

SENATE BILL 699

Unofficial Copy
C2

2000 Regular Session
(01r2497)

ENROLLED BILL

-- Economic and Environmental Affairs/Economic Matters --

Introduced by **Senators Collins and Haines**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Business Occupations - Plumbers - Natural Gas Fitters License**

3 FOR the purpose of creating a master natural gas fitters license ~~and~~ a journeyman
4 natural gas fitters license, and an apprentice natural gas fitters license;
5 requiring that an individual shall be licensed by the State Board of Plumbing as
6 a plumber or a natural gas fitter before providing natural gas services in the
7 State; setting certain licensing application and renewal requirements; setting
8 certain fees; requiring the holder of a master natural gas fitters license to meet
9 certain insurance requirements; requiring the holder of a master natural gas
10 fitters license to display certain information in certain situations; defining
11 certain terms; and generally relating to the licensing of natural gas fitters.

12 BY repealing and reenacting, with amendments,
13 Article 38A - Fires and Investigations
14 Section 3(f)(3)(vi)
15 Annotated Code of Maryland
16 (1997 Replacement Volume and 1999 Supplement)

1 BY repealing and reenacting, with amendments,
 2 Article - Business Occupations and Professions
 3 Section 12-101, 12-301 through ~~42-303~~ 12-304, 12-306 through 12-309,
 4 12-310.1 through 12-312, 12-401, 12-403, 12-601, and 12-604
 5 Annotated Code of Maryland
 6 (1995 Replacement Volume and 1999 Supplement)

7 BY repealing and reenacting, without amendments,
 8 Article - Business Occupations and Professions
 9 Section 12-501
 10 Annotated Code of Maryland
 11 (1995 Replacement Volume and 1999 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article 38A - Fires and Investigations**

15 3.

16 (f) (3) The State Fire Prevention Commission shall:

17 (vi) Define sprinkler system, provided that there is no conflict with
 18 § [12-101(j)] 12-101(L), (M), OR (N) of the Business Occupations and Professions
 19 Article;

20 **Article - Business Occupations and Professions**

21 12-101.

22 (a) In this title the following words have the meanings indicated.

23 (B) "APPRENTICE NATURAL GAS FITTER" MEANS, UNLESS THE CONTEXT
 24 REQUIRES OTHERWISE, AN INDIVIDUAL WHO IS LICENSED BY THE BOARD TO ASSIST
 25 A MASTER NATURAL GAS FITTER IN PROVIDING NATURAL GAS SERVICES WHILE:

26 (1) UNDER THE DIRECTION AND CONTROL OF THE MASTER NATURAL
 27 GAS FITTER; AND

28 (2) IN TRAINING TO BECOME A JOURNEYMAN NATURAL GAS FITTER.

29 ~~(b)~~ (C) "Apprentice plumber" means, unless the context requires otherwise,
 30 an individual who is licensed by the Board to assist a master plumber or a holder of a
 31 limited master plumber license in providing plumbing services while:

32 (1) under the direction and control of the master plumber or holder of the
 33 limited master plumber license; and

1 (2) in training to become a journey plumber.

2 ~~(E)~~ (D) "Board" means the State Board of Plumbing.

3 ~~(D)~~ (E) "Certified propane gas fitter" means an individual who has been
4 certified by the Board to provide propane gas services.

5 ~~(E)~~ (F) "Gas" means natural gas, propane gas, or any other gas used for any
6 purpose, including residential, medical, commercial, or industrial purposes.

7 ~~(F)~~ (G) "Journey plumber" means, unless the context requires otherwise, an
8 individual who is licensed by the Board to provide plumbing services while under the
9 direction and control of a master plumber or holder of a limited master plumber
10 license.

11 ~~(G)~~ (H) "JOURNEYMAN NATURAL GAS FITTER" MEANS, UNLESS THE
12 CONTEXT REQUIRES OTHERWISE, AN INDIVIDUAL WHO IS LICENSED BY THE BOARD
13 TO PROVIDE NATURAL GAS SERVICES WHILE UNDER THE DIRECTION AND CONTROL
14 OF A MASTER NATURAL GAS FITTERS LICENSE.

