

REQUEST FOR TECHNICAL CHANGE

AGENCY: State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors

RULE CITATION: All rules

DEADLINE FOR RECEIPT: Friday, March 9, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

On line 1 of each rule, please update the introductory statement in accordance with [26 NCAC 02C .0404](#), as reflected in this example:

<http://www.ncoah.com/rules/examples/Permanent%20Amendment%20for%20Publication%20in%20the%20NCAC.pdf>

After the introductory sentence, please provide the rule name and citation, as required by [26 NCAC 02C .0108\(5\)](#)

At the end of each history note, please update with a new line reflecting the amendment date of "April 1, 2018." as reflected in this example:

<http://www.ncoah.com/rules/examples/Permanent%20Amendment%20for%20Publication%20in%20the%20NCAC.pdf>

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Thursday, February 22, 2018

REQUEST FOR TECHNICAL CHANGE

AGENCY: State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors

RULE CITATION: 21 NCAC 50 .0306

DEADLINE FOR RECEIPT: Friday, March 9, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

Line 4 references an "application." [G.S. 150B-2\(8a\)d](#) does not require an application to be a rule if "the contents or substantive requirements of which are prescribed by rule or statute." Is there a rule or statute that provides the information required in the application? Could it be cross-referenced? Please clarify.

Lines 7, 10; and page 2, lines 14, 17, 21, and 30, please consider adding a comma after "service"

Line 25, please consider adding a comma after "government"

Line 30; and page 2, line 10, please consider replacing "can" with "may"

Line 37; and page 2, lines 5 and 6, please consider replacing "must" with "shall"

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Thursday, February 22, 2018

1 **21 NCAC 50 .0306 APPLICATIONS: ISSUANCE OF LICENSE is proposed to be amended with**
2 **changes as published in 32:11 NCR 1081-1083 as follows:**

3
4 (a) All applicants for licensure or examination shall file an application in the Board office on a form available on
5 the Board website or by contacting the Board office.

6 (b) Applicants for a plumbing or heating examination shall present evidence at the time of application to establish
7 two years of full-time experience in the installation, maintenance, service or repair of plumbing or heating systems
8 related to the category for which a license is sought, whether or not a license was required for the work performed.

9 Applicants for a fuel piping examination shall present evidence at the time of application to establish one year of
10 experience in the installation, maintenance, service or repair of fuel piping, whether or not a license was required for
11 the work performed. Up to one-half of the experience may be in academic or technical training related to the field of
12 endeavor for which examination is requested. The Board shall prorate part-time work of less than 40 hours per
13 week or part-time academic work of less than 15 semester or quarter hours.

14 (c) The Board shall issue a license certificate bearing the license number assigned to the qualifying individual.

15 (d) Fire Sprinkler Installation Contractors shall meet experience requirements in accordance with NICET
16 examination criteria.

17 (e) Applicants for examination or licensure in the Fire Sprinkler Inspection Technician classification shall submit
18 evidence adequate to establish that the applicant has either:

19 (1) 4000 hours of experience involved in inspection and testing of previously installed fire sprinkler
20 systems, consistent with NFPA-25, Standard for the Inspection Testing as Maintenance of Water-
21 Based Fire Protection Systems of the National Fire Protection Association, adopted by the North
22 Carolina Building Code, which is hereby incorporated by reference including all subsequent
23 editions and amendments to the document as a full-time employee of a Fire Sprinkler Inspection
24 Contractor or fire insurance underwriting organization;

25 (2) 4000 hours of experience as a full-time employee of a hospital, manufacturing government or
26 university facility under direct supervision of Fire Sprinkler Inspection Contractor or a Fire
27 Sprinkler Inspection Technician involved in inspection and testing of previously installed fire
28 sprinkler systems, consistent with NFPA 25: Standard for the Inspection, Testing, and
29 Maintenance of Water-Based Fire Protection Systems, which is hereby incorporated by reference
30 including all subsequent editions and amendments. The document can be accessed free of charge
31 at <http://www.nfpa.org/codes-and-standards/>;

32 (3) 4000 hours of experience involved in installation of fire sprinkler systems as a full-time employee
33 of a Fire Sprinkler Installation Contractor; or

34 (4) a combination of 4000 hours of experience in any of the categories listed in this Paragraph.

35 (f) Applicants for licensure in the Fire Sprinkler Inspection Contractor classification shall meet experience
36 requirements in accordance with NICET certification criteria.

37 (g) Applicants for initial licensure in the Limited Fire Sprinkler Maintenance Technician classification must submit
38 evidence of 2000 hours experience at the place for which license is sought as a full-time maintenance employee in

1 facility maintenance with exposure to periodic maintenance of fire protection systems as described in Rule .0515 of
2 this Chapter. Applicants who have held Limited Fire Sprinkler Maintenance Technician license previously are not
3 required to demonstrate experience in addition to the experience at the time of initial licensure, but shall submit a
4 new application if relocating to a new location.

