the denial, suspension, or revocation of a certificate in New Jersey or has not been disciplined, or is not the subject of an investigation, by a professional or occupational licensing or credentialing entity in another jurisdiction;
 - 4) Is the spouse of an active duty member of the Armed Forces of the United States who has been transferred to New Jersey in the course of his or her service; and
 - 5) Is legally domiciled in New Jersey or has moved to New Jersey on a permanent change-of-station basis.
- b) An applicant for a temporary courtesy certification shall submit, or arrange to submit, to the Board:
 - 1) A completed application form;

- 2) The application fee as set forth in N.J.A.C. 13:32-5.1(b)1 and the temporary courtesy certification fee as set forth in N.J.A.C. 13:32-5.1(b)11 or 12;
 - 3) Written or electronic verification of status of certification from every state or territory of the United States, or the District of Columbia, in which the applicant was ever certified. The verification shall either be forwarded directly to the Board from the applicable state board, if written, or if electronic, be issued by the applicable state board; and
 - 4) Proof that the applicant was engaged in the practice of medical gas piping installation, brazing, or instruction in another jurisdiction, including any time spent discharging official duties in the Armed Forces or for an agency of the Federal government, for at least two of the last five years immediately preceding the date of application.
- c) A temporary courtesy certification shall be valid for one year.
- d) An individual who holds a temporary courtesy certification may apply to the Board for an extension of the certificate for an additional year by submitting a renewal application to the Board.

13:32-7.6 (RESERVED)

13:32-7.7 RENEWAL OF CERTIFICATES

- a) Certificates for instructors and installers shall be renewed triennially on a form provided by the Board. Certificates to perform only brazing incidental to installation of medical gas piping shall be renewed annually on a form provided by the Board.
- b) The Board shall send a notice of renewal to each certificant at least 60 days prior to the expiration of the certificate. The notice of renewal shall explain inactive renewal and advise the certificant of the option to renew as inactive. If the notice to renew is not sent 60 days prior to the expiration date, no monetary penalty or fines shall apply to the holder for any failure to renew provided that the certificate is renewed within 60 days from the date the notice is sent or within 30 days following the date of certificate expiration, whichever is later.
- c) Certificants shall submit the renewal application and pay the renewal fee pursuant to N.J.A.C. 13:32-5.1 prior to the date of expiration of the certificate.
- d) A certificant may renew his or her certificate by choosing inactive status. A certificant with an inactive certificate shall not practice, or hold himself or herself out as eligible to practice, in New Jersey until such time as the certificate is returned to active status.

- e) If a certificant does not renew the certificate prior to its expiration date, the certificant may renew the certificate within 30 days of its expiration by submitting a renewal application, a renewal fee, and a late fee as set forth in N.J.A.C. 13:32-5.1. During this 30-day period, the certificate shall be valid and the certificant shall not be deemed practicing without a certificate.
- f) A certificant who fails to submit a renewal application within 30 days of certificate expiration shall have his or her certificate suspended without a hearing.
- g) A person who continues to practice or hold himself or herself out as a certificant after being suspended pursuant to (f) above shall be deemed to have engaged in uncertified practice pursuant to N.J.S.A. 45:14C-28 and shall be subject to action consistent with N.J.S.A. 45:1-14 et seq., even if no notice of suspension has been provided to the person.

13:32-7.8 CERTIFICATE REACTIVATION

- a) A certificant who holds an inactive certificate pursuant to N.J.A.C. 13:32-7.7(d) may apply to the Board for reactivation of the inactive certificate. A certificant seeking reactivation of an inactive certificate shall submit:
 - 1) A renewal application;
 - 2) A certification of employment listing each job held during the period the certificate was inactive, which includes the names, addresses, and telephone number of each employer; and
 - 3) The renewal fee for the period for which reactivation is sought as set forth in N.J.A.C. 13:32-5.1.
- b) If a Board review of an application establishes a basis for concluding that there may be practice deficiencies in need of remediation prior to reactivation, the Board may require the applicant to submit to, and successfully pass, an examination or an assessment of skills, a refresher course, or other requirements as determined by the Board prior to reactivation of the certificate. If that examination or assessment identifies deficiencies or educational needs, the Board may require the applicant as a condition of reactivation of certification to take and successfully complete education or training, or to submit to supervision, monitoring, or limitations, as the Board determines are necessary to assure that the applicant practices with reasonable skill and safety. The Board may restore the certificate subject to the applicant's completion of training within a period of time prescribed by the Board following the restoration of the certificate. In making its determination whether there are practice deficiencies requiring remediation, the Board shall consider the following non-exhaustive issues:

- 1) Length of time the certificate was inactive;
- 2) Employment history;
- 3) Professional history;
- 4) Disciplinary history and any action taken against the applicant's certificate by any professional or occupational board;
- 5) Actions affecting the applicant's privileges taken by any institution, organization, or employer related to practice as an instructor, installer, or individual who performs only brazing incidental to the installation of medical gas piping, or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction;
- 6) Pending proceedings against a professional or occupational certificate issued to the applicant by a professional or occupational board in New Jersey, any other state, the District of Columbia, or in any other jurisdiction; and
- 7) Civil litigation related to practice as an instructor, installer, or brazer, or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction.

13:32-7.9 CERTIFICATE REINSTATEMENT

- a) A person who has had his or her certificate suspended pursuant to N.J.A.C. 13:32-7.7(f) may apply to the Board for reinstatement. A person applying for reinstatement shall submit:
 - 1) A reinstatement application;
 - 2) A certification of employment listing each job held during the period of suspended certificate, which includes the names, addresses, and telephone number of each employer;
 - 3) The renewal fee set forth in N.J.A.C. 13:32-5.1 for the biennial period for which reinstatement is sought;
 - 4) The past due renewal fee for the biennial period immediately preceding the renewal period for which reinstatement is sought; and
 - 5) The reinstatement fee set forth in N.J.A.C. 13:32-5.1.

- b) If a Board review of an application establishes a basis for concluding that there may be practice deficiencies in need of remediation prior to reinstatement, the Board may require the applicant to submit to, and successfully pass, an examination or an assessment of skills, a refresher course, or other requirements as determined by the Board prior to reinstatement of the certificate. If that examination or assessment identifies deficiencies or educational needs, the Board may require the applicant as a condition of reinstatement of certification to take and successfully complete education or training, or to submit to supervision, monitoring, or limitations, as the Board determines are necessary to assure that the applicant practices with reasonable skill and safety. The Board may restore the certificate subject to the applicant's completion of training within a period of time prescribed by the Board following the restoration of the certificate. In making its determination whether there are practice deficiencies requiring remediation, the Board shall consider the following non-exhaustive issues:
- 1) Length of time the certificate was suspended;
 - 2) Employment history;
 - 3) Professional history;
 - 4) Disciplinary history and any action taken against the applicant's certificate by any professional or occupational board;
 - 5) Actions affecting the applicant's privileges taken by any institution, organization, or employer related to practice as an instructor, installer, or individual who performs only brazing incidental to the installation of medical gas piping, or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction;
 - 6) Pending proceedings against a professional or occupational certificate issued to the certificant by a professional or occupational board in New Jersey, any other state, the District of Columbia, or in any other jurisdiction; and
 - 7) Civil litigation related to practice as an instructor, installer, or brazer, or other professional or occupational practice in New Jersey, any other state, the District of Columbia, or in any other jurisdiction.

