

CHAPTER 32**STATE BOARD OF EXAMINERS
OF MASTER PLUMBERS****Authority**

N.J.S.A. 45:14C-7 and 45:1-3.2.

Source and Effective Date

R.1997 d.456, effective October 8, 1997.
See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

Executive Order No. 66(1978) Expiration Date

Chapter 32, State Board of Examiners of Master Plumbers, expires on October 8, 2002.

Chapter Historical Note

Chapter 32, State Board of Examiners of Master Plumbers, was filed and became effective prior to September 1, 1969. Pursuant to Executive Order No. 66(1978), Chapter 32 was readopted as R.1987 d.481, effective October 23, 1987. See: 19 N.J.R. 1630(a), 19 N.J.R. 2197(c).

Pursuant to Executive Order No. 66(1978), Chapter 32 was readopted as R.1992 d.457, effective October 21, 1992. See: 24 N.J.R. 2334(a), 24 N.J.R. 4270(b). As part of R.1992 d.457, effective November 16, 1992, Subchapter 2, regarding a "uniform penalty letter," was repealed and Subchapter 2, Fees, was adopted as new rules.

Pursuant to Executive Order No. 66(1978), Chapter 32 was readopted as R.1997 d.456, effective October 8, 1997. See: Source and Effective Date. As part of R.1997 d.456, effective November 3, 1997, Subchapter 1, General Rules and Regulations, was renamed Purpose and Scope, Board Meetings; Subchapter 2, Fees, was recodified as Subchapter 5, Fees; and Subchapter 2, Application, Experience Requirements, Examination; Subchapter 3, Identification of Licensees; Bona Fide Representative; Supervision; and Subchapter 4, Miscellaneous, were adopted as new rules. See, also, section annotations.

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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, P.L. 1968, c.362 (N.J.S.A. 45:1C-1 et seq.), and provide for the licensing and regulation of master plumbers and the regulation of plumbing contractors.

Repeal and New Rule, R.1987 d.481, effective November 16, 1987.
See: 19 N.J.R. 1630(a), 19 N.J.R. 2197(c).

Old text replaced.

New Rule, R.1997 d.456, effective November 3, 1997.
See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

Former N.J.A.C. 13:32-1.1, "Board Meetings" recodified to N.J.A.C. 13:32-1.2.

Amended by R.2001 d.12, effective January 2, 2001 (operative March 3, 2001).

See: 31 N.J.R. 3984(a), 33 N.J.R. 56(a).

Inserted "and regulation" preceding "of master plumbers" and substituted "and the regulation of plumbing contractors" for "and qualified journeymen".

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.

Repeal and New Rule, R.1987 d.481, effective November 16, 1987.
See: 19 N.J.R. 1630(a), 19 N.J.R. 2197(c).

Old text replaced.

Recodified from N.J.A.C. 13:32-1.1 by R.1997 d.456, effective November 3, 1997.

See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

Former N.J.A.C. 13:32-1.2, "Application; qualifications; examination registration form" recodified to N.J.A.C. 13:32-2.1.

Case Notes

Remand to properly composed state board of examiners of master plumbers for reconsideration of imposition of sanctions upon master plumber was appropriate; four out of seven members of board originally imposing sanctions were not statutorily qualified to hold positions. Matter of Fichner, 144 N.J. 459, 677 A.2d 201 (1996).

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 has completed four years engaged in learning and assisting in the installation of plumbing and who works under the supervision of a master plumber or supervisory journeyman plumber.

"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 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 licensee who acts, as a bona fide representative as required by N.J.S.A. 45:14C-2(d) and (h) and this subchapter.

"Supervisory journeyman plumber" means an individual who has completed an apprenticeship program approved by both a Federal agency and a Federally certified State agency recognized by the Board 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.

New Rule, R.2001 d.12, effective January 2, 2001 (operative March 3, 2001).

See: 31 N.J.R. 3984(a), 33 N.J.R. 56(a).

Former N.J.A.C. 13:32-1.3, Examinations, repealed.

13:32-1.4 (Reserved)

Amended by R.1973 d.170, effective June 22, 1973.

