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07.02.05 - RULES GOVERNING PLUMBING SAFETY LICENSING

000. LEGAL AUTHORITY.

In accordance with Section 54-2605(1), Idaho Code, the Idaho Plumbing Board shall make, promulgate, and publish such rules as may be necessary for carrying out the provisions of this act in order to effectuate the purposes thereof and for the orderly and efficient administration thereof, and except as may be limited or prohibited by law and the provisions of this act, such rules so made and promulgated shall have the force of statute. (2-26-93)

001. TITLE AND SCOPE.

These rules shall be cited as IDAPA 07, Title 2, Chapter 5, Rules Governing Plumbing Safety Licensing, Department of Labor and Industrial Services. These rules prescribe the criteria for the issuance of licensing for plumbing installations. (2-26-93)

002. WRITTEN INTERPRETATIONS.

This agency has written interpretations of this chapter in the form of legal memoranda. (2-26-93)

003. ADMINISTRATIVE APPEALS.

The Attorney General's Model Rules of Practice and Procedure govern license revocation/suspension proceedings. (2-26-93)

004. -- 010. (RESERVED).

011. APPRENTICE REGISTRATION.

The minimum age for any apprentice shall be sixteen (16) years. All apprentices shall be registered with the department. The registration fee shall be as prescribed by Section 54-2614, Idaho Code. No examination is required. In order to maintain registration properly, an individual must be working at the trade under the constant on-the-job supervision of a journeyman and in the employ of a contractor. He must also be enrolled and active in an approved related training class for a total of four (4) years. A grade average of seventy percent (70%) must be maintained in these courses. Upon completion of apprenticeship training, the apprentice must obtain a certificate of completion, or a letter signed by the chairman of his apprenticeship committee, and attach the certificate or letter to his application for a journeyman license. In order to maintain registration, the apprentice shall renew his registration each year before December 31. The renewal fee shall be as prescribed by Section 54-2614, Idaho Code. (8-25-88)

012. JOURNEYMAN.

01. Qualifications for Journeyman Plumber. An applicant for a journeyman plumber's license must have at least four (4) years experience as an apprentice making plumbing installations under the constant on-the-job supervision of a qualified journeyman plumber, as provided by Section 54-2611, Idaho Code. Pipe fitting will not be accepted as qualifications for a journeyman plumber's license. The first step in obtaining a journeyman certificate of competency is to submit an application for examination and license. The application must be accompanied by proof the applicant has completed the minimum of four (4) years experience in the trade as provided in IDAPA 07.02.05.011. Exhibition of a current license or photostatic copy of it from another jurisdiction may be accepted as proof of experience. The examination fee shall be as prescribed by Section 54-2614, Idaho Code, and must accompany the application. (8-25-88)

02. Examination. The journeyman examination grade is based on (1) answers to written questions and (2) practical work performed on a job in progress after successful completion of the written work. Time allowed for the written examination is four (4) hours. A passing grade is required on the written examination. The practical work must pass with no violations. (8-25-88)

013. PLUMBING CONTRACTOR.

01. Qualifications for Plumbing Contractor. A plumbing contractor must be certified as competent by the board and the director of the department before he offers his service to the public. To obtain the certificate, he must first submit an acceptable application. The application must show, among other things, a provable minimum of two and one-half (2 1/2) years experience as a journeyman plumber either in the state of Idaho or another State. Such

experience may be proven by the submission with the application of a photostatic copy of the license from another jurisdiction, which has been held for the required period of time. However, if the applicant is from a state which does not require or provide for formal journeyman licensing, then said experience may be proven by the submission of three (3) sworn affidavits from individuals attesting to the fact that the applicant has had at least two and one-half (2 1/2) years experience as a journeyman plumber. Applications which are incomplete in any detail will be returned as unacceptable. A compliance bond must also be on file in the department before an examination will be given. The examination fee shall be as prescribed by Section 54-2614, Idaho Code, and must accompany the application.

(8-25-88)

02. **Restrictive Use of Contractor Certificate.** Any individual holding a contractor certificate and designated by a firm to represent that firm for licensing purposes shall represent one (1) firm only, and shall immediately notify the department in writing when his working arrangement with that firm has been terminated for purposes of becoming self-employed or affiliation with another firm, or for any other reason. A license holder cannot represent any other person or firm, self-employed or otherwise, than originally stated on his application for license. When a change is made, he is required to so inform the department. Otherwise, he is guilty of transferring his license in violation of Section 54-2610, Idaho Code, and is subject to license suspension, revocation, or refusal to renew under Section 54-2608, Idaho Code, or to prosecution under the provisions of Section 54-2628, Idaho Code.

(8-25-88)

03. **Previous Revocation.** Any applicant for a plumbing contractor's license who has previously had his plumbing contractor's license revoked for cause, as provided by Section 54-2608, Idaho Code, shall be considered as unfit and unqualified to receive a new plumbing contractor's license so long as such cause for revocation is continuing, and of such a nature that correction can be made by the applicant.

