

Office of the Revisor of Statutes

Administrative Rules

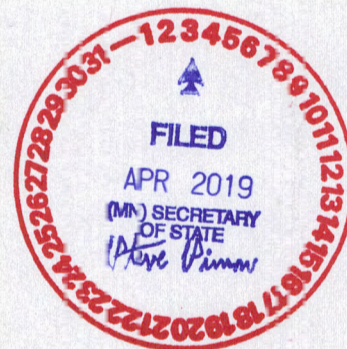


TITLE: Adopted Permanent Rules Governing Plumbing Licensing

AGENCY: Plumbing Board

REVISOR ID: R-4365

MINNESOTA RULES: Chapter 4716



The attached rules are approved for
filing with the Secretary of State

A handwritten signature in black ink, appearing to read "Sheree Speer".

Sheree Speer
Assistant Deputy Revisor

193514

1.1 **Plumbing Board**1.2 **Adopted Permanent Rules Governing Plumbing Licensing**1.3 **4716.0010 DEFINITIONS.**1.4 *[For text of subps 1 to 5, see M.R.]*

1.5 Subp. 6. **Registered unlicensed plumber.** "Registered unlicensed plumber" means
1.6 an individual who performs plumbing work for a contractor or employer, does not hold any
1.7 class of plumber license, is not a plumber's apprentice as described in Minnesota Statutes,
1.8 section 326B.42, subdivision 6, and is registered with the commissioner under part
1.9 4716.0050.

1.10 **4716.0020 EXAMINATION AND LICENSING OF PLUMBERS.**

1.11 Subpart 1. **Examinations.** An applicant for a plumber's license, other than a restricted
1.12 journeyworker or restricted master plumber license, must satisfactorily pass an examination
1.13 given by the commissioner.

1.14 A. An applicant for the master plumber examination must have:

1.15 (1) at least one year of practical plumbing experience as a licensed
1.16 journeyworker plumber as described in subpart 2;

1.17 *[For text of subitems (2) and (3), see M.R.]*

1.18 B. An applicant for the journeyworker examination:

1.19 (1) must be registered as a plumber's apprentice in Minnesota as described
1.20 in Minnesota Statutes, section 326B.42, subdivision 6, or must be a registered unlicensed
1.21 plumber as described in part 4716.0010, subpart 6, and must have at least four years of
1.22 recorded practical plumbing experience, as specified in subpart 2, item F;

1.23 *[For text of subitems (2) and (3), see M.R.]*

2.1 Subp. 2. **Experience.** This subpart applies to all practical plumbing experience
2.2 described in subpart 1.

2.3 *[For text of items A to D, see M.R.]*

2.4 E. If the applicant is a licensed restricted journeyworker plumber or a licensed
2.5 restricted master plumber, subitems (1) and (2) apply.

2.6 (1) The practical plumbing experience must include at least the following
2.7 number of hours in the plumbing aspects specified in units (a) to (c). The remaining required
2.8 hours of practical plumbing experience may be in any aspect of plumbing work included
2.9 in the definition of plumbing in UPC section 218.0 as incorporated by reference in part
2.10 4714.0050; however, the applicant must include in the application the type of plumbing
2.11 work and corresponding number of hours:

2.12 (a) water distribution system installation, 1,000 hours;

2.13 (b) drain, waste, and vent system installation, 1,000 hours; and

2.14 (c) fixture installation, 500 hours.

2.15 *[For text of subitem (2), see M.R.]*

2.16 F. If the applicant is a registered unlicensed plumber, subitems (1) and (2) apply.

2.17 (1) The practical plumbing experience must include at least the following
2.18 number of hours in the plumbing aspects specified in units (a) to (c). The remaining required
2.19 hours of practical plumbing experience may be in any aspect of plumbing included in the
2.20 definition of plumbing in UPC section 218.0 as incorporated by reference in part 4714.0050;
2.21 however, the applicant must include in the application the type of plumbing work and
2.22 corresponding number of hours:

2.23 (a) water distribution system installation, 2,000 hours;

2.24 (b) drain, waste, and vent system installation, 2,000 hours; and

3.1 (c) fixture installation, 1,000 hours.

