

2016 -- S 2770

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- COMMERCIAL WATER  
FILTRATION/TREATMENT SYSTEM CONTRACTORS

Introduced By: Senators McCaffrey, and Morgan

Date Introduced: March 10, 2016

Referred To: Senate Labor

(Administration/Labor & Training)

It is enacted by the General Assembly as follows:

1           SECTION 1. Sections 5-20-3, 5-20-4, 5-20-8, 5-20-9, 5-20-10, 5-20-12, 5-20-14, 5-20-  
2   14.1, 5-20-15, 5-20-16, 5-20-19, 5-20-21, 5-20-23, 5-20-24, 5-20-25, 5-20-27, 5-20-28, 5-20-33.1  
3   and 5-20-36 of the General Laws in Chapter 5-20 entitled "Plumbers and Irrigators" are hereby  
4   amended to read as follows:

5           **5-20-3. "Master plumber" defined.** -- (a) "Master plumber", as used in this chapter,  
6   means any person who as an independent contractor engages in this state in the business of  
7   installation, maintenance, or repair of plumbing in the building or upon the premises where that  
8   plumbing, as defined in § 5-20-2, is or is to be located, either by contract or agreement with the  
9   owner, lessee, tenant, or agent of those premises or building, or who employs one or more  
10   journeyperson plumbers, one or more plumber's apprentices, or other persons to assist in that  
11   installation, maintenance, or repair work or who performs any acts specified in this chapter for  
12   performance by a "master plumber".

13           (b) A person holding a valid master plumbers license under this chapter shall not be  
14   required to obtain an additional license under this chapter to perform master irrigation work [or](#)  
15   [master water filtration/treatment system work](#).

16           **5-20-4. "Journeyperson plumber" defined.** -- (a) "Journeyperson plumber", as used in  
17   this chapter, means any employee except an apprentice plumber as subsequently defined, whose  
18   principal occupation is the installation, maintenance, or repair of plumbing, as defined in § 5-20-

1 2.

2 (b) A person holding a valid journeyman license under this chapter shall not be  
3 required to obtain an additional license under this chapter to perform journeyman irrigation  
4 work [or master water filtration/treatment system work](#).

5 **5-20-8. Practices for which master's license required.** -- No person shall engage in this  
6 state in the business of plumbing as a master plumber, or irrigation as a master irrigator, [or](#)  
7 [commercial water filtration/treatment work as a master water filtration/treatment system installer](#),  
8 or as an employer of a journeyman plumber, ~~or~~ journeyman irrigator, [journeyman water](#)  
9 [filtration/treatment system installer](#) or plumber's apprentice, or apprentice irrigator, [or apprentice](#)  
10 [water filtration/treatment system installer](#), or enter into contracts or agreements for the  
11 installation, maintenance, or repair of plumbing or irrigation systems or [water filtration/treatment](#)  
12 [system or](#) perform any of the acts specified in this chapter for performance by a master plumber,  
13 ~~or~~ master irrigator, [or master water filtration/treatment system installer](#), or advertise or represent  
14 in any form or manner that they are a master plumber, ~~or~~ master irrigator, [or master water](#)  
15 [filtration/treatment system installer](#), or that they will install plumbing, ~~or~~ irrigation systems, [or](#)  
16 [commercial water filtration/treatment systems](#), unless that person possesses a certificate of license  
17 in full force and effect from the department of labor and training specifying that person as a  
18 master plumber, ~~or~~ master irrigator, [or master water filtration/treatment system installer](#). That  
19 person shall carry the certificate on their person at all times while so engaged, and shall affix their  
20 plumber's license number or master irrigator's license number to any contract they execute or bid  
21 filed with any person for their professional services and to any applicable permit required for the  
22 performance of those services.

23 **5-20-9. Acts for which journeyman's license required.** -- No person shall engage to  
24 work as a journeyman plumber, ~~or~~ journeyman irrigator [journeyman water](#)  
25 [filtration/treatment system installer](#) or represent in any form or manner that he or she is a  
26 journeyman plumber, ~~or~~ journeyman irrigator [journeyman water filtration/treatment](#)  
27 [system installer](#) unless that person possesses and carries on his or her person at all times while  
28 engaged a certificate of license in full force and effect from the department of labor and training  
29 specifying that person as a journeyman plumber, ~~or~~ journeyman irrigator [or journeyman](#)  
30 [water filtration/treatment system installer](#) employed by the properly licensed master permit  
31 holder.

