

2016 Regular Session

SENATE BILL NO. 421

BY SENATOR THOMPSON

PLUMBERS. Provides relative to the licensure of plumbers. (8/1/16)

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AN ACT

To amend and reenact R.S. 37:1361(B) and (E), 1366(A), 1367(A), 1368(A), 1371(A), 1373(A), 1377(B), and 1378(A)(3),(6), and (8), and to enact R.S. 37:1366(J) and (K), relative to plumbers; to provide relative to the licensure of plumbers; to create and provide for the qualifications for a new "tradesman plumber" license; to provide relative to the membership and duties of the State Plumbing Board; to provide for definitions; to provide relative to the registration of apprentice plumbers; to provide relative to training programs, requirements, and examinations for plumbers; to provide for fees; to provide for disciplinary actions for violations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:1361(B) and (E), 1366(A), 1367(A), 1368(A), 1371(A), 1373(A), 1377(B), and 1378(A)(3),(6), and (8) are hereby amended and reenacted and R.S. 37:1366(J) and (K) are hereby enacted to read as follows:

§1361. State Plumbing Board, appointments; qualifications; legislative intent

* * *

B. The State Plumbing Board is created. The board, which shall be appointed

1 by the governor, shall consist of one registered engineer, one plumbing inspector,
 2 three master plumbers, ~~and three journeyman plumbers,~~ **and one tradesman**
 3 **plumber**. Each appointment shall be made from a list of three names, ~~one of which~~
 4 ~~shall be an individual as defined by R.S. 51:2347(B)(5),~~ for each appointment
 5 submitted by the following:

6 (1) The registered engineer and the plumbing inspector by the president of
 7 the Louisiana State Board of Health.

8 (2) Master plumbers by the Louisiana Association of Plumbing, Heating and
 9 Cooling Contractors of Louisiana or its successors.

10 (3) Journeymen plumbers by the Louisiana Pipe Trades Association or its
 11 successor.

12 **(4) The tradesman plumber by the executive director of the State**
 13 **Plumbing Board.**

14 * * *

15 E. ~~Four~~ **Five** members shall constitute a quorum.

16 * * *

17 §1366. Duties of the board

18 **A.(1) The board shall adopt tests of qualifications to be possessed by any**
 19 **persons actually engaged in the repair of existing plumbing in one- and**
 20 **two-family dwellings and see that any person engaged in the duties of a**
 21 **tradesman plumber shall possess a tradesman plumber limited license.**

22 **(2)** The board shall adopt tests of qualification to be possessed by any persons
 23 actually engaged in plumbing installation or plumbing work of any character; and see
 24 that any person engaged in the duties of a journeyman plumber shall possess a
 25 journeyman plumber's license.

26 * * *

27 **J. Not later than January 1, 2017, the board shall establish and maintain**
 28 **a registry of all apprentice plumbers employed in Louisiana and shall issue a**
 29 **certificate to all registrants.**

1 **K. The board shall assist the Board of Supervisors of Community and**
 2 **Technical Colleges in developing training, program and course requirements**
 3 **that will prepare individuals to meet the qualifications established by the board**
 4 **for a tradesman plumber limited license.**

5 §1367. License required, tradesman, journeyman and master plumber; medical gas
 6 piping installer; medical gas and vacuum systems verifier; water
 7 supply protection specialist endorsement; local examination
 8 preempted

9 **A.(1) No natural person shall engage in doing the work of a tradesman**
 10 **plumber unless he possesses a tradesman plumber limited license or renewal**
 11 **thereof issued by the board. At the direction of a master plumber, a tradesman**
 12 **plumber may independently repair existing plumbing in one- and two-family**
 13 **dwelling, without the supervision of a journeyman plumber.**

14 **(2)** No natural person shall engage in doing the work of a journeyman
 15 plumber unless he possesses a license or renewal thereof issued by the board. A
 16 journeyman plumber may engage in the art of plumbing only when he is under the
 17 supervision of a master plumber licensed by this board. Notwithstanding any other
 18 provision to the contrary, a journeyman plumber may repair existing plumbing
 19 independently and without the supervision of a master plumber. Apprentices may
 20 engage in the art of plumbing only when they are under the direct constant,
 21 on-the-job supervision of a licensed journeyman plumber. Direct, constant on-the-job
 22 supervision means that a licensed journeyman plumber will supervise apprentices as
 23 governed by the Louisiana Workforce Commission.

24 * * *

25 §1368. Issuance of tradesman, journeyman and master plumber's license; medical
 26 gas piping and installation license; medical gas and vacuum systems
 27 verifier license; water supply protection specialist endorsement;
 28 exemption

29 **A.(1) The board shall issue a tradesman plumber limited license to any**

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person who meets the following qualifications:

(a) Has a current apprentice registration certificate issued by the board.

(b) Has worked at least four thousand hours at the manual labor of plumbing under the direct, constant, on-the-job supervision of a journeyman or master plumber licensed by the board.

(c) Has successfully completed any educational requirements established by the board.

(d) Passes any written or manual examination required by the board.

(e) Pays the fees established by the board.

(2) The board shall issue a license to any person who qualifies under the state board's regulations and who desires to engage in doing the work of a journeyman plumber if he passes a written and manual journeyman plumber's examination given by the board and pays the fees established by the board.