See: 5 N.J.R. 90(a), 5 N.J.R. 239(c).

Repealed by R.1997 d.456, effective November 3, 1997.

See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

Section was "Bond".

13:32-1.5 (Reserved)

Repeal and New Rule, R.1983 d.580, effective December 19, 1983.

See: 15 N.J.R. 1171(a), 15 N.J.R. 2172(c).

Repealed old rule concerning dual representation prohibited and adopted new rule.

Amended by R.1992 d.457, effective November 16, 1992.

See: 24 N.J.R. 2334(a), 24 N.J.R. 4270(b).

Stylistic revisions to (a)1; revised (b)1.

Recodified to N.J.A.C. 13:32-3.2 and N.J.A.C. 13:32-3.3 by R.1997 d.456, effective November 3, 1997.

See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

Section was "Bona fide representative, responsibilities and limitations".

13:32-1.6 (Reserved)

Repealed by R.1997 d.456, effective November 3, 1997.

See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

Section was "Change of address".

13:32-1.7 (Reserved)

Repeal and New Rule, R.1987 d.481, effective November 16, 1987.

See: 19 N.J.R. 1630(a), 19 N.J.R. 2197(c).

Old rule was renewal certificates.

Amended by R.1991 d.170, effective April 1, 1991.

See: 22 N.J.R. 784(a), 23 N.J.R. 1009(b).

Added "and business address, including the street name and number of the owner or qualified bona fide representative" in (b).

Added (c).

Amended by R.1992 d.457, effective November 16, 1992.

See: 24 N.J.R. 2334(a), 24 N.J.R. 4270(b).

Revised (a)-(b); added new (c)-(d); redesignated existing (c) as (e) without changes.

Repealed by R.1997 d.456, effective November 3, 1997.

See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

Section was "Identification of licensees".

13:32-1.8 (Reserved)

Recodified to N.J.A.C. 13:32-4.1 by R.1997 d.456, effective November 3, 1997.

See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

Section was "Requirement of pressure seal defined".

13:32-1.9 (Reserved)

Recodified to N.J.A.C. 13:32-4.2 by R.1997 d.456, effective November 3, 1997.

See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

Section was "Requirement of identification card defined".

13:32-1.10 (Reserved)

New Rule, R.1991 d.170, effective April 1, 1991.

See: 22 N.J.R. 784(a), 23 N.J.R. 1009(b).

Repealed by R.1997 d.456, effective November 3, 1997.

See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

Section was "Return of pressure seal".

13:32-1.11 (Reserved)

New Rule, R.1991 d.170, effective April 1, 1991.

See: 22 N.J.R. 784(a), 23 N.J.R. 1009(b).

Repealed by R.1997 d.456, effective November 3, 1997.

See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

Section was "Supervision".

13:32-1.12 (Reserved)

Recodified to N.J.A.C. 13:32-4.5 by R.1997 d.456, effective November 3, 1997.

See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

Section was "Professional prices".

SUBCHAPTER 2. APPLICATION, EXPERIENCE REQUIREMENTS, EXAMINATION

13:32-2.1 Applications

(a) An applicant for a license as a master plumber shall present proof satisfactory to the Board that the applicant:

1. Is at least 21 years of age;
2. Is of good moral character as established by references;
3. Has met the experience requirements set forth in N.J.A.C. 13:32-2.23;
4. Has successfully passed the examination required pursuant to N.J.A.C. 13:32-2.3; and
5. Has paid the appropriate fees as set forth in N.J.A.C. 13:32-5.1.

(b) Upon request, the Executive Director shall furnish an applicant with an application form.

(c) In order to be considered by the Board, an applicant shall complete an application in full and shall include a street name and number. An application containing only a post office box number as a mailing address shall not be considered a complete application.

Amended by R.1987 d.481, effective November 16, 1987.

See: 19 N.J.R. 1630(a), 19 N.J.R. 2197(c).

Amended by R.1991 d.170, effective April 1, 1991.

See: 22 N.J.R. 784(a), 23 N.J.R. 1009(b).

Revised application requirements in (b) to indicate that a post office box number as applicant's mailing address is not a complete application.