32 **5-20-10. Work for which apprentice certificate required.** -- No person shall engage to  
33 work as an apprentice plumber unless that person possesses and carries on his or her person at all  
34 times while engaged a certificate of registration in full force and effect from the department of

1 labor and training specifying that person as an apprentice plumber, ~~or~~ an apprentice irrigator or an  
2 apprentice water filtration/treatment system installer.

3 **5-20-12. Corporations and firms engaging in business.** -- (a) No corporation, firm,  
4 association, partnership, or other entity shall engage in business, advertise, make application for  
5 and take out permits, bid for work, or represent itself as a master plumber, ~~or~~ a master irrigator or  
6 master water filtration/treatment system installer unless:

7 (1) A licensed master plumber, as provided in this chapter, shall be continuously  
8 engaged in the supervision of the entity's plumbing installation, irrigation installation, commercial  
9 water filtration/treatment system installation, maintenance, and repair work and the licensed  
10 master is an officer of the corporation, a partner in the partnership, or a similarly authorized  
11 principal of any firm, association, or other entity; or

12 (2) The entity possesses a valid plumbing contractor's, ~~or~~ master irrigator's license or  
13 master water filtration/treatment system installer's license duly issued by the department of labor  
14 and training as described in subsection (b) of this section.

15 (b) Upon application of any of the entities listed in subsection (a) of this section in form  
16 and substance prescribed by the department of labor and training, and receipt of the fee for the  
17 application and license which shall be equal to the fee for a master plumber's license, ~~or~~ master  
18 irrigator's license or master water filtration/treatment system installer's license as described in § 5-  
19 20-16, the department of labor and training shall issue the applicant entity a license as a plumbing  
20 contractor, ~~or~~ irrigation contractor or commercial water filtration/treatment system contractor.  
21 The plumbing contractor's, ~~or~~ irrigation contractor's or commercial water filtration/treatment  
22 system contractor's license shall specify the name of the entity holding the license and shall state  
23 that the license holder shall:

24 (1) have a licensed contractor master plumber, as that term is defined in § 5-20-12.1, who  
25 is continuously engaged in the supervision of the entity's plumbing installation, maintenance, and  
26 repair work and who is an officer of the corporation, a partner in the partnership, or a similarly  
27 authorized principal of any firm, association, or other entity; or

28 (2) continuously employ at all times while holding the license a duly licensed master  
29 plumber, ~~or~~ master irrigator or master water filtration/treatment system installer as provided in  
30 this chapter, who is continuously engaged in the supervision of the entity's plumbing installation,  
31 irrigation installation, commercial water filtration/treatment installation, maintenance, and repair  
32 work. The plumbing contractor's, ~~and~~ master irrigator's and master water filtration/treatment  
33 installer's license shall entitle the entity holding the license to engage in business, advertise, bid  
34 for work, or represent itself as a master plumber, ~~or~~ master irrigator and master water

1 [filtration/treatment installer](#) or a plumbing contractor and shall also entitle the entity to make  
2 application for and take out permits through its duly authorized officer or similarly authorized  
3 principal as well as through the duly licensed contractor master as described in this section or the  
4 duly licensed master plumber, [master irrigator or master water filtration/treatment system installer](#)  
5 continuously employed by the entity as stated in this section, as the case may be. The contractor's  
6 license shall not, in and of itself permit a principal, officer, employee, or agent of the entity  
7 holding the license to individually engage in installation, maintenance, or repair work as  
8 described above unless that principal, officer, employee, or agent is individually licensed so to do.

9 (c) Any work engaged in, advertised for, applied for by permit, bid for, or represented to  
10 be permissible shall be solely of the type for which the licensed master plumber, [master irrigator](#)  
11 [or master water filtration/treatment system installer](#) who serves as an officer, or similarly  
12 authorized principal of the entity or who is continuously employed by the entity holding a  
13 plumbing contractor's license, [irrigation contractor's or commercial water filtration/treatment](#)  
14 [system contractor's license](#), is duly licensed to perform.

