

R156. Commerce, Occupational and Professional Licensing.

R156-55c. Plumber Licensing Act Rule.

R156-55c-101. Title.

This rule is known as the "Plumber Licensing Act Rule".

R156-55c-102. Definitions.

In addition to the definitions in Title 58, Chapters 1 and 55, as used in Title 58, Chapters 1 and 55 or this rule:

(1) "Immediate supervision", as used in Subsections 58-55-102(5) and 58-55-102(26) and this rule, means:

(a) for non-residential plumbing work, the apprentice and the supervising plumber are physically present on the same project or jobsite but are not required to maintain a direct line of sight;

(b) for residential plumbing work, the supervising plumber, when not physically present on the same project or jobsite as the apprentice, is available to provide direction, oversight, inspection, and evaluation of the apprentice's work as to ensure that the end result complies with applicable standards.

(2) "Minor plumbing work that is incidental", as used in Subsection 58-55-305(1)(k)(i) and this rule, means:

(a) installation, repair or replacement of the following residential type Plumbing Appliances:

- (i) dishwashers;
- (ii) refrigerators;
- (iii) freezers;
- (iv) ice makers;
- (v) stoves;
- (vi) ranges;
- (vii) clothes washers;
- (viii) clothes dryers; and

(b) repair or replacement of the following residential type Plumbing Appurtenances, Fixtures and Systems, when the cost of the repair or replacement does not exceed \$300 in total value, including all labor and materials, and including all changes or additions to the contracted or agreed upon work:

- (i) tub or shower trim;
- (ii) tub or shower valve;
- (iii) toilet flush valve;
- (iv) toilet removal and reset;
- (v) garbage disposal;
- (vi) kitchen or lavatory sink P-trap;
- (vii) kitchen or lavatory faucet rebuild and install;
- (viii) supply line replacement after the fixture valve; and

(3) "Minor plumbing work that is incidental", as used in Subsection 58-55-305(1)(k)(i), does not include installation or replacement of a water heater, or work to include the initial installation of Plumbing Appurtenances, Fixtures and Systems.

(4) Plumbing Appliances, Appurtenances, Fixtures, and Systems, as used in this rule, shall have the same meaning as defined by Title 15A, State Construction and Fire Codes Act.

(5) "Unprofessional conduct" as defined in Title 58, Chapters 1 and 55, is further defined in accordance with Subsection 58-1-203(1)(e), in Subsection R156-55c-501.

R156-55c-103. Authority - Purpose.

This rule is adopted by the Division under the authority of Subsection 58-1-106(1)(a) to enable the Division to administer Title 58, Chapter 55.

R156-55c-104. Organization - Relationship to Rule R156-1.

The organization of this rule and its relationship to Rule R156-1 is as described in Section R156-1-107.

R156-55c-302a. Qualification for Licensure - Education and Experience Requirements.

The education and experience requirements for licensure in Subsection 58-55-302(3)(c) and (d) are defined, clarified, or established as follows:

(1) Master Plumber:

(a) An applicant under Subsection 58-55-302(3)(a)(i)(A) shall have at least 4,000 hours of work experience and at least 4,000 hours of supervisory experience as a licensed Journeyman Plumber.

(b) An applicant under Subsection 58-55-302(3)(a)(i)(B) shall:

(i) hold at least an associate of applied science degree or a similar degree, from an institution recognized by the Council for Higher Education Accreditation (CHEA); and

(ii) have at least 2,000 hours of supervisory experience as a licensed Journeyman Plumber.

(2) Residential Master Plumber:

(a) An applicant under Subsection 58-55-302(3)(b)(i) shall have at least 4,000 hours of work experience and at least 4,000 hours of supervisory experience as a licensed Residential Journeyman Plumber.

(b) An applicant under Subsection 58-55-302(3)(b)(ii) shall:

(i) hold at least an associate of applied science degree or a similar degree, from an institution recognized by the Council for Higher Education Accreditation (CHEA); and

(ii) have at least 2,000 hours of supervisory experience as a licensed Residential Journeyman Plumber.

(3) Journeyman Plumber:

(a) An applicant under Subsection 58-55-302(3)(c)(i) shall have completed:

(i) at least 576 hours of a planned program of training that meets the requirements of Subsection (5); and

(ii) at least 8,000 hours of full-time work experience as a licensed Apprentice Plumber.