15 [(g)] ~~(H)-(I)~~ (1) "License" means, unless the context requires otherwise, a
16 license issued by the Board to:

17 (i) provide plumbing services;

18 (ii) assist in providing plumbing services; [or]

19 (iii) provide propane gas services; OR

20 (IV) PROVIDE NATURAL GAS SERVICES.

21 (2) "License" includes, unless the context requires otherwise, each of the
22 following licenses:

23 (i) a master plumber license;

24 (ii) a journey plumber license;

25 (iii) an apprentice plumber license;

26 (iv) a limited license; [and]

27 (v) a propane gas fitter certificate;

28 (VI) A MASTER NATURAL GAS FITTERS LICENSE; ~~AND~~

29 (VII) A JOURNEYMAN NATURAL GAS FITTERS LICENSE; AND

30 (VIII) AN APPRENTICE NATURAL GAS FITTERS LICENSE.

1 [(h)] ~~(J)~~ (1) "Limited license" means a license issued by the Board as limited
2 by § 12-310 of this title to:

- 3 (i) provide plumbing services as a master plumber; or
4 (ii) provide plumbing services as a journey plumber.

5 (2) "Limited license" includes:

- 6 (i) a limited master plumber license; and
7 (ii) a limited journey plumber license.

8 ~~(J)~~ ~~(K)~~ "MASTER NATURAL GAS FITTER" MEANS, UNLESS THE CONTEXT
9 REQUIRES OTHERWISE, AN INDIVIDUAL WHO IS LICENSED BY THE BOARD TO
10 PROVIDE NATURAL GAS SERVICES.

11 [(i)] ~~(J)~~ ~~(K)~~ ~~(L)~~ (1) "Master plumber" means, unless the context requires
12 otherwise, an individual who is licensed by the Board to provide plumbing services-
13 AND NATURAL GAS SERVICES.

14 (2) "MASTER PLUMBER" INCLUDES A MASTER PLUMBER GAS FITTER.

15 ~~(K)~~ ~~"PROVIDE NATURAL GAS SERVICES" MEANS TO INSTALL, REPAIR, SERVICE,~~
16 ~~AND REPLACE NATURAL GAS PIPING, NATURAL GAS UTILIZATION EQUIPMENT, AND~~
17 ~~ASSOCIATED ACCESSORIES.~~

18 ~~(L)~~ ~~(1)~~ ~~"PROVIDE NATURAL GAS SERVICES" MEANS THE INSTALLATION OF~~
19 ~~NONINDUSTRIAL GAS APPLIANCES AND THE DESIGN, FABRICATION, INSTALLATION,~~
20 ~~AND TESTING OF NONINDUSTRIAL PIPING SYSTEMS FOR FUEL GASES, INCLUDING:~~

21 ~~(I)~~ ~~NATURAL GAS;~~

22 ~~(II)~~ ~~MANUFACTURED GAS;~~

23 ~~(III)~~ ~~UNDILUTED LIQUIFIED PETROLEUM GASES;~~

24 ~~(IV)~~ ~~LIQUIFIED PETROLEUM GAS-AIR MIXTURES; AND~~

25 ~~(V)~~ ~~MIXTURES OF ANY OF THESE GASES, IN ACCORDANCE WITH~~
26 ~~THE NATIONAL FUEL GAS CODE, THE NATIONAL FIRE PROTECTION ASSOCIATION NO.~~
27 ~~54, 1992 EDITION.~~

28 ~~(2)~~ ~~"PROVIDE NATURAL GAS SERVICES" DOES NOT MEAN:~~

29 ~~(1)~~ ~~THE INSTALLATION OF GAS PIPING SYSTEMS AND EQUIPMENT~~
30 ~~FOR INDUSTRIAL INSTALLATIONS; OR~~

31 ~~(II)~~ ~~THE DESIGN AND INSTALLATION OF GAS EQUIPMENT FOR~~
32 ~~SPECIFIC MANUFACTURING, PRODUCTION, PROCESSING, AND POWER GENERATING~~

1 APPLICATIONS IN ACCORDANCE WITH THE NATIONAL FUEL GAS CODE, THE
 2 NATIONAL FIRE PROTECTION ASSOCIATION NO. 54, 1992 EDITION.