15 (d) Any licensed master plumber, [master irrigator or master water filtration/treatment](#)  
16 [system installer](#) who serves as an officer or similarly authorized principal of this type of entity or  
17 who is continuously employed by an entity holding a plumbing, [irrigation or commercial water](#)  
18 [filtration/treatment system](#) contractor's license shall represent the interests of one such entity and  
19 only one such entity at any given time as described in this section.

20 (e) In the event that the licensed master plumber, [master irrigator or master water](#)  
21 [filtration/treatment system installer](#) described in this section ceases to be an officer or similarly  
22 authorized principal of one of the entities described in this section or ceases to be continuously  
23 employed by an entity holding a plumbing contractor's license for any reason whatsoever, the  
24 entity shall provide written notice of the cessation to the department of health no more than  
25 fourteen (14) days after the effective date of occurrence of the cessation. Any entity so affected  
26 shall provide written notice of the cessation to the department of labor and training specifying the  
27 licensed master plumber, [master irrigator or master water filtration/treatment system installer](#) who  
28 is replacing the departed licensed master plumber referenced in this section no more than forty-  
29 five (45) days after the effective date of occurrence of the cessation.

30 (f) No corporation, firm, association, partnership, or other entity which engages in, offers  
31 to engage in, or represents that it engages in plumbing installation, [irrigation system installation](#)  
32 [or commercial water filtration/treatment system](#), maintenance, or repair work in the state of  
33 Rhode Island is permitted to incorporate, form, qualify to do business, or otherwise register with  
34 the Rhode Island secretary of state's office until and unless that office has first received a written

1 confirmation from the department of labor and training that all requisite licenses to be issued by  
2 the department of labor and training have been so issued and remain in good standing.

3 (g) Any willful violation of this section is grounds for revocation of license as further  
4 described in § 5-20-27.

5 **5-20-14. Duties of director.** -- The director of the department of labor and training shall:

6 (1) Prepare license certificates and issue them in conformity with this chapter;

7 (2) Maintain an up-to-date record specifying the names and addresses of licensed master  
8 plumbers and journeyman plumbers or master irrigators or journeyman irrigators or master  
9 water filtration/treatment system installers or journeyman water filtration/treatment system  
10 installers of this state. That record shall show dates of issuance of licenses and shall be open to  
11 public inspection. Those records shall also show dates of filing of complaints and the nature of  
12 those complaints for revocation of license and the date of, as well as the final order upon, those  
13 complaints; and

14 (3) Prescribe standards for what constitutes a recognized college or university, and  
15 determine the conformance to those standards.

16 ~~**5-20-14.1. Grandfathering --- Licensing of irrigation masters and irrigation**~~  
17 ~~**journeypersons without examination.**~~ **Grandfathering -- Licensing of irrigation masters,**  
18 **irrigation journeypersons, water filtration/treatment system masters and water**  
19 **filtration/treatment system journeypersons without examination.** -- (a) After July 13, 2001,

20 and at any time prior to the expiration of twelve (12) months following July 13, 2001, the  
21 authority shall, without examination, upon payment of the fees required in this chapter, issue  
22 through the department of labor and training, division of professional regulation, a master  
23 irrigation license or a journeyman irrigation license to any applicant who shall present  
24 satisfactory evidence that he or she has the qualifications for the type of license applied for.  
25 Thereafter, in order to qualify for a master irrigation license after the initial "grandfather"  
26 window, the eligible contractor shall be required to pass a written examination and show the  
27 proof contained in this subsection of his or her eligibility.

28 (b) Prior to January 1, 2018, the authority shall, without examination, upon payment of  
29 the fees required in this chapter, issue through the department of labor and training, division of  
30 professional regulation, a master water filtration/treatment system installer license or a  
31 journeyperson water filtration/treatment system installer license to any applicant who shall  
32 present satisfactory evidence that they have the qualifications for the type of license applied for.  
33 After January 1, 2018, in order to qualify for a master water filtration/treatment system installer  
34 license or a journeyman water filtration/treatment system installer license the eligible

1 [individual shall be required to pass a written examination and show the proof contained in this](#)  
2 [subsection of their eligibility.](#)

3 ~~(b)~~(c) Satisfactory evidence shall be any of the following that is applicable:

4 (1) ~~The owner or owners of an enterprise must have been active in irrigation for the~~  
5 ~~previous three (3) years; or~~

6 (2) ~~The contractor has previously registered with the contractors' registration board; or~~

7 (3) ~~The contractor has been listed within the yellow pages phone book under "Lawn~~  
8 ~~Sprinklers" or has advertised irrigation or lawn sprinklers in ads placed elsewhere; or~~

9 (4) The contractor has been incorporated or has been registered to do business [with the](#)  
10 [state of Rhode Island for the past three \(3\) years](#) designating irrigation [or installing water](#)  
11 [filtration/treatment systems](#) as a provided service; or

12 [\(5\) The installer has been employed for the past three \(3\) years by a contractor that has](#)  
13 [been incorporated or registered to do business with the state of Rhode Island designating water](#)  
14 [filtration/treatment system installation as provided service; or](#)

15 ~~(5)~~(6) Notarized confirmation by three (3) irrigation [or water filtration/treatment system](#)  
16 contractors .

17 **5-20-15. Applications for licenses. --** Any applicant for a license as a master plumber,  
18 master irrigator, journeyman plumber, journeyman irrigator, [master water filtration/treatment](#)  
19 [system installer, journeyman water filtration/treatment system installer](#) or an apprentice  
20 plumber, apprentice irrigator [or apprentice water filtration/treatment system installer](#) in this state  
21 shall present his or her application to the department of labor and training on the printed form  
22 provided for that purpose.

23 ~~**5-20-16. Qualifications of master plumber or master irrigator -- Application fee. --**~~  
24 ~~**Qualifications of master plumber, master irrigator or master water filtration/treatment**~~  
25 ~~**system installer -- Application fee. --**~~ (a) No application for a license of a master plumber, ~~or~~  
26 master irrigator [or master water filtration/treatment system installer](#) shall be filed by the  
27 department of labor and training nor is any applicant permitted to take the examination for a  
28 license as a master plumber, ~~or~~ master irrigator [or master water filtration/treatment system](#)  
29 [installer](#) unless:

30 (1) The application is accompanied by a nonrefundable application fee of seventy-five  
31 dollars (\$75.00) payable to the department;

32 (2) The applicant is a citizen or legal resident of the United States; and

33 (3) The applicant possesses a certificate of license in full force and effect from the  
34 department of labor and training specifying that person as a journeyman plumber, ~~or~~

1 journeyperson irrigator [or journeyperson water filtration/treatment system installer](#) licensed as a  
2 journeyperson plumber or journeyperson irrigator for a minimum of one year. An affidavit must  
3 accompany this application certifying that the applicant was employed by a licensed master  
4 plumber, ~~or~~ master irrigator [or master water filtration/treatment system installer](#) during that  
5 period in which the journeyperson plumber, ~~or~~ journeyperson irrigator [or journeyperson water](#)  
6 [filtration/treatment system installer](#) was so licensed. Completed applications must be filed with  
7 the department at least thirty (30) days prior to the examination date.

8 (b) Notwithstanding anything set forth in this section to the contrary, the prerequisites set  
9 forth in subsection (a) of this section may be waived, and the requirements of this section met, if  
10 the applicant submits evidence, in form and substance reasonably acceptable to the department of  
11 labor and training, that the applicant possesses the requisite skill, expertise, education,  
12 experience, training, and other qualities or qualifications to take the examination for a license as a  
13 master plumber, ~~or~~ master irrigator [or master water filtration/treatment system installer](#).

14 **5-20-19. Notice of change of address of licensee.** -- Any person who holds a certificate  
15 of license as a master plumber, master irrigator, [master water filtration/treatment system installer](#),  
16 journeyperson plumber, journeyperson irrigator, [journeyperson water filtration/treatment system](#)  
17 [installer](#) or an apprentice plumber, ~~or~~ apprentice irrigator [or apprentice water filtration/treatment](#)  
18 [system installer](#), shall notify the department of labor and training within thirty (30) days in the  
19 event of change of his or her address from the address specified on his or her certificate of license  
20 as a master plumber, master irrigator, [master water filtration/treatment system installer](#),  
21 journeyperson plumber, journeyperson irrigator, [journeyperson water filtration/treatment system](#)  
22 [installer](#) or an apprentice plumber, or apprentice irrigator [or apprentice water filtration/treatment](#)  
23 [system installer](#).

