

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES LICENSING AND
REGULATORY AFFAIRS

BUREAU OF CONSTRUCTION CODES

STATE PLUMBING BOARD

LICENSES

Filed with the Secretary of State on
These rules take immediate effect after filing with the Secretary of State

(By authority conferred on the state plumbing board by section **13 of 2002 PA 733, MCL 338.3523, and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4 and 2011-4, MCL 445.2001, MCL 445.2011, MCL 445.2025 and MCL 445.20305** of Act No. 266 of the Public Acts of 1929, as amended, being S338.905 of the Michigan Compiled Laws)

R 338.921, R 338.922, R 338.923, R 338.924, 338.925, R 338.926, R 338.927, R 338.928, R 338.929, R 338.930 and R 338.931 of the Michigan Administrative Code are amended and R 338.921a, R 338.924a, R 338.924b and R 338.931a are added as follows:

R 338.921 Examination; qualifications.

Rule 1. Any person who is ~~19~~**18** years of age or over and who possesses the necessary qualifications may apply for examination for a journey plumber's license. Any person who is ~~21~~**18** years of age or over, who possesses the necessary qualifications, and who can read and write English may apply for examination for a master plumber's license.

R 338.921a Definitions.

Rule 1a. The terms defined in the state plumbing act, 2002 PA 733, MCL 338.3511 to 338.3569, have the same meaning when used in these rules.

R 338.922 Application for journey plumber, master plumber, **and plumbing contractor** examinations.

Rule 2. Application for examination for a journey plumber's license, ~~or for examination for a master plumber's license, or a plumbing contractor's license~~ shall be made with a proper application ~~blank~~ which shall be furnished by the ~~state plumbing board~~**department**. The application for examination shall be made to the ~~state plumbing board~~**department at Lansing, Michigan**, and shall be accompanied with the ~~legal~~ fee prescribed in **the state plumbing act** Act No. 266 of the Public Acts of 1929, as amended, being S338.901 et seq. of the Michigan Compiled Laws.

R 338.923 Qualification of applicants for a journey plumber's examination.

Rule 3. (1) To qualify for examination for a journey plumber's license, ~~the an~~ applicant shall furnish, either on or with his or her application, a notarized statement from his or her present or former employers **and master plumber** to the effect that he or she has **at least 6,000 hours of experience gained over a period of not less than 3 years** ~~had not less than 3~~

May 7, 2013

years of experience as ~~an~~ **a registered** apprentice in the practical installation of plumbing under the supervision of a master plumber.

(2) When evidence is produced to the effect that ~~the~~ **an** applicant is a graduate of, ~~or is attending,~~ a recognized trade school, proper credit will be given the applicant, but such credit shall not exceed **2,000 hours** ~~1 year~~ of the required **6,000 hours** ~~3 years~~ of practical experience as ~~an~~ **a registered** apprentice.

(3) If ~~the~~ **an** applicant is unable to conform to any of the requirements in subrules (1) and (2) of this rule, he or she may, upon written request, appear before a quorum of the state plumbing board to present evidence as to his or her eligibility for examination.

(4) A person who is licensed as a journey plumber in another state or country ~~shall~~ **may**, upon written request, appear before a quorum of the state plumbing board to present evidence as to his or her possession of a journey plumber license **and the licensing requirements from the licensing state or country**. ~~Upon a determination of the state plumbing board that the journey plumber license was obtained by the person through substantially the same or equal requirements as those of the state of Michigan, the state plumbing board may allow that person to take the Michigan journey plumber examination.~~ **The state plumbing board shall then determine if the individual will be allowed to take the Michigan journey plumber examination.**

R 338.924 Qualifications of applicants for master plumber's examination.

Rule 4. (1) To qualify for ~~examinations~~ **examination** for a master plumber's license, ~~the~~ **an** applicant shall be on record ~~within the department state plumbing board office as having gained 4,000 hours of experience as a licensed journey plumber over a period of not less than 2 years immediately preceding the date of his or her application.~~ **as having had not less than 2 years of experience as a state of Michigan licensed journey plumber immediately preceding the date of his or her application.**

(2) If ~~the~~ **an** applicant is unable to conform to the requirements of subrule (1) of this rule, he or she may, upon written request, appear before a quorum of the state plumbing board to present evidence as to his or her eligibility for examination.