3.2 (2) The applicant must have been a registered unlicensed plumber at all times
3.3 while obtaining the practical plumbing experience or the applicant must have obtained the
3.4 practical plumbing experience in one of the following ways:

3.5 (a) during military service, and the applicant's military officer certifies
3.6 the experience;

3.7 (b) as part of a plumbing education class approved by the commissioner,
3.8 and an authorized representative of the plumbing educational institution certifies the
3.9 experience; or

3.10 (c) as a plumber's apprentice in another state where the experience is
3.11 verified by a state agency that regulates plumbing licensing in that state or by a federal
3.12 agency.

3.13 G. Except as provided in item F, subitem (2), units (a) to (c), all practical plumbing
3.14 experience must be certified by the licensed master plumber who is responsible for the work
3.15 performed. A restricted master plumber cannot certify the restricted master plumber's own
3.16 experience. The employer of a journeyworker plumber, restricted master plumber, restricted
3.17 journeyworker plumber, or registered unlicensed plumber is responsible for:

3.18 *[For text of subitems (1) and (2), see M.R.]*

3.19 **4716.0040 EXPIRATION OF LICENSES.**

3.20 Subpart 1. **Issuance and expiration.** Initial and renewed journeyworker plumber's
3.21 licenses and renewed restricted journeyworker plumber's licenses expire on December 31
3.22 of each odd-numbered year after issuance or renewal. Initial and renewed master plumber's
3.23 licenses and renewed restricted master plumber's licenses expire on December 31 of each
3.24 even-numbered year after issuance or renewal. Any journeyworker plumber, master plumber,
3.25 restricted journeyworker plumber, or restricted master plumber who submits a renewal

4.1 application after December 31 shall not work as a plumber until the person has submitted
4.2 an application, fee, and penalty fee. Any licensed journeyworker or master plumber who
4.3 does not renew the license within two years is no longer eligible for renewal. The person
4.4 must retake and pass the examination before a new license will be issued. Any licensed
4.5 restricted journeyworker or restricted master plumber who does not renew the license within
4.6 two years of the license expiration will permanently forfeit the restricted plumber license.

4.7 Subp. 2. **License renewals.** Applications for license renewal must be submitted to
4.8 the commissioner on forms prepared by the commissioner no later than December 31 of
4.9 the year in which the license expires. The application must be accompanied by the required
4.10 fee. Journeyworker and master plumbers who submit their license renewal applications after
4.11 expiration of their license but within two years after expiration of the previously issued
4.12 license must pay all past due renewal fees plus the required late fee. Restricted journeyworker
4.13 and restricted master plumbers who submit their license renewal applications after expiration
4.14 of their license but within two years after expiration of the previously issued license must
4.15 pay the past due renewal fee plus the required late fee.

4.16 **4716.0050 REGISTRATION OF REGISTERED UNLICENSED PLUMBER.**

4.17 Subpart 1. **Scope.** Subpart 2 does not apply to a registered plumber's apprentice under
4.18 Minnesota Statutes, section 326B.47, subdivision 1, paragraph (a).

4.19 Subp. 2. **Registration requirements.** No person shall work as a registered unlicensed
4.20 plumber until that person has submitted an application and fee for registration to the
4.21 commissioner. Registration must be renewed annually and shall be for the period from July
4.22 1 of each year to June 30 of the following year. Applications for initial and renewal
4.23 registration must be submitted to the commissioner before July 1 of each registration period
4.24 on forms provided by the commissioner, and must be accompanied by the required fee. A
4.25 registered unlicensed plumber who submits a registration application after July 1 in any
4.26 year must pay the renewal fee plus the required late fee.

5.1 A. A registered unlicensed plumber must be at least 18 years of age or be a high
5.2 school graduate, except that a registered unlicensed plumber employed and supervised by
5.3 the registered unlicensed plumber's parent must be at least 16 years of age.

5.4 B. At the time of registration, a registered unlicensed plumber must provide a
5.5 name, address, date of birth, Social Security number, and information about education and
5.6 practical plumbing experience.

5.7 **4716.0091 DEFINITIONS.**

5.8 Subpart 1. **Scope.** The terms used in parts 4716.0090 to 4716.0092 have the meanings
5.9 given them in this part, UPC sections 201.0 to 228.0 as incorporated by reference in part
5.10 4714.0050, and Minnesota Statutes, section 326B.50.

5.11 Subp. 2. **Registered unlicensed water conditioner.** "Registered unlicensed water
5.12 conditioner" means an individual who performs water conditioning work for a contractor
5.13 or employer, does not hold any class of water conditioning license, and is registered with
5.14 the commissioner under part 4716.0093.