5 (h) Applicants for licensure in the Residential Fire Sprinkler Installation Contractor classification must hold an
6 active Plumbing Class I or Class II Contractor license issued by this Board for a minimum of two years and must
7 document attendance at a 16 hour course approved by the Board pursuant to the Rules in this Chapter covering
8 NFPA 13D: Standard for the Installation of Sprinkler Systems in One-and Two-Family Dwellings and Manufactured
9 Homes, which is hereby incorporated by reference including all subsequent editions and amendments. The
10 document can be accessed free of charge at <http://www.nfpa.org/codes-and-standards/>. Residential Fire Sprinkler
11 Installation Contractors must maintain a Plumbing Contractor license as a condition of renewal of the Residential
12 Fire sprinkler Installation Contractor license.

13 (i) Applicants for a license as a plumbing or heating technician shall present evidence adequate to establish 3000
14 hours of full-time experience in the installation, maintenance, service or repair of plumbing or heating systems
15 related to the category for which a technician license is sought, whether or not a license was required for the work
16 performed. Applicants for a license as a fuel piping technician shall present evidence adequate to establish 1500
17 hours of experience in the installation, maintenance, service or repair of fuel piping, whether or not a license was
18 required for the work performed. Up to one-half of the experience may be in academic or technical training related
19 to the field of endeavor for which the examination is requested.

20 (j) Applicants for a Restricted Limited Plumbing Contractor license shall present evidence at the time of application
21 to establish 1500 hours of full-time experience in the installation, maintenance, service or repair of plumbing
22 systems, whether or not a license was required for the work performed. Up to one-half of the experience may be in
23 academic or technical training related to the field of endeavor for which examination is requested. The Board shall
24 prorate part-time work of fewer than 40 hours per week or part-time academic work of less than 15 semester or
25 quarter hours.

26 (k) In lieu of the requirements of Paragraph (j) of this Rule, applicants for a Restricted Limited Plumbing
27 Contractor License who present a current active License from the North Carolina Irrigation Contractor Licensing
28 Board may take the examination, provided the applicant demonstrates that he or she holds certification as a
29 Backflow Inspector from one of the municipalities in North Carolina, or demonstrates 500 hours of experience in the
30 maintenance, service or repair of components of plumbing systems.

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32 *History Note: Authority G.S. 87-18; 87-21(b);*

33 *Eff. February 1, 1976;*

34 *Readopted Eff. September 29, 1977;*

35 *Amended Eff. January 1, 2004; July 1, 2003; August 1, 2002; July 1, 1998; September 1, 1994;*

36 *November 1, 1993; April 1, 1991; May 1, 1990;*

37 *Temporary Amendment Eff. August 31, 2004;*

1 *Amended Eff. April 1, 2014; July 3, 2012; January 1, 2010; June 1, 2006; March 1, 2005;*
2 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22,*
3 *2015.*

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310040-2382/4386810

REQUEST FOR TECHNICAL CHANGE

AGENCY: State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors

RULE CITATION: 21 NCAC 50 .0312

DEADLINE FOR RECEIPT: Friday, March 9, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

Lines 19 thru 21 is Paragraph (d) and lines 22 thru 24 is Paragraph (e). In comparing the two paragraphs, line 20 says "heating contractor license" and line 23 says "heating technician license." Is there a distinction? Please review and clarify if necessary.

Again, in comparing Paragraph (d) to Paragraph (e), besides the term after "heating," the only distinction in the language is the use of the clause "obtained by examination and" in Paragraph (e), line 23. Based upon the justification for the publication, this distinction seems necessary, but I wanted to clarify that this qualifying language is necessary when the license was "issued by the Board." Please review and clarify if necessary.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Abigail M. Hammond
Commission Counsel

Date submitted to agency: Thursday, February 22, 2018

1 **21 NCAC 50 .0312 STATE AND LOCAL GOVERNMENT PLUMBING OR HEATING**
2 **TECHNICIAN is proposed to be amended with changes as published in 32:11 NCR**
3 **1081-1083 as follows:**

4
5 (a) In order to determine the qualifications of an applicant for a license as a State or local government plumbing or
6 heating technician, the Board shall provide a written or computer-based examination in the following categories:

- 7 (1) State and local government Plumbing Technician;
- 8 (2) State and local government Heating Group No. 1 Technician;
- 9 (3) State and local government Heating Group No. 2 Technician; or
- 10 (4) State and local government Heating Group No. 3 Technician

11 (b) Applicants for a license as a State & Local Government Plumbing or Heating Technician shall obtain a license
12 based on experience set forth in Paragraph (c) of this Rule and shall pass the Class I technical and Board laws and
13 rules part of the Board-administered examination described in Rule .0301 of this Section related to the category for
14 which a technician license is sought. The applicant need not pass the business part of the examination.

15 (c) Applicants for a license as a State & Local Government plumbing or heating technician shall present evidence to
16 establish 3000 hours of full-time experience in the installation, maintenance, service, or repair of plumbing or
17 heating systems related to the category for which a technician license is sought, whether or not a license was
18 required for the work performed.

19 (d) Applicants for a license as a State & Local Government Technician who currently hold an active plumbing or
20 heating contractor license issued by this Board may qualify for the corresponding State and local government
21 technician license without examination.

22 (e) Applicants for a license as a State & local Government Technician who currently hold an active plumbing or
23 heating technician license obtained by examination and issued by the Board may qualify for the corresponding State
24 & Local Government technician license without examination.

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26
27 *History Note: Authority G.S. 87-18; 87-21(a); 87-21(b);*
28 *Eff. February 1, 2017.*
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33 310040-2382/4386793