(11-14-85)

04. **Reviving an Expired License.** Any applicant for a plumbing contractor's license who has allowed his license to expire and seeks to revive it under the provisions of Section 54-2617, Idaho Code, may be denied a license as unfit and unqualified if, while operating under the license prior to expiration, he violated any of the laws, rules and/or regulations applicable to plumbing contractors, and such violation is continuing, and of such a nature that corrections can be made by the applicant.

(11-14-85)

05. **Effective Dates.** The effective dates of the compliance bond referred to in IDAPA 07.02.05.013.01 shall coincide with the effective dates of the contractor's license, January 1st - December 31st. Proof of renewal of the compliance bond must be on file with the Department before the contractor can renew or revive his license.(8-25-88)

06. **Plumbing Contractor's Responsibility.** It shall be the responsibility of the plumbing contractor to ensure that all his employees working at the plumbing trade are licensed as provided by Idaho Code and these rules.

(8-25-88)

014. APPLICATIONS.

All applications for licenses shall be properly completed giving all pertinent information, and signatures shall be notarized. Applications for plumbing contractor's license shall be accompanied by a license fee in the amount prescribed by Section 54-2616, Idaho Code. An application for a journeyman license shall be accompanied by a license fee in the amount prescribed by Section 54-2616, Idaho Code, and an examination fee as provided by Section 54-2614, Idaho Code. An application for a license shall be submitted to the director of the department and shall be approved by an authorized representative of the department before any examination is given and before any license is issued. The provisions of this section shall not apply to renewal of licenses.

(11-14-85)

015. EXAMINATIONS.

01. **Examinations for Journeyman Plumber.** Written examinations for any journeyman plumber's license shall be formulated and approved by the board. Examination questions shall be based on the practical application of the Uniform Plumbing Code. No license shall be issued unless the applicant receives a final grade of seventy-five percent (75%) or higher on the written examination and passes the practical portion with no violations. An applicant receiving a grade of less than seventy-five percent (75%) may be re-examined at the expiration of sixty (60) days. After a second failure, an applicant may not be tested before the expiration of one (1) year.

(8-25-88)

02. **Frequency of Conducting of Examinations.** Examinations for all classifications under the Plumbing

Laws and rules will be given a minimum of four (4) times each year in three (3) locations: One (1) to be in northern Idaho, one (1) to be in central Idaho, and one (1) to be in southern Idaho. (8-25-88)

03. Professional Testing Services. In lieu of the administration by the Idaho Plumbing Board of the examination for licenses pursuant to this rule, the Board may contract with a professional testing service to administer the examination, and require license applicants to pay to the testing service the fee that they have set for the examination and to take such examination at the time set by such service. If the examination is conducted in this fashion, the Board may charge and retain the application fee provided for by Section 54-2616, Idaho Code, to cover the cost of reviewing the applicant's application. (8-25-88)

016. RENEWAL/REVIVAL.

Journeyman plumber and plumbing contractor licenses must be renewed each year before the last day of December. Failure to renew the license will cause it to expire. It may be revived within one year by payment of the initial fee for said license. The fees for renewal and revival shall be as prescribed in Section 54-2616, Idaho Code. (8-25-88)

017. SPECIALTY PLUMBING LICENSES.

The purpose of this section is to set out the special types of plumbing installations for which a specialty license is required; to set out the minimum experience requirements for such licenses; and to describe the procedure for securing such licenses. (8-25-88)

01. Qualified Journeyman Plumbers. Qualified journeyman plumbers as defined in Section 54-2611(b), Idaho Code, shall be permitted to make installations as subsequently described herein without securing an additional license for said installation. (11-14-85)

02. Minimum Experience Requirements. (8-3-83)

a. Experience gained by an individual while engaged in the practice of mobile home hook-ups shall not be considered towards the satisfaction of the minimum experience requirements for licensing as a journeyman plumber. (8-3-83)

b. All installers shall be licensed and be in the employ of a licensed plumbing contractor or specialty contractor limited to this category. (8-3-83)

03. Mobile Home Set-up or Installers. (8-25-88)

a. Any person qualifying for and having in his possession a current license in this category may make the proper connections of sewer and water to existing facilities on site. All material and workmanship shall comply with the requirements of the Uniform Plumbing Code. (8-3-83)

b. All installers shall be licensed and be in the employ of a licensed plumbing contractor or specialty contractor limited to this category. This specialty license does not permit any extension, alteration, or addition to the plumbing system within the mobile home or the installation of any underground plumbing outside the mobile home. (8-3-83)

04. Applications for Specialty Licenses. Applications for the above specialty licenses may be obtained from the Plumbing Division, Idaho Department of Labor and Industrial Services. The forms shall be returned with the examination fee provided by Section 54-2614, Idaho Code, with proof of the required two (2) years experience in the field of this specialty. (8-25-88)

05. Examinations for Specialty Licenses. Written examinations for specialty plumbing licenses shall be formulated from the practical application of the sections of the Uniform Plumbing Code as adopted by the Idaho Plumbing Board under Section 54-2601, Idaho Code. (11-14-85)

06. Fees. Fees for certificates shall be required in accordance with Section 54-2616, Idaho Code. (11-14-85)

018. -- 999. (RESERVED).