24 **5-20-21. Issuance of license on examination -- Notice to applicants.** -- (a) The director  
25 of the department of labor and training shall allow or deny applications for a master plumber's  
26 license, master irrigator's license, [master water filtration/treatment system installer's license](#) or a  
27 journeyperson plumber's license, ~~or~~ journeyperson irrigator's license [or journeyperson water](#)  
28 [filtration/treatment system installer's license](#) upon the recommendation of the division of  
29 professional regulation, as soon after the examination as is practicable. Each applicant who has  
30 successfully passed the examination and has had his or her application allowed for a license as a  
31 master plumber, master irrigator, [master water filtration/treatment system installer](#) or a  
32 journeyperson plumber, ~~or~~ journeyperson irrigator [or journeyperson water filtration/treatment](#)  
33 [system installer](#) shall have issued and mailed to him or her by the department a certificate of  
34 license specifying that person as a master plumber, master irrigator, ~~or~~ [master water](#)

1 [filtration/treatment system installer](#) a journeyperson plumber, ~~or~~ journeyperson irrigator [or](#)  
2 [journeyperson water filtration/treatment system installer](#).

3 (b) All certificates of license are issued by the department.

4 **5-20-23. Expiration and renewal of licenses -- Penalties for violation of section. --** (a)

5 All licenses issued by the division of professional regulation for master plumbers, ~~and~~ master  
6 irrigators [and master water filtration/treatment system installers](#), and journeyperson plumbers, ~~or~~  
7 journeyperson irrigators [or journeyperson water filtration/treatment system installers](#) born in odd  
8 years shall expire on the birthday of the individual qualifying for the license in odd years and all  
9 licenses of master plumbers, ~~and~~ master irrigators and [master water filtration/treatment system](#)  
10 [installers and](#) journeyperson plumbers, ~~or~~ journeyperson irrigators [or journeyperson water](#)  
11 [filtration/treatment system installers](#) born in even years shall expire on the birthday of the  
12 individual qualifying for the license in even years and all licenses may be renewed on or before  
13 their expiration date upon payment of the appropriate renewal fee.

14 (b) Any master plumber, ~~or~~ master irrigator [or master water filtration/treatment system](#)  
15 [installer](#) who fails to renew his or her license as provided in subsection (a) of this section may be  
16 reinstated by the department on or after the renewal date for a period of two (2) years, upon  
17 payment of the current biennial renewal fee of two hundred forty dollars (\$240) plus outstanding  
18 license fees and a twelve dollar-per-month (\$12.00) administrative assessment fee for the  
19 delinquency period.

20 (c) Every certificate of license of a journeyperson plumber, ~~or~~ journeyperson irrigator [or](#)  
21 [journeyperson water filtration/treatment system installer](#) issued by the department is renewed on  
22 or before the licensee's second birthday following the date of issuance upon payment of a biennial  
23 renewal fee of seventy-two dollars (\$72.00).

24 (d) Any journeyperson plumber, ~~or~~ journeyperson irrigator [or journeyperson water](#)  
25 [filtration/treatment system installer](#) who fails to renew his or her license as provided in subsection  
26 (a) of this section may be reinstated by the department on or after the renewal date for a period of  
27 two (2) years upon payment of the current biennial renewal fee of seventy-two dollars (\$72.00)  
28 plus outstanding license fees and a twelve dollar (\$12.00) per month administrative assessment  
29 fee for the delinquency period.

30 (e) Notwithstanding any other provisions of this chapter, any license issued under this  
31 chapter that is not renewed within two (2) years of the date of its expiration is deemed to be  
32 forfeited and the person to whom the license has been issued is required to make written  
33 application for an examination prior to the issuance of a new license.

34 (f) Licensed master or journeyperson plumbers shall attend and complete a course of



1 continuing education at their expense as determined by the board of examiners, but not to exceed  
2 fifteen (15) hours, prior to the renewal or reinstatement of an existing license. The board of  
3 examiners shall promulgate rules and regulations necessary to carry out the provisions of this  
4 subsection, including, but not limited to, a continuing education course fee amount consistent  
5 with industry standard.