(3) A person who is licensed as a master plumber **or equivalent** in another state or country ~~shall~~ **may**, upon written request, appear before a quorum of the state plumbing board to present evidence as to his or her possession of a master plumber license **or equivalent and licensing requirements from the licensing state or country**. ~~Upon a determination of the state plumbing board that the master plumber license was obtained by the person through substantially the same or equal requirements as those of the state of Michigan, the state plumbing board may allow that person to take the Michigan master plumber examination.~~ **The state plumbing board shall then determine if the individual will be allowed to take the Michigan master plumber examination.**

R 338.924a Qualification of applicants for plumbing contractor examination.

Rule 4a. (1) To qualify for examination for a plumbing contractor license, the applicant shall provide his or her residence address, business address, or employment information for the past 5 years, and conviction history information on a form provided by the department with the appropriate nonrefundable examination fee.

R 338.924b Contractors proof of ownership.

Rule 4b. (1) To qualify for licensure as a plumbing contractor, an applicant shall provide the address of the principal place of business and proof that he or she is an owner or officer of the business.

(2) An applicant shall furnish documentation as determined acceptable by the department to verify the applicant's current business structure. Documentation includes, but are not limited to, the following:

(a) For an application for a sole proprietor using an assumed name, a copy of the current filed certificate of persons conducting business under an assumed name issued by the county clerk or a notarized letter stating the applicant is a sole proprietor with the exact business name.

(b) For an application for a partnership, a copy of the current filed certificate of limited partnership issued by the department or a copy of the current filed certificate of general partnership issued by the county clerk.

(c) For an application for a limited liability company, a copy of the filed articles of organization, certificate of assumed name, if applicable, and current notarized operating agreement signed by each officer.

(d) For an application for a corporation, a copy of the filed articles of incorporation, certificate of assumed name, if applicable, and current certificate of good standing.

(e) For a foreign company, a copy of the registration to transact business in this state.

(3) An applicant shall provide any other documentation requested by the department to determine the applicant's business structure and current authorization to do business in this state.

R 338.925 Investigation of applicants.

Rule 5. (1) The character, experience, and fitness of the applicants shall also be taken into consideration. The board **and department** reserves the right to **may** investigate any applicant, or application filed, and approve or disapprove the same.

(2) Upon the acceptance, or rejection, of ~~any an~~ application the ~~state plumbing board~~ **department will shall** immediately notify the applicant at the address given in the application. ~~In the event~~**If** an application is rejected, the ~~application~~ **examination** fee ~~will~~ **shall not** be refunded.

R 338.926 ~~Time of examination~~**Code update courses; instructors' standards.**

Rule 6. ~~If the applications on file warrant, the state plumbing board will conduct examinations in the months of March, June, September, and December of each year in the Lower Peninsula at a place designated by the board. If the applications on file warrant, the state plumbing board shall conduct an examination in the Upper Peninsula once each year at a place designated by the board.~~**(1) The board shall approve the instructor-provided code update course that is in compliance with the requirements of the act and these rules.**

(2) The course for master and journey licensees shall be of sufficient contact hours to address the design items established by the board in consideration of the number of code item changes or updates.

(3) A certificate of completion shall be issued by a course provider to a person who has successfully completed the code update class by required attendance. The certificate shall contain all of the following information:

(a) A course approval number granted by the department.

- (b) **The name and address of the person, school, organization, or company who sponsors or administers the course.**
- (c) **The date the certificate was issued.**
- (d) **The student's name and address.**
- (e) **The instructor's signature certifying that the applicant completed the course as described in subrule (2) of this rule.**

R 338.927 ~~Acceptance of applications~~ Submission process and approval of code update course and instructor.

~~Rule 7. An application shall not be accepted, and an admission letter shall not be issued, for a scheduled examination unless the application has been on file in the Lansing plumbing division office for not less than 20 calendar days before the date of the next scheduled examination. However, the application may be accepted, and the admission letter issued, if the applicant appears before a quorum of the board and presents a satisfactory explanation for his or her failure to file his or her application in accordance with the 20-day provision. A letter of admission to any examination shall not be renewed, except in cases of illness. The illness shall be confirmed by a statement from the attending physician. The board may grant a renewal of an admission letter following a personal appearance of the applicant before a quorum of the board to make a satisfactory explanation of his or her absence from the scheduled examination.~~ **(1) A provider of a code update course shall apply for approval by submitting information on an application provided by the department.**

(2) An application shall contain all of the following information:

- (a) **The name and address of the applicant.**
- (b) **The name of the instructor and his or her license number where applicable.**
- (c) **A copy of the items established by the board from the department's program outline.**

(3) Approval of the course shall be provided by the department through its licensing software system.