Amended by R.1992 d.457, effective November 16, 1992.

See: 24 N.J.R. 2334(a), 24 N.J.R. 4270(b).

Revised (c).

Amended by R.1997 d.15, effective January 6, 1997.

See: 28 N.J.R. 3709(a), 29 N.J.R. 148(a).

Inserted new (b); and recodified former (b) and (c) as (c) and (d).

Recodified from N.J.A.C. 13:32-1.2 and amended by R.1997 d.456, effective November 3, 1997.

See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

Inserted new (a); recodified (a) as (b); and deleted (b) and (d). Former N.J.A.C. 13:32-2.1, "Fees" recodified to N.J.A.C. 13:32-5.1.

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 as defined in N.J.S.A. 45:14C-2(g). 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 both the United States Department of Labor and a Federally certified state agency, and has completed one year of practical hands-on experience as a journeyman plumber; 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, and has completed one year of practical hands-on experience as a journeyman plumber.

(c) An applicant for licensure who has, prior to November 1, 2002, performed plumbing for four years under the supervision of a licensee shall be eligible to take the licensing examination if the applicant has completed one additional year of practical hands-on experience as a journeyman plumber.

(d) An applicant for licensure who has, prior to November 1, 2002, three years of practical hands-on experience under the supervision of a licensee shall be eligible to take

the licensing examination if the applicant has completed a one year course concerning the plumbing subcode of the Uniform Construction Code, N.J.A.C. 5:23-3.15 and the plumbing component of the Occupational Safety and Health Act (OSHA), N.J.S.A. 34:6A-25 et seq., in a four year apprenticeship program approved by both the United States Department of Labor and a Federally certified state agency, and has completed one additional year of practical hands-on experience as a journeyman plumber.

(e) An applicant for licensure who has, prior to November 1, 2002, two years of practical hands-on experience under the supervision of a licensee shall be eligible to take the licensing examination if the applicant has completed the first two years of a four year apprenticeship program approved by both the United States Department of Labor and a Federally certified state agency and has completed one additional year of practical hands-on experience as a journeyman plumber.

(f) An applicant for licensure who has, prior to November 1, 2002, one year of practical hands-on experience under the supervision of a licensee shall be eligible to take the licensing examination if the applicant has completed the first three years of a four year apprenticeship program approved by both the United States Department of Labor and a Federally certified state agency and has completed one additional year of practical hands-on experience as a journeyman plumber.

(g) Subsections (c) through (f) above shall expire on November 1, 2002.

New Rule, R.1997 d.456, effective November 3, 1997.
See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).
Repeal and New Rule, R.2002 d.122, effective April 15, 2002.
See: 33 N.J.R. 4059(a), 34 N.J.R. 1551(a).
Section was "Experience requirements".

13:32-2.3 Examinations

(a) Examinations shall be prepared and administered by a Board approved testing service 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) The Board shall mail an examination registration form to approved applicants in advance, notifying them of the time and place of examinations.

(d) Examinations may 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 Act;

2. Practical by actual demonstration or oral examination; and

3. Written examination of laws and regulations governing the occupation and business of plumbing.

(e) In order to pass the examination an applicant must receive a minimum grade of 70.

Recodified from N.J.A.C. 13:32-1.3(a) through (d) and amended by R.1997 d.456, effective November 3, 1997.

See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

N.J.A.C. 13:32-1.3(a) through (d), recodified as (a), (b), (d) and (e) respectively; and inserted new (c).

13:32-2.4 Failure of examination; when retaking permitted

(a) An applicant who has failed the examination may review his or her examination upon written request to the Board-approved testing service and payment to the testing service of its review fee.

(b) No person who has failed the examination shall be eligible to be reexamined for a period of six months from the date of the examination filed by such person.

Recodified from N.J.A.C. 13:32-1.3(e) and amended by R.1997 d.456, effective November 3, 1997.

See: 29 N.J.R. 3592(a), 29 N.J.R. 4704(b).

N.J.A.C. 13:32-1.3(e) recodified as (a); and inserted new (b).

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

13:32-3.1 Identification of licensees; 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 licensee practices or where the licensee 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.