6 (g) Notwithstanding any provision of the general or public laws to the contrary, any  
7 licensed master or journeyman plumber who has any combination of years of experience as a  
8 licensed master plumber or journeyman plumber, and, years of age that, when combined, shall  
9 equal a total of eighty (80) years, shall be exempt from the continuing education requirements of  
10 subsection (f) of this section. The board of examiners shall promulgate rules and regulations  
11 necessary to carry out the provisions of this subsection.

12 **5-20-24. License displayed in place of business -- Advertising.** -- (a) In every place in  
13 this state within and from which a plumbing, ~~or~~ irrigation or commercial water  
14 filtration/treatment business is conducted as specified for a master plumber, ~~or~~ master irrigator or  
15 master water filtration/treatment system installer, there shall be on display at all times a certificate  
16 of license as provided in this chapter.

17 (b) Any sign, listing, or advertisement of any type of a master plumber, ~~or~~ master  
18 irrigator or master water filtration/treatment system installer shall contain his or her name,  
19 address, and license number. This information shall be included on all trucks used by a master  
20 plumber in connection with his or her business.

21 **5-20-25. Registration of plumbing and irrigation of apprentices.** -- (a) Any person  
22 who has agreed to work a minimum of eight thousand (8,000) hours over a period of time of not  
23 less than five (5) years under the direct supervision and instruction of a master plumber or  
24 journeyman plumber as an apprentice to learn the plumbing business, and that agreement is  
25 approved by the division of professional regulation, shall be registered for an initial period of one  
26 year, with renewal on the applicant's birthday, by the director of the department of labor and  
27 training and have issued to him or her upon the payment of a fee of twenty dollars (\$20.00) a  
28 certificate showing that person to be a registered apprentice. Every person who continues to work  
29 as an apprentice after the initial one year registration is required to register again as an apprentice  
30 and pay the fee.

31 (b) Any person who has agreed to work a minimum of two thousand (2,000) hours over a  
32 period of time of not less than one year under the direct supervision and instruction of a master  
33 irrigator or a journeyman irrigator as an apprentice to learn the irrigation business, and that  
34 agreement is approved by the division of professional regulation, shall be registered for an initial

1 period of one year, with renewal on the applicant's birthday, by the director of the department of  
2 labor and training and have issued to him or her upon the payment of a fee of twenty dollars  
3 (\$20.00) a certificate showing that person to be a registered apprentice. Every person who  
4 continues to work as an apprentice after the initial one year registration is required to register  
5 again as an apprentice and pay the fee.

6 (c) Any person who has agreed to work a minimum of two thousand (2,000) hours over a  
7 period of time of not less than one year under the direct supervision and instruction of a master  
8 water filtration/treatment system installer or a journeyman water filtration/treatment system  
9 installer as an apprentice to learn the water filtration/treatment business, and that agreement is  
10 approved by the division of professional regulation, shall be registered for an initial period of one  
11 year, with renewal on the applicant's birthday, by the director of the department of labor and  
12 training and have issued to them upon the payment of a fee of twenty dollars (\$20.00) a certificate  
13 showing that person to be a registered apprentice. Every person who continues to work as an  
14 apprentice after the initial one year registration is required to register again as an apprentice and  
15 pay the fee.

16 **5-20-27. Grounds for revocation of license.** -- The director of labor and training shall  
17 revoke the license of any master plumber, ~~or~~ master irrigator, master water filtration/treatment  
18 system installer or journeyman plumber, ~~or~~ journeyman irrigator or journeyman water  
19 filtration/treatment system installer after a hearing when the weight of the evidence establishes  
20 any one or more of the following specific violations:

21 (1) For having obtained or conspired with others to obtain a license by inducing the  
22 issuance of that license in consideration of the payment of money or any other things of value, or  
23 by and through a willful or fraudulent misrepresentation of facts in the procurement of the  
24 license;

25 (2) Willful violation of any plumbing ordinance, or rules of any city, or town, or of any  
26 law of this state regulating the conduct of plumbing, ~~or~~ irrigation work or commercial water  
27 filtration system work;