(4) The department may withdraw the approval of a course if the approval was issued in error, if the approval was issued on the basis of incorrect information, or if the course is found to be in violation of these rules. Notice of withdrawal of approval shall be in writing and shall state the reason for the withdrawal of approval. An appeal of the withdrawal shall be processed pursuant to the provision of the administrative procedures act, 1969 PA 306, MCL 24.201 to 24.328.

R 338.928 Notice of examination.

Rule 8. Notice of the time and place of examination shall be provided to the department. ~~mailed to those applicants whose applications have been accepted and are on file in the Lansing plumbing division office for not less than 20 calendar days before the date of the next scheduled examination.~~ This notice shall instruct the applicant as to the tools and materials which the applicant is required to furnish. It shall also include an admission ~~notice letter~~ **notice letter** which shall be presented to the examiners, by the applicant, at the time and place of the scheduled examination designated in the admission ~~notice letter~~ **notice letter**. The applicant shall present current picture identification, such as a driver's license, to the examiners at the time of the examination.

R 338.929 Failure to appear for examination.

Rule 9. If ~~any~~ **an** applicant fails to appear for the examination designated in the admission ~~notice letter~~, and fails to make a satisfactory explanation for his or her absence to the ~~department state plumbing board~~ within 10 **calendar** days following the scheduled examination, his or her application ~~will~~ **shall** be cancelled and the ~~application~~ **examination** fee forfeited.

R 338.930 Scope of examination.

Rule 10. (1) The examinations of all applicants for licenses shall be conducted by the **department and** state plumbing board.

(2) ~~The examination of applicants for journey plumber's license shall consist of oral, written, and practical tests. The written test shall cover the general theory and practice of plumbing and knowledge of the Michigan plumbing rules. The practical test shall cover the applicant's ability to perform such mechanical work connected with the trade of plumbing as the board deems necessary.~~ **The examination of an applicant for the plumbing contractor license shall consist of oral and written tests, but not be limited to questions designed to test an individual's knowledge of the state plumbing act, 2002 PA 733, MCL 338.3511 to 338.3569, the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531, and the administration and enforcement requirements of the Michigan plumbing code.**

(3) ~~The examination of an applicant for a master plumber's license shall consist of oral, written, and practical tests, as well as the interpretation of charts and blueprints. The written test shall cover the general theory and practice of plumbing, knowledge of the Michigan plumbing rules, knowledge of the state laws governing plumbers and plumbing, and such other matters pertaining to the best interests of the general public through the practice of plumbing. The practical test shall cover the applicant's ability to perform such mechanical work connected with the plumbing trade as the board deems necessary.~~ **The examination of an applicant for the master plumber's license shall consist of oral, written, and practical tests, as well as the interpretation of charts, material takeoffs, and blueprints. The written test shall cover the general theory and practice of plumbing, knowledge of the Michigan plumbing code, knowledge of the state's laws governing plumbers and plumbing, and other matters pertaining to the best interests of the general public through the practice of plumbing. The practical test shall cover an applicant's ability to perform the mechanical work connected with the plumbing trade as the board considers necessary.**

(4) **The examination of an applicant for the journey plumber's license shall consist of oral, written, and practical tests. The written test shall cover the general theory and practice of plumbing, knowledge of the Michigan plumbing code, state's laws governing plumbers and plumbing, and other matters pertaining to the best interests of the general public through the practice of plumbing. The practical test shall cover an applicant's ability to perform the mechanical work connected with the plumbing trade as the board considers necessary, such as the interpretation of charts and piping projects.**

(-4-5) To qualify for a license, ~~all-an applicant~~ **applicants** shall be required to receive a minimum grade of 70% in each ~~part~~ **phase** of the examination. **Failure to achieve a**

minimum grade of 70% on each part of the examination shall result in an applicant having to retake the entire examination.

R 338.931 Reexamination.

Rule 11. If ~~any~~ **an** applicant for a **contractor, master, or** journey plumber's license does not receive a passing grade, his or her application ~~will~~ **shall** be cancelled and fees forfeited. ~~If any applicant for a master plumber's license does not receive a passing grade, his or her application will be cancelled and fees forfeited. Any~~ **An** applicant who fails to pass his or her examination for a license as a **plumbing contractor**, master plumber, or journey plumber may ~~be examined at the next scheduled examination~~ **apply for reexamination.**

R 338.931a License expiration.

Rule 11a. A journey plumber license, apprentice registration, and plumbing affidavit shall expire on April 30 each year. A plumbing contractor license and a master plumber license shall expire on a 3-year-cycle on April 30.