(b) An applicant under Subsection 58-55-302(3)(c)(ii) shall have completed at least 16,000 hours of full-time work experience as a licensed Apprentice Plumber.

(c) An applicant licensed as a Residential Journeyman Plumber shall have completed:

(i) at least 2,000 hours of full-time work experience in non-residential plumbing while licensed as an Apprentice Plumber; and

(ii) the fourth year (144 hours) of a planned program of training that meets the requirements of Subsection (5).

(4) Residential Journeyman Plumber:

(a) An applicant under Subsection 58-55-302(3)(d)(i) shall have completed:

(i) at least 432 hours of a planned program of training that meets the requirements of Subsection (5); and

(ii) at least 6,000 hours of full-time work experience as a licensed Apprentice Plumber.

(b) An applicant under Subsection 58-55-302(3)(d)(ii) shall produce satisfactory evidence, using a form provided by the Division, that the applicant:

(i) has completed at least 12,000 hours of full-time work experience in a maintenance or repair trade; and

(ii) at least 9,000 of the required 12,000 hours directly involve the plumbing trade.

(5)(a) The "planned program of training approved by the Division" pursuant to Subsections 58-55-302(3)(c)(i) and (d)(i), shall consist of formal classroom education in the plumbing trade that:

(i) includes measures of competency and achievement level for each student;

(ii) is conducted by competent qualified staff;

(iii) is conducted by an entity approved by:

(A) the Utah Board of Regents;

(B) the Utah System of Technical Colleges Board of Trustees;

or

(C) the Plumbers Licensing Board when the program is out-of-state; and

(iv) includes at least 81 hours of classroom instruction per semester.

(b) "Completion" of a planned program of training under Subsections 58-55-302(3)(c) and (d) and this rule, means that the applicant:

(i) attended a minimum of 72 classroom instruction hours each semester; and

(ii) passed each class with a score of at least 75%.

(6) On the job training and instruction shall include measurements of the apprentice's performance in the plumbing trade.

(7) No more than 3,000 hours may be earned during any 12-month period.

(8) As used in Subsection 58-55-302(3)(c) and (d) and this rule, "full-time training", "full-time experience", "work experience", and "full-time work experience" mean work experience that is lawfully performed preceding the date of application, in accordance with all licensing and supervision requirements.

R156-55c-302b. Qualifications for Licensure - Examination Requirements.

In accordance with Subsection 58-55-302(1)(c)(i), the examination requirements for licensure are established as follows:

(1) Master Plumber applicants shall pass:

(a) the Utah Master Plumber Theory Exam; and

(b) the Utah Plumber Practical Exam.

(2) Residential Master Plumber applicants shall pass:

(a) the Utah Residential Master Plumber Theory Exam; and

(b) the Utah Residential Plumber Practical Exam.

(3) Journeyman Plumber applicants shall pass:

(a) the Utah Journeyman Plumber Theory Exam; and

(b) the Utah Plumber Practical Exam.

(4) Residential Journeyman Plumber applicants shall pass:

(a) the Utah Residential Journeyman Plumber Theory Exam; and

(b) the Utah Residential Plumber Practical Exam.

(5) Admission to the exams is permitted after:

(a) the applicant has completed all requirements for licensure in Section R156-55c-302a; or

(b) the Journeyman Plumber applicant under Subsection R156-55c-302a(3)(a) has completed:

(i) the first semester of the fourth year of the planned program of training; and

(ii) at least 6,000 hours of the required full-time work experience.

(6) An applicant shall obtain:

(a) a score of at least 70% on the Utah Plumber Practical Exam; and

(b) a score of at least 70% on the Utah Plumber Theory Exam.

(7) An applicant who fails an exam may retake that exam:

(a) no sooner than 30 days following any failure, up to three failures; and

(b) no sooner than 120 days following any failure thereafter.

R156-55c-302c. Qualifications - Expedited Licensure.

In accordance with Subsections 58-1-203(2) and 58-1-301(3), the requirements for expedited licensure pursuant to Subsections 58-55-302(3)(c)(iii) and 58-55-302(3)(d)(iii) are as follows:

(1) A licensed apprentice plumber may take the approved competency exams, in sequence beginning with 1A and continuing through 4B, to either satisfy the education requirement, or determine placement in a planned program of training approved by the Division.