3 (M) (1) "PROVIDE NATURAL GAS SERVICES" MEANS THE INSTALLATION,
 4 MAINTENANCE, EXTENSION, ALTERATION, AND REMOVAL OF PIPING, GAS-FIRED
 5 EQUIPMENT, APPLIANCES, OR APPURTENANCES IN CONNECTION WITH A NATURAL
 6 GAS SUPPLY SYSTEM DOWNSTREAM OF THE GAS UTILITY POINT OF DELIVERY.

7 (2) "PROVIDE NATURAL GAS SERVICES" DOES NOT INCLUDE THE
 8 INSTALLATION, MAINTENANCE, EXTENSION, ALTERATION, OR REMOVAL OF ANY OF
 9 THE FOLLOWING WITH RESPECT TO THE PLUMBING WATER SUPPLY AND DRAINAGE
 10 SYSTEM:

11 (I) FIXTURES THAT REQUIRE ADDITIONAL ENERGY SOURCES,
 12 INCLUDING CLOTHES WASHERS, DISHWASHERS, FOOD GRINDERS, HUMIDIFIERS,
 13 ICE PUMPS, STERILIZERS, WATER COOLERS, AND WATER HEATERS; AND

14 (II) OPERATIONAL DEVICES, INCLUDING AERATORS, BACKFLOW
 15 PREVENTERS, EXPANSION TANKS, FILTERS, FLOW CONTROLS, HEAT EXCHANGERS,
 16 INTERCEPTORS, METERS, SEPARATORS, AND RELIEF VALVES.

17 [(j)] ~~(M)~~ ~~(N)~~ (1) "Provide plumbing services" means to install,
 18 maintain, extend, alter, or remove piping, a plumbing fixture, a plumbing appliance,
 19 a plumbing appurtenance, or other plumbing apparatus:

20 (i) within or adjacent to a building, structure, or property; and

21 (ii) in connection with:

22 1. a public or private disposal system, sanitary drainage
 23 facility, or storm drainage facility;

24 2. a venting system; or

25 3. a public or private water supply system.

26 (2) "Provide plumbing services" includes installing, repairing, servicing,
 27 and replacing gas piping, gas utilization equipment, and associated accessories.

28 (3) Except for the first connection to a potable water supply that is
 29 downstream of a backflow preventer and the final connection that discharges
 30 indirectly into a public or private disposal system, sanitary drainage facility, or storm
 31 drainage facility, "providing plumbing services" does not include using piping,
 32 equipment, or material only for:

33 (i) environmental control;

34 (ii) the incorporation of a liquid or gas into a product or into a
 35 process, including product development, in the manufacture or storage of a product;

1 (iii) the installation, alteration, repair, or removal of an automatic
 2 sprinkler system, related apparatus, or standpipe that is used only for fire protection;
 3 or

4 (iv) an overhead or underground fire line beginning from where
 5 water is used only for fire protection.

6 [(k)] ~~(M)~~ ~~(N)-(O)~~ "Provide propane gas services" means to install, repair,
 7 service, and replace propane gas piping, propane gas utilization equipment, and
 8 associated accessories.

9 [(l)] ~~(N)~~ ~~(O)-(P)~~ "State Plumbing Code" means the regulations adopted by
 10 the Secretary, as amended by the Board, to provide standards that:

11 (1) are based on principles of environmental sanitation and safety; and

12 (2) provide for properly designed, acceptably installed, and adequately
 13 maintained plumbing systems.

14 12-301.

15 (a) (1) Except as otherwise provided in this title, an individual shall be
 16 licensed by the Board to provide plumbing services before the individual may provide
 17 plumbing services in the State.

18 (2) Except as otherwise provided in this title, an individual shall be
 19 licensed by the Board to provide or to assist in providing plumbing services before the
 20 individual may assist in providing plumbing services in the State.

21 (3) Except as otherwise provided in this title, an individual shall be
 22 licensed by the Board to provide plumbing services or certified by the Board to
 23 provide propane gas services before the individual may provide propane gas services
 24 in the State.

25 (4) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, AN INDIVIDUAL
 26 SHALL BE LICENSED BY THE BOARD TO PROVIDE NATURAL GAS SERVICES BEFORE
 27 THE INDIVIDUAL MAY PROVIDE NATURAL GAS SERVICES IN THE STATE.

28 (b) (1) Subject to paragraph (2) of this subsection, this section does not apply
 29 to an individual who personally provides plumbing services in the residence of the
 30 individual.