5.15 **4716.0092 LICENSURE.**

5.16 Subpart 1. **Water conditioning contractor.** An applicant for a water conditioning
5.17 contractor license must designate a responsible licensed master as defined in Minnesota
5.18 Statutes, section 326B.50. The responsible licensed master must give a minimum 15-day
5.19 notice to the water conditioning contractor and the department before resigning as the
5.20 responsible licensed master for the contractor. The contractor and responsible licensed
5.21 master must immediately notify the department upon the termination or separation of the
5.22 contractor's responsible licensed master. The water conditioning contractor shall have 60
5.23 days from the last day of employment of its previous responsible licensed master to employ
5.24 another responsible licensed master. The water conditioning contractor shall submit written
5.25 notification to the department that it has designated a different responsible licensed master.

6.1 If the water conditioning contractor is unable to acquire a replacement responsible licensed
6.2 master, the water conditioning contractor's license is invalid and the contractor shall cease
6.3 and desist from performing any water conditioning work and return the contractor's license
6.4 for voluntary termination. Upon acquiring a replacement responsible licensed master, the
6.5 water conditioning contractor may request reinstatement of the terminated license under
6.6 Minnesota Statutes, section 326B.096.

6.7 *[For text of subp 2, see M.R.]*

6.8 **Subp. 3. Water conditioning journeyworker.** An applicant for a water conditioning
6.9 journeyworker license must satisfactorily pass an examination given by the commissioner.
6.10 An applicant for the water conditioning journeyworker examination must have been a
6.11 registered unlicensed water conditioner at all times while obtaining at least six months of
6.12 practical experience as listed in subpart 4, item C, subitem (2), except as permitted in subpart
6.13 4, item A, subitem (4). The applicant is responsible for verifying practical experience.

6.14 **Subp. 4. Experience.** For the purposes of the experience required under subparts 2
6.15 and 3, the following requirements apply.

6.16 *[For text of items A to C, see M.R.]*

6.17 **D. If the applicant is a registered unlicensed water conditioner:**

6.18 (1) the applicant must have been a registered unlicensed water conditioner
6.19 at all times while obtaining the practical water conditioning experience, except as allowed
6.20 under Minnesota Statutes, section 326B.555, subdivision 2; and

6.21 (2) all practical water conditioning experience must be certified by the licensed
6.22 water conditioning master who is responsible for the work performed. Practical water
6.23 conditioning experience includes installation, servicing, and training hours. The commissioner
6.24 may require work records, time cards, pay records, or other documentation necessary to

7.1 evaluate experience. The commissioner shall make the final determination about the adequacy
7.2 and acceptability of an applicant's experience.

7.3 E. The employer of a water conditioning journeyworker or registered unlicensed
7.4 water conditioner is responsible for:

7.5 (1) recording the practical water conditioning experience worked by each
7.6 employee; and

7.7 (2) maintaining the records of practical water conditioning experience for at
7.8 least six years after the employee's last recorded experience.

7.9 *[For text of subps 5 and 6, see M.R.]*

7.10 **4716.0093 UNLICENSED WATER CONDITIONER REGISTRATION.**

7.11 Subpart 1. **Registration requirements.** No person shall work as a registered unlicensed
7.12 water conditioner until that person has submitted an application and fee for registration to
7.13 the commissioner. Registration must be renewed annually and shall be for the period from
7.14 July 1 of each year to June 30 of the following year. Applications for initial and renewal
7.15 registration must be submitted to the commissioner before July 1 of each registration period
7.16 on forms provided by the commissioner, and must be accompanied by the required fee. A
7.17 registered unlicensed water conditioner who submits a registration application after July 1
7.18 in any year must pay the renewal fee plus the required late fee.

7.19 A. A registered unlicensed water conditioner must be at least 18 years of age or
7.20 a high school graduate, except that a registered unlicensed water conditioner employed and
7.21 supervised by the registered unlicensed water conditioner's parent must be at least 16 years
7.22 of age.

7.23 B. An applicant for registration under this part must provide a name, address, date
7.24 of birth, Social Security number, and information about education and practical water
7.25 conditioning experience on a form provided by the commissioner.

8.1 **4716.0205 REQUIREMENTS.**

8.2 **Subpart 1. Continuing education; content.**

8.3 A. In addition to satisfying the requirements of Minnesota Statutes, chapter 326B,
8.4 individuals who hold the following license types are required to obtain 16 hours of continuing
8.5 education instruction during the license period before the license may be renewed:

8.6 (1) master plumber;

8.7 (2) journeyworker plumber; and

8.8 (3) restricted plumber.