* * *

§1371. Fees

A. The board may fix and charge reasonable examination, licensing, and renewal fees for tradesman, journeyman and master plumbers, temporary permit fees for journeyman plumbers, restricted license fees for journeyman and master plumbers, and renewal fees for inactive master plumbers. The board may fix and charge reasonable examination, licensing, and renewal fees for persons engaged in the work or business of medical gas piping installation and for persons engaged in the work or business of a medical gas and vacuum system verifier. The board may ~~also~~ fix and charge reasonable examination, licensing, and renewal fees associated with endorsements issued to journeyman or master plumbers relative to the work of a water supply protection specialist. The board may also fix and charge a reasonable registration fee for apprentice plumbers. These fees shall not exceed the amount required to maintain the board and pay the expenses of operating the board and enforcing the provisions of this Chapter.

* * *

1 §1373. Injunctions

2 A. The board may enjoin any person from engaging in doing the work of a
3 **tradesman plumber**, journeyman plumber, master plumber, medical gas piping
4 installer, medical gas and vacuum systems verifier, or water supply protection
5 specialist wherever it appears that a person is violating or is conspiring to violate the
6 provisions of this Chapter. The board may also enjoin an employing entity from
7 violating or conspiring to violate the provisions of this Chapter.

8 * * *

9 §1377. Definitions; exceptions

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11 B.**(1)** Journeyman plumber. A "journeyman plumber" is a natural person who
12 possesses the necessary qualifications and knowledge to install, alter, and/or repair
13 plumbing systems; is licensed as such by the board; is supervised by a master
14 plumber; and is in the employ of an employing entity.

15 **(2) Tradesman plumber. A "tradesman plumber" is a natural person**
16 **who possesses the necessary qualifications and knowledge to repair existing**
17 **plumbing systems and is licensed by the board to repair existing plumbing**
18 **systems in one- and two-family dwellings at the direction of a master plumber,**
19 **without the supervision of a journeyman plumber.**

20 * * *

21 §1378. Revocation of licenses; other disciplinary actions

22 A. The board may, pursuant to the procedures provided in the Administrative
23 Procedure Act, revoke, suspend, or refuse to renew any license or endorsement
24 issued by the board to any natural person. Grounds for revocation, or lesser
25 disciplinary action, include but are not limited to the following:

26 * * *

27 (3) The habitual performance of the work of either a **tradesman plumber**,
28 journeyman plumber or a master plumber which is substantially below the standards
29 established by the Department of Health and Hospitals or any of its agencies or

1 offices, or the habitual performance of work of a medical gas installer or medical gas
2 and vacuum systems verifier not in compliance with regulations of the state fire
3 marshal or related local governmental codes.

4 * * *

5 (6) The habitual practice of a **tradesman plumber**, journeyman plumber,
6 master plumber, medical gas piping installer, or holder of a water supply protection
7 specialist endorsement to knowingly allow any person not licensed by the board to
8 perform plumbing work, medical gas piping installation, or the work of a water
9 supply protection specialist, except as otherwise authorized by this Chapter.

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11 (8) The habitual violation by a master plumber, journeyman plumber,
12 **tradesman plumber**, apprentice plumber, medical gas piping installer, medical gas
13 and vacuum systems verifier, or holder of a water supply protection specialist
14 endorsement of the rules and regulations adopted by the board.

15 * * *

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Jeanne C. Johnston.

DIGEST

SB 421 Engrossed

2016 Regular Session

Thompson

Present law provides relative to the qualifications, training requirements, and licensure of plumbers. Further provides for three classifications of plumbers: (1) apprentice plumber; (2) journeyman plumber; and (3) master plumber.

Proposed law retains present law and creates a new licensure category for plumbers between the apprentice and journeyman levels - the tradesman plumber limited license - and requires the State Plumbing Board to adopt tests of qualifications for tradesman plumbers. Further provides that a tradesman plumber may only repair existing plumbing systems in one- and two-family dwellings.

Proposed law defines "tradesman plumber" as a natural person who possesses the necessary qualifications and knowledge to repair existing plumbing systems and is licensed by the board to repair existing plumbing systems in one- and two-family dwellings at the direction of a master plumber, without the supervision of a journeyman plumber.

Proposed law requires the State Plumbing Board, not later than January 1, 2017, to create and maintain a registry of all apprentice plumbers employed in the state. Further provides that the board shall issue a certificate to all registrants.

Proposed law provides that the State Plumbing Board shall issue a tradesman plumber limited license to any person who meets the following qualifications:

- (1) Has a current apprentice registration certificate issued by the board.
- (2) Has worked at least four thousand hours at the manual labor of plumbing under the direct, constant, on-the-job supervision of a journeyman or master plumber licensed by the board.
- (3) Has successfully completed any educational requirements established by the board.
- (4) Passes any written or manual examination required by the board.
- (5) Pays the fees established by the board.

Proposed law requires the State Plumbing Board to assist the Bd. of Supervisors of Community and Technical Colleges in developing training, program and course requirements that will prepare individuals to meet the qualifications established by the board for a tradesman plumber limited license.

Present law creates the state plumbing board to consist of eight members as follows:

- (1) One registered engineer.
- (2) One plumbing inspector.
- (3) Three master plumbers.
- (4) Three journeyman plumbers.

Proposed law retains present law and adds one tradesman plumber to the board's membership to increase the membership of the board from eight to nine members..

Present law authorizes the plumbing board to fix and charge reasonable examination, licensing, and renewal fees for journeyman and master plumbers.

Proposed law retains present law and further authorizes the plumbing board to establish such fees for tradesman plumbers and to establish a reasonable registration fee for apprentice plumbers.

Effective August 1, 2016.

(Amends R.S. 37:1361(B) and (E), 1366(A), 1367(A), 1368(A), 1371(A), 1373(A), 1377(B), and 1378(A)(3),(6), and (8); adds R.S. 37:1366(J) and (K))