31 (2) An individual may not provide plumbing services that make a final
 32 connection between the residence of the individual and a public or private disposal
 33 system or water supply system.

34 (c) This section does not apply to an employee of a gas company regulated by
 35 the Public Service Commission while making a connection to a gas appliance for
 36 domestic purposes or while installing, repairing, maintaining, replacing, or

1 performing any other work on a natural gas, propane gas, or other gas distribution
2 system, INCLUDING CUSTOMER-OWNED GAS PIPING SYSTEMS.

3 (d) This section does not apply to an individual performing work that is only
4 incidental to the licensee providing or assisting in providing plumbing services.

5 (e) This section does not apply to an individual who, without compensation,
6 provides plumbing services that the Board defines by regulation to be only incidental
7 plumbing services.

8 (f) This section does not apply to an employee of a building owner, manager, or
9 maintenance company who provides plumbing services that the Board defines by
10 regulation to be only minor plumbing repair services.

11 (g) This section does not apply to an individual who is licensed as an appliance
12 installer in Allegany County, Frederick County, Garrett County, or Washington
13 County while acting within the scope of the license.

14 (h) This section does not apply to an individual who is licensed in Washington
15 County to work as or for a septic system installer or an on-site utility contractor
16 installing water or sewer service in the County at least 5 feet from a building being
17 served.

18 (i) Subsection (a)(3) AND (4) of this section does not apply to an individual
19 licensed by the State Board of Heating, Ventilation, Air-Conditioning, and
20 Refrigeration Contractors while servicing an existing propane gas OR EXISTING
21 NATURAL GAS appliance if the individual has completed a manufacturer's training
22 course certifying competence to work on that particular type of appliance.

23 12-302.

24 (a) In this section, "licensed master plumber" means an individual who holds:

25 (1) a master plumber license or a limited master plumber license issued
26 by the Board;

27 (2) a master plumber license issued by the Baltimore County Plumbing
28 Board;

29 (3) a master plumber license issued by the Washington Suburban
30 Sanitary Commission; or

31 (4) a master plumber license issued by another state, if the individual
32 became licensed in that state after passing an examination that is equivalent to the
33 examination for a master plumber license given in this State.

34 (b) To qualify for a license, an applicant shall be an individual who meets the
35 requirements of this section.

36 (c) (1) An applicant for a journey plumber license:

1 (i) 1. shall have held, for a period of at least 4 years, an
2 apprentice plumber license or a license of equal stature, as determined by the Board,
3 that is issued by another state; and

4 2. during that period, shall have completed at least 7,500
5 hours of training in providing plumbing services under the direction and control of a
6 licensed master plumber; and

7 (ii) shall have completed at least 32 hours of training in the testing
8 of backflow prevention devices, in a manner approved by the Board.

9 (2) The Board may allow the applicant to apply up to 1,500 hours of
10 accredited, approved school study toward the experience requirement of paragraph
11 (1)(i)2 of this subsection.

12 (d) An applicant for a master plumber license:

13 (1) shall have completed at least 3,750 hours of training in providing
14 plumbing services as a journey plumber licensed in this State or another state and
15 under the direction and control of a licensed master plumber;

16 (2) (i) if an applicant resides in this State, shall have a journey
17 plumber license for at least 2 years; or

18 (ii) shall have been licensed in another state as a journey plumber
19 after:

20 1. completing at least 7,500 hours of training in providing
21 plumbing services under the direction and control of a licensed master plumber; and

22 2. passing a written examination that is equivalent to the
23 examination for a journey plumber license given in this State; and

24 (3) shall have completed at least 32 hours of training in the testing of
25 backflow prevention devices, in a manner approved by the Board.

26 (e) Except as otherwise provided in this subtitle, an applicant for a master
27 plumber license or a journey plumber license shall pass an examination given by the
28 Board under this subtitle.