8.9 At least eight hours of instruction must pertain to the Plumbing Code, and the remainder
8.10 must pertain to the Plumbing Code, technical topics related to plumbing installations and
8.11 equipment, this chapter, the Minnesota State Building Code, or Minnesota Statutes, sections
8.12 326B.41 to 326B.59. Continuing education hours obtained by any electronic media must
8.13 comply with Minnesota Statutes, sections 326B.098 to 326B.099.

8.14 B. In addition to satisfying the requirements of Minnesota Statutes, chapter 326B,
8.15 individuals who hold the following license types are required to obtain four hours of
8.16 continuing education instruction during the license period before the license may be renewed:

8.17 (1) water conditioning master; and

8.18 (2) water conditioning journeyworker.

8.19 At least two hours must pertain to the Plumbing Code and the remainder must pertain to
8.20 the Plumbing Code, technical topics related to water conditioning installation and servicing,
8.21 this chapter, or Minnesota Statutes, sections 326B.50 to 326B.59. Continuing education
8.22 hours obtained by any electronic media must comply with Minnesota Statutes, sections
8.23 326B.098 to 326B.099.

9.1 C. In addition to satisfying the requirements of Minnesota Statutes, chapter 326B,
9.2 individuals who hold the following registration types are required to obtain continuing
9.3 education instruction during the registration period before the registration can be renewed:

9.4 (1) registered unlicensed plumbers; and

9.5 (2) registered unlicensed water conditioners.

9.6 The registered unlicensed plumber must obtain at least two hours of continuing education
9.7 instruction that must pertain to the Plumbing Code.

9.8 The registered unlicensed water conditioner must obtain at least two hours of continuing
9.9 education instruction. At least one hour of instruction must pertain to the Plumbing Code,
9.10 and the remainder must pertain to the Plumbing Code, technical topics related to water
9.11 conditioning installation and servicing, this chapter, or Minnesota Statutes, sections 326B.50
9.12 to 326B.59. Continuing education hours obtained by any electronic media must comply
9.13 with Minnesota Statutes, sections 326B.098 to 326B.099.

9.14 D. In addition to satisfying the requirements of Minnesota Statutes, chapter 326B,
9.15 an applicant for renewal of a medical gas installer certification is required to obtain four
9.16 hours of continuing education instruction during the certification period before the
9.17 certification may be renewed. The required hours of instruction must pertain to the technical
9.18 topics related to the installation, repair, or maintenance of medical gas systems, this chapter,
9.19 NFPA 99, or Minnesota Statutes, section 326B.438.

9.20 E. In addition to satisfying the requirements of part 4716.0097 and Minnesota
9.21 Statutes, chapter 326B, individuals who hold the following certifications are required to
9.22 obtain the following continuing education during the certification period before the certificate
9.23 may be renewed:

9.24 (1) a backflow prevention rebuilder shall meet the minimum requirements
9.25 to recertify in ASSE Standards 5110 and 5130; and

10 1 (2) a backflow prevention tester shall meet the minimum requirements to
10 2 recertify in ASSE Standard 5110.

10 3 *[For text of subp 2, see M.R.]*

April 3, 2019

VIA EMAIL ONLY

Nancy Breems
Secretary of State, Elections Division
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100 Rev Dr Martin Luther King Jr Blvd
St. Paul, Minnesota 55155-1299
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**Re: *In the Matter of the Proposed Amendment to Rules Governing
Plumber Licensing*
OAH 3-9001-35569; R-4365**

Dear Ms. Breems:

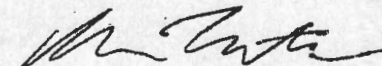
Enclosed for filing is an electronic copy of the above-entitled adopted rules.

Please send the agency copy of the rules to:

Suzanne Todnem
General Counsel
Department of Labor and Industry
443 Lafayette Rd N
Saint Paul, MN 55155
suzanne.todnem@state.mn.us

If you have any questions regarding this matter, please contact Ian Lewenstein at (651) 361-7857, ian.ewenstein@state.mn.us, or via facsimile at (651) 539-0310.

Sincerely,



Ian Lewenstein
Legal Assistant

Enclosures

cc: Suzanne Todnem (via email)