

**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.1992 d.457, effective October 21, 1992.  
See: 24 N.J.R. 2334(a), 24 N.J.R. 4270(b).

**Executive Order No. 66(1978) Expiration Date**

Chapter 32, State Board of Examiners of Master Plumbers, expires on October 21, 1997.

**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. See: Source and Effective Date. R.1992 d.457 also repealed Subchapter 2, regarding a "uniform penalty letter," and adopted a new Subchapter 2, Fees, effective November 16, 1992. See: 24 N.J.R. 2334(a), 24 N.J.R. 4270(b).

See section annotations for specific rulemaking activity.

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**SUBCHAPTER 2. FEES**

13:32-2.1	Fees
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**SUBCHAPTER 1. GENERAL RULES AND  
REGULATIONS****13:32-1.1 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.

**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).

**13:32-1.2 Application; examination registration form**

(a) Upon request applicants shall be furnished with an application form by the executive director.

(b) In order to be considered by the Board an application shall be complete in all respects and shall include a street name. An application containing a post office box number as a mailing address is not a complete application.

(c) The Board shall mail an examination registration form to approved applicants in advance of the time and place of examinations.

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).

**13:32-1.3 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) 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.

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

(e) 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.

Amended by R.1987 d.481, effective November 16, 1987.  
See: 19 N.J.R. 1630(a), 19 N.J.R. 2197(c).

(e) Changed inspect to review.

Amended by R.1991 d.482, effective October 7, 1991.

See: 23 N.J.R. 288(a), 23 N.J.R. 3032(b).

In (c), changed "two parts" to "three parts".

Added (c)3.

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), (d) and (e).

### 13:32-1.4 Bond

(a) An applicant who has passed the examination and furnished the Board with a bond in the sum of \$3,000 as required pursuant to N.J.S.A. 45:14C-25 shall be issued a State master plumber's license.

(b) Any person, partnership or corporation including any political subdivision of State government who has been injured, aggrieved or damaged through the failure of the obligor to perform the duties required by N.J.S.A. 45:14C-1 *et seq.* or any rule of the board shall be eligible to receive the financial protection of, and may maintain an action on such bond.

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

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

### 13:32-1.5 Bona fide representative, responsibilities and limitations

(a) A licensee seeking to act as a bona fide representative for any firm, partnership, corporation or other legal entity contemplated by N.J.S.A. 45:14C-2 shall comply with the following:

1. Register with the Board, providing the name of the entity, its business address and if the entity is a corporation, the names of the officers of record, and

2. Provide documentation which shall establish that said licensee holds at least 10 percent of the outstanding stock of the corporation or 10 percent of the capital of an entity.

(b) A bona fide representative registered with the Board pursuant to (a) above shall comply with the following:

1. Give notice to the Board in writing concerning any change in the name or address of the entity within 10 days of the change.

2. Secure or instruct an authorized employee to secure all necessary permits as may be required by State and local law for the performance of plumbing work to be performed by the entity for which the licensee acts as a qualified bona fide representative. In making an application for permit issuance, the authorized employee shall have in his possession a letter authorizing him to make the application. A letter of authorization may authorize a permit application for a specific period of time, not to exceed 60 days, and shall have affixed to it the seal of the bona fide representative.

3. Supervise the performance of all plumbing work performed by the entity for which the licensee acts as the qualified bona fide representative. Such supervision shall assure the effective compliance with State and local plumbing codes and the performance of work in accordance with proper plumbing practice. The supervision contemplated by this paragraph shall be such as to assure compliance with the standards established herein, but shall not be construed to require constant on-site oversight unless the circumstances of the job indicate the need for such supervision.

4. Be responsible for any and all violations of N.J.S.A. 45:14C-1 *et seq.* committed by employees of the entity for which he is serving as a bona fide representative if said violations were committed during the course of work which he was required to supervise.

5. Serve as a bona fide representative for only one entity.

(c) Nothing herein shall preclude the Board from proceeding against both the bona fide representative for an entity or any other licensee employed by such an entity who can be shown to have violated the Board's enabling legislation or any regulation adopted thereunder. Nothing shall preclude any person entitled to maintain an action on a bond form proceeding pursuant to N.J.A.C. 13:32-1.4 against the bona fide representative and any other licensee who has failed to perform the duties required by N.J.S.A. 45:14C-1 *et seq.*

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.

**13:32-1.6 Change of address**

Every licensee shall give notice in writing to the Board of any change in his residence or business within ten days after such change.