28 (3) On account of knowingly aiding or assisting any person to engage in the work  
29 specified for a master plumber, master irrigator, master water filtration/treatment system installer  
30 or journeyman plumber, ~~or~~ journeyman irrigator, journeyman water filtration/treatment  
31 system installer when that person does not have a license as provided in this chapter;

32 (4) Because of any master plumber, master irrigator, master water filtration/treatment  
33 system installer or journeyman plumber, ~~or~~ journeyman irrigator or journeyman water  
34 filtration/treatment system installer willfully and fraudulently loaning his or her license to any

1 other person for the purpose of permitting that person to engage in any plumbing, ~~or~~ irrigation  
2 work [or commercial water filtration system work](#) in violation of the provisions of this chapter;

3 (5) If any licensee, as provided in this chapter, is convicted of a felony; or

4 (6) On account of any willful violation of any of the provisions of this chapter.

5 **5-20-28. Procedure for revocation of license.** -- (a) No proceedings to revoke a license,  
6 as provided in this section, shall be instituted unless filed with the department of labor and  
7 training within one year immediately following the date or dates of violation.

8 (b) No license of a master plumber, master irrigator, [master water filtration/treatment](#)  
9 [system installer](#) or journeyman plumber, ~~or~~ journeyman irrigator [or journeyman water](#)  
10 [filtration/treatment system installer](#) shall be revoked or cancelled until after a full and impartial  
11 hearing as provided in this section.

12 (c) No hearing for the purpose of revoking any license of a master plumber, master  
13 irrigator, [master irrigator or master water filtration/treatment system installer](#) or journeyman  
14 plumber, ~~or~~ journeyman irrigator [or journeyman water filtration/treatment system installer](#)  
15 shall be held unless there is first placed on file with the department a verified complaint, in  
16 writing, reciting in the complaint with reasonable particularity a statement of facts which if  
17 proved would be sufficient to constitute a violation of one or more of the specifications for  
18 revocation of license as prescribed in § 5-20-27.

19 (d) Upon the filing of a verified complaint, as provided in this section, the department  
20 shall promptly set a date for a hearing of the charges of the complaint which shall be held in the  
21 city of Providence. The department shall promptly by registered or certified mail forward to the  
22 licensee charged in the complaint a true and correct copy of the complaint and notification of the  
23 time and place when and where a hearing of those charges is to be held.

24 (e) At the time and place fixed in the notification, the division of professional regulation  
25 or upon appeal from the division, the board of plumbing examiners, upon supervision of the  
26 department, shall proceed to a hearing of the charges specified in the complaint. No hearing upon  
27 the charges of the complaint shall be had unless the records of the department contain evidence  
28 that the licensee charged in the complaint has been served with a copy of the complaint and  
29 notification at least twenty (20) days prior to the date of the hearing; provided, that the  
30 appearance of the charged licensee, either in his or her own behalf or by counsel, constitutes  
31 proof that sufficient notice of the hearing was served.

32 (f) A complaining party by himself or herself or by counsel may aid in the presentation  
33 of evidence toward sustaining the complaint. Ample opportunity shall be accorded for a hearing  
34 of all evidence and statement of counsel either in support of or against the charges of the

1 complaint. Upon good cause shown the date of the hearing on the complaint may be continued  
2 provided the licensee and other interested parties are reasonably notified about the date of the  
3 continuance.

4 **5-20-33.1. Enforcement.** -- (a) It is the duty of the director of the department of labor  
5 and training and the chief plumbing investigator to enforce the provisions of this chapter. Local  
6 building and plumbing inspectors, involved in the day-to-day inspection of plumbing, ~~or~~  
7 irrigation or water filtration/treatment system installation, shall assist the chief plumbing  
8 investigator in enforcing the provisions of this chapter. These individuals have authority to  
9 demand the production of the licenses and certificates required by this chapter on any site where  
10 plumbing, ~~or~~ irrigation or water filtration/treatment systems are ~~is~~ being installed and have the  
11 authority to investigate, and where appropriate, make complaints, pursuant to § 5-20-28 or § 5-  
12 20-33, where sufficient evidence has been obtained to sustain a reasonable belief that a violation  
13 of this chapter has occurred.