(2) Division pre-approval is not required to sit for any competency exam.

(3) An applicant may register directly with the Division's approved exam provider to sit for a competency exam.

(4) An applicant may attempt each competency exam one time.

(5) Admission to the subsequent competency exam is permitted after obtaining a minimum score of 70%.

(6) Placement in a planned program of training is determined when the applicant scores below 70% on the corresponding competency exam.

(7) Upon completion of all qualifying competency exams, the applicant may sit for the Utah journeyman or residential journeyman plumber exams.

R156-55c-303. Renewal Cycle - Procedures.

(1) In accordance with Subsection 58-1-308(1), the renewal date for the two-year renewal cycle applicable to licensees under Title 58, Chapter 55, is established by rule in Section R156-1-308a(1).

(2) Renewal procedures shall be in accordance with Section R156-1-308c.

(3) In accordance with Subsection 58-1-308(3)(b)(i), there is established a continuing education requirement for license renewal. Each licensee shall comply with the continuing education requirements set forth in Section R156-55c-304.

(4) All licensees shall renew their license in an online form approved by the Division, except as permitted by the Division in writing.

R156-55c-304. Continuing Education - Standards.

Standards for continuing education shall be in accordance with Subsections R156-55a-303b(2) through (10), except as otherwise provided in this section:

(1) Required Hours. Pursuant to Sections 58-55-302.7 and 58-55-303, each licensee shall complete at least 12 hours of continuing education during each two-year license term. At least eight hours shall be core education. The remaining four hours may be professional or core education.

(2) "Core continuing education" is defined as education covering:

(a) International Building, Mechanical, Plumbing, and International Energy Conservation Codes and Utah building code amendments as adopted or proposed for adoption;

(b) the Americans with Disability Act;

(c) medical gas, National Fire Protection Association 13D and 54;

(d) hydronics and waste water treatment; or

(e) Occupational Safety and Health Administration (OSHA) training.

(3) "Professional continuing education" is defined as education covering:

(a) energy conservation;

(b) management training;

(c) new technology;

(d) plan reading;

(e) lien laws and Utah construction registry; or

(f) government regulations.

(4) The Division may defer or waive continuing education requirements for:

(a) an instructor of a planned program of training under Subsection R156-55c-302a(5);

(b) a board member who regularly attends the Plumber Licensing Board meetings; or

(c) any licensee as provided in Section R156-1-308d.

(5) Provider. A course provider need not be listed in Subsection 58-55-302.5(2), but shall meet the other requirements of this section and be:

(a) a recognized accredited college or university;

(b) a state or federal agency;

(c) a professional association or organization involved in the construction trades; or

(d) a commercial continuing education provider providing a program related to the plumbing trade.

(6) Content. Course content shall be relevant to the practice of the plumbing trade and consistent with Utah laws and rules.

R156-55c-305. Licensure by Endorsement.

The Division may issue a license by endorsement in accordance with the provisions of Section 58-1-302.

R156-55c-401. Conduct of Apprentice and Supervising Plumber.

The requirements of Subsections 58-55-102(34) and 58-55-302(3)(e) are clarified and established as follows:

(1) A plumbing contractor may comply with the supervision requirements of Subsection 58-55-501(12), by contracting with a

licensed professional employer organization to employ one or more licensed plumbers.

(2) A licensed supervisor may have up to:

(a) three licensed apprentice plumbers on non-residential projects; or

(b) three licensed apprentice plumbers on residential projects.

R156-55c-501. Unprofessional Conduct.

"Unprofessional conduct" includes:

(1) failing to comply with the supervision requirements established by Subsection 58-55-302(3)(e);

(2) failing to timely provide upon request, the licensee's current plumber license, or license number when performing plumbing work;

(3) failing to provide proof of completed continuing education within 30 days of the Division's request; and

(4) failing to be knowledgeable of the plumber licensing laws and rules.

R156-55c-502. Administrative Penalties.

(1) The administrative penalties defined in Section R156-55a-503 of the Utah Construction Trades Licensing Act Rule are hereby adopted as the administrative penalties under this rule.

(2) The administrative penalty for a violation of Subsection 58-1-501(2)(o) under this rule shall be in accordance with Section R156-1-502.

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