

2016 -- S 2770 AS AMENDED

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LC005156
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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 journeyman 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. "Journeyman plumber" defined.** -- (a) "Journeyman 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 system installation, maintenance, and
32 repair work. The plumbing contractor's, ~~and~~ master irrigator's and master water
33 filtration/treatment system installer's license shall entitle the entity holding the license to engage
34 in business, advertise, bid for work, or represent itself as a master plumber, ~~or~~ master irrigator and

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

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

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

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

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

1 the Rhode Island secretary of state's office until and unless that office has first received a written
2 confirmation from the department of labor and training that all requisite licenses to be issued by
3 the department of labor and training have been so issued and remain in good standing.

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

6 **5-20-14. Duties of director.** -- The director of the department of labor and training shall:

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

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

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

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

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

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

1 license or a journeyman water filtration/treatment system installer license the eligible
2 individual shall be required to pass a written examination and show the proof contained in this
3 subsection of their eligibility.

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

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

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

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

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

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

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

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

24 ~~**5-20-16. Qualifications of master plumber or master irrigator -- Application fee. --**~~

25 **Qualifications of master plumber, master irrigator or master water filtration/treatment**
26 **system installer -- Application fee. --** (a) No application for a license of a master plumber, ~~or~~

27 master irrigator or master water filtration/treatment system installer shall be filed by the
28 department of labor and training nor is any applicant permitted to take the examination for a
29 license as a master plumber, ~~or~~ master irrigator or master water filtration/treatment system
30 installer unless:

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

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

34 (3) The applicant possesses a certificate of license in full force and effect from the

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

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

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

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

1 license specifying that person as a master plumber, master irrigator, ~~or~~ [master water](#)
2 [filtration/treatment system installer](#) a journeyperson plumber, ~~or~~ journeyperson irrigator [or](#)
3 [journeyperson water filtration/treatment system installer](#).

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

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

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

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

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

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

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

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

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

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

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

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

32 (b) Any person who has agreed to work a minimum of two thousand (2,000) hours over a
33 period of time of not less than one year under the direct supervision and instruction of a master
34 irrigator or a journeyman irrigator as an apprentice to learn the irrigation business, and that

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

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

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

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

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

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

33 (4) Because of any master plumber, master irrigator, master water filtration/treatment
34 system installer or journeyman plumber, ~~or~~ journeyman irrigator or journeyman water

1 [filtration/treatment system installer](#) willfully and fraudulently loaning his or her license to any
2 other person for the purpose of permitting that person to engage in any plumbing, ~~or~~ irrigation
3 work [or commercial water filtration/treatment system work](#) in violation of the provisions of this
4 chapter;

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

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

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

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

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

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

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

34 (f) A complaining party by himself or herself or by counsel may aid in the presentation

1 of evidence toward sustaining the complaint. Ample opportunity shall be accorded for a hearing
2 of all evidence and statement of counsel either in support of or against the charges of the
3 complaint. Upon good cause shown the date of the hearing on the complaint may be continued
4 provided the licensee and other interested parties are reasonably notified about the date of the
5 continuance.

6 **5-20-33.1. Enforcement.** -- (a) It is the duty of the director of the department of labor
7 and training and the chief plumbing investigator to enforce the provisions of this chapter. Local
8 building and plumbing inspectors, involved in the day-to-day inspection of plumbing, ~~or~~
9 irrigation or water filtration/treatment system installation, shall assist the chief plumbing
10 investigator in enforcing the provisions of this chapter. These individuals have authority to
11 demand the production of the licenses and certificates required by this chapter on any site where
12 plumbing, ~~or~~ irrigation or water filtration/treatment systems are ~~is~~ being installed and have the
13 authority to investigate, and where appropriate, make complaints, pursuant to § 5-20-28 or § 5-
14 20-33, where sufficient evidence has been obtained to sustain a reasonable belief that a violation
15 of this chapter has occurred.

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

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

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

20 (3) The authority to investigate, and where appropriate, make complaints, pursuant to §
21 5-20-28 or 5-20-33, where sufficient evidence has been obtained to sustain a reasonable belief
22 that a violation of this chapter has occurred.

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

25 **5-20-36. Injunctions.** -- Violations of this chapter may be enjoined upon a bill of
26 complaint being filed in the superior court for the county in which those violations have been
27 committed, by the division of professional regulation or by any association of master plumbers,
28 master irrigators, master water filtration/treatment system installers or journeyman plumbers, ~~or~~
29 journeyman irrigators or journeyman water filtration/treatment system installers, licensed
30 master plumbers, ~~or~~ licensed master irrigators, or licensed master water filtration/treatment
31 system installer or by any plumbing inspector. An injunction may be granted by the superior court
32 after a hearing in open court against any person, firm, corporation, or association which has
33 violated any of the provisions of this chapter, without regard to whether proceedings have been or
34 may be instituted before the state board of plumbing examiners or whether criminal proceedings

1 have been or may be instituted. No ex parte restraining orders shall be issued in suits brought
2 pursuant to this section.

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

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

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

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

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

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

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

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

31 **5-20-17.3. Applicability. --** Any references to water filtration/treatment system work
32 pursuant to §5-20-1 et seq., shall be solely in reference to commercial water filtration/treatment
33 system work as defined in §5-20-5.2. Nothing herein shall be applicable to residential water
34 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

- 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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LC005156
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