14 (b) The state board of plumbing examiners also has:

15 (1) Concurrent responsibility to enforce the provisions of this chapter;

16 (2) The authority to demand the production of the licenses and certificates required by  
17 this chapter on any site where plumbing or irrigation is being installed; and

18 (3) The authority to investigate, and where appropriate, make complaints, pursuant to §  
19 5-20-28 or 5-20-33, where sufficient evidence has been obtained to sustain a reasonable belief  
20 that a violation of this chapter has occurred.

21 (c) The director of the department of labor and training shall provide identification to the  
22 board members for the purposes of this section.

23 **5-20-36. Injunctions.** -- Violations of this chapter may be enjoined upon a bill of  
24 complaint being filed in the superior court for the county in which those violations have been  
25 committed, by the division of professional regulation or by any association of master plumbers,  
26 master irrigators, master water filtration/treatment system installers or journeyman plumbers, ~~or~~  
27 journeyman irrigators or journeyman water filtration/treatment system installers, licensed  
28 master plumbers, ~~or~~ licensed master irrigators, or licensed master water filtration/treatment  
29 system installer or by any plumbing inspector. An injunction may be granted by the superior court  
30 after a hearing in open court against any person, firm, corporation, or association which has  
31 violated any of the provisions of this chapter, without regard to whether proceedings have been or  
32 may be instituted before the state board of plumbing examiners or whether criminal proceedings  
33 have been or may be instituted. No ex parte restraining orders shall be issued in suits brought  
34 pursuant to this section.

1 SECTION 2. Chapter 5-20 of the General Laws entitled "Plumbers and Irrigators" is  
2 hereby amended by adding thereto the following sections:

3 **5-20-3.2. "Master water filtration/treatment system installer" defined. --** "Master  
4 water filtration/treatment system installer", as used in this chapter, means a person who has  
5 performed in the capacity of a journeyperson water filtration/treatment system installer as defined  
6 in §5-20-3.3 for not less than one year.

7 **5-20-3.3. "Journeyperson water filtration/treatment system installer" defined. --**  
8 "Journeyperson water filtration/treatment system installer", as used in this chapter, means a  
9 person who has performed all phases of a project under the supervision of a master water  
10 filtration/treatment system installer licensee for a period of not less than one year. Journeypersons  
11 shall not be permitted to apply for a water filtration/treatment system installation permit.

12 **5-20-4.2. "Apprentice water filtration/treatment system installer" defined. --**  
13 "Apprentice water filtration/treatment system installer", as used in this chapter, means a person  
14 hired to perform all phases of a water filtration/treatment system project under the supervision of  
15 a master water filtration/treatment system installer licensee or a licensed journeyperson water  
16 filtration/treatment system installer for a period of one year.

17 **5-20-5.2. "Commercial water filtration/treatment system work" defined. --**  
18 "Commercial water filtration/treatment system work", as used in this chapter, means any  
19 alteration, installation or repair of water filtration/treatment systems in which the piping exceeds  
20 one and one-half inches (1.5") or the flow rate exceeds eighty (80) gallons per minute.

21 **5-20-17.2. Qualifications of journeyperson water filtration/treatment system**  
22 **installer -- Application fee. --** No application for a journeyperson's license shall be filed at the  
23 department of labor and training nor shall any applicant be permitted to take the examination for a  
24 license as a journeyperson water filtration/treatment system installer unless:

25 (1) The application is accompanied with the nonrefundable application fee of seventy-  
26 five dollars (\$75.00);

27 (2) The applicant possesses a current apprentice certificate for a period of one year before  
28 application for journeyperson water filtration/treatment system installer is made.

29 **5-20-17.3. Applicability. --** Any references to water filtration/treatment system work  
30 pursuant to §5-20-1 et seq., shall be solely in reference to commercial water filtration/treatment  
31 system work as defined in §5-20-5.2. Nothing herein shall be applicable to residential  
32 filtration/treatment systems as defined in §5-65.2-1 et seq.

1 SECTION 3. This act shall take effect January 1, 2017.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- COMMERCIAL WATER  
FILTRATION/TREATMENT SYSTEM CONTRACTORS

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- 1           This act would establish limited licenses for commercial water filtration/treatment system
- 2 work to be governed under the authority of the board of examiners of plumbers.
- 3           This act would take effect on January 1, 2017.

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