29 (f) An applicant for a propane gas fitter certificate shall:

30 (1) hold a current certification of completion of the National Propane
31 Gas Association Certified Training Program for Distribution Systems Operations;

32 (2) hold a gas fitters license from a county or municipal corporation
33 authorizing the individual to provide propane gas services under a licensing program
34 that is in existence prior to July 1, 1995 and that is acceptable to the Board; or

35 (3) otherwise demonstrate qualifications that are satisfactory to the
36 Board and that are at least equivalent to the qualifications required by the National

1 Propane Gas Association Certified Training Program for Distribution Systems
2 Operations.

3 ~~(G) AN APPLICANT FOR A JOURNEY NATURAL GAS FITTERS LICENSE SHALL~~
4 ~~HAVE 2,000 HOURS OF WORK EXPERIENCE UNDER THE DIRECTION AND CONTROL OF~~
5 ~~A LICENSED MASTER NATURAL GAS FITTER.~~

6 (G) AN APPLICATION FOR A JOURNEYMAN NATURAL GAS FITTERS LICENSE
7 SHALL HAVE ACQUIRED 3,750 WORKING HOURS AS AN APPRENTICE NATURAL GAS
8 FITTER OVER A PERIOD OF AT LEAST 2 YEARS.

9 ~~(G)~~ (H) AN APPLICANT FOR A MASTER NATURAL GAS FITTERS LICENSE
10 SHALL:

11 (1) HOLD A GAS FITTERS LICENSE FROM A COUNTY OR MUNICIPAL
12 CORPORATION AUTHORIZING THE INDIVIDUAL TO PROVIDE NATURAL GAS SERVICES
13 UNDER A LICENSING PROGRAM THAT IS IN EXISTENCE PRIOR TO JULY 1, 1999 AND
14 THAT IS ACCEPTABLE TO THE BOARD, INCLUDING AND AT A MINIMUM REQUIRES:

15 (I) SUCCESSFUL COMPLETION OF THE LICENSING EXAMINATION
16 WITH A PASSING SCORE OF NO LESS THAN 70; AND

17 (II) A MINIMUM OF 4,200 HOURS 2 YEARS OF WORK EXPERIENCE AS
18 A JOURNEYMAN NATURAL GAS FITTER UNDER THE DIRECTION OF A:

19 1. LICENSED MASTER PLUMBER; OR

20 2. LICENSED MASTER GAS FITTER; OR

21 3. HOLDER OF A MASTER OR MASTER RESTRICTED HEATING
22 LICENSE IN GOOD STANDING ISSUED BY THE STATE BOARD OF HEATING,
23 VENTILATION, AIR CONDITIONING, AND REFRIGERATION CONTRACTORS THAT IS
24 DEEMED ACCEPTABLE BY THE BOARD;

25 (2) APPLY TO THE BOARD FOR A MASTER NATURAL GAS FITTERS
26 LICENSE BEFORE OCTOBER 1, 2002 AND PROVIDE PROOF THAT:

27 (I) THE APPLICANT HAS COMPLETED A NATURAL GAS
28 CERTIFICATION PROGRAM OFFERED BY A THIRD PARTY THAT:

29 1. WAS IN EXISTENCE PRIOR TO JULY 1, 1999;

30 2. IS APPROVED BY THE BOARD; AND

31 3. PROVIDES THEORETICAL AND PRACTICAL TRAINING
32 RELATING TO NATURAL GAS SERVICES; AND

33 (II) THE APPLICANT HAS ACQUIRED 4 YEARS OF WORK
34 EXPERIENCE IN PROVIDING NATURAL GAS SERVICES; OR

1 (2) (3) PASS A WRITTEN EXAMINATION GIVEN BY THE BOARD AND
2 MEET ANY OTHER REQUIREMENTS SPECIFIED BY THE BOARD, ~~INCLUDING AND AT A~~
3 MINIMUM REQUIRES:

4 (I) PROOF OF A CURRENT MASTER OR MASTER RESTRICTED
5 HEATING LICENSE IN GOOD STANDING ISSUED BY THE STATE BOARD OF HEATING,
6 VENTILATION, AIR-CONDITIONING, AND REFRIGERATION CONTRACTORS THAT IS
7 DEEMED ACCEPTABLE BY THE BOARD; AND

8 (II) 4,200 HOURS 2 YEARS OF WORK EXPERIENCE AS A
9 JOURNEYMAN NATURAL GAS FITTER UNDER THE DIRECTION OF A:

- 10 1. LICENSED MASTER PLUMBER;
- 11 2. LICENSED MASTER GAS FITTER; OR
- 12 3. HOLDER OF A MASTER OR MASTER RESTRICTED HEATING
13 LICENSE IN GOOD STANDING ISSUED BY THE STATE BOARD OF HEATING,
14 VENTILATION, AIR-CONDITIONING, AND REFRIGERATION CONTRACTOR
15 CONTRACTORS, WHO DEMONSTRATES QUALIFICATION AS A NATURAL GAS FITTER
16 THAT IS DEEMED ACCEPTABLE BY THE BOARD; OR

17 (3) ~~COMPLETE A NATURAL GAS CERTIFICATION PROGRAM THAT IS~~
18 ~~OFFERED BY A THIRD PARTY AND IS APPROVED BY THE BOARD.~~

19 12-303.

20 An applicant for a license shall:

21 (1) submit to the Board an application on the form that the Board
22 provides; and

23 (2) except as otherwise provided in this subtitle, pay to the Board or the
24 Board's designee an examination fee:

25 (i) for a master plumber license ~~or~~ a journey plumber license, OR A
26 MASTER NATURAL GAS FITTERS LICENSE, in an amount set by the Board, not to
27 exceed the cost of the required examination;

28 (ii) for an apprentice plumber license OR APPRENTICE NATURAL
29 GAS FITTERS LICENSE of \$15; [or]

30 (iii) for a propane gas fitter certificate of \$25; ~~OR~~

31 (IV) ~~FOR A MASTER NATURAL GAS FITTERS LICENSE OR A~~
32 ~~JOURNEYMAN NATURAL GAS FITTERS LICENSE, IN AN AMOUNT SET BE THE BOARD,~~
33 ~~NOT TO EXCEED THE COST OF THE REQUIRED EXAMINATION.~~

34 (IV) FOR A JOURNEYMAN NATURAL GAS FITTERS LICENSE OF \$25;
35 OR

1 (V) FOR A MASTER NATURAL GAS FITTERS LICENSE WITHOUT
2 EXAMINATION OF \$50.

3 12-304.

4 (a) Except as otherwise provided in § 12-304.1 of this subtitle, an applicant
5 who otherwise qualifies for a license is entitled to be examined as provided in this
6 section.

7 (b) (1) Subject to paragraph (2) of this subsection, the Board shall give
8 examinations to qualified applicants at the times and places that the Board
9 determines.

10 (2) The Board shall give an examination at least once a year in Baltimore
11 City.

12 (c) The Board shall give each qualified applicant notice of the time and place
13 of examination.

14 (d) (1) The Board shall determine the subjects, scope, and form of and the
15 passing score for examinations given under this subtitle.

16 (2) The Board shall provide examination questions that test the
17 competency and qualifications of the applicant.

18 (3) WHEN TESTING AN APPLICANT FOR A MASTER PLUMBER LICENSE
19 OR A MASTER NATURAL GAS FITTERS LICENSE, THE EXAMINATION GIVEN BY THE
20 BOARD SHALL INCLUDE AT A MINIMUM THE FOLLOWING AREAS:

21 (I) GAS FITTING REGULATIONS;

22 (II) SAFETY REGULATIONS;

23 (III) PIPE SIZING;

24 (IV) COMMON PRINCIPLES OF MATHEMATICS AND PHYSICS
25 RELATING TO GAS FITTING;

26 (V) INTERPRETATION OF PLANS AND DRAWINGS SHOWING THE
27 ARRANGEMENT AND CONNECTION OF NATURAL GAS PIPES, FIXTURES, OR
28 EQUIPMENT;

29 (VI) DESIGN AND CONSTRUCTION OF NATURAL GAS SYSTEMS FOR
30 BUILDINGS; AND

31 (VII) VENTING GAS APPLIANCES.

32 (e) (1) If an applicant fails an examination given by the Board, the Board
33 shall give the applicant notice of the right of the applicant to have the papers of the
34 applicant regraded.

1 (2) On written request to the Board, an applicant who failed an
 2 examination may:

3 (i) review the examination questions and the answers given by the
 4 applicant; and

5 (ii) have the examination regraded.

6 (f) If an applicant fails to appear for a scheduled examination, the Board may
 7 require the applicant to pay another examination fee under § 12-303 of this subtitle
 8 before rescheduling an examination for the applicant.

9 12-306.

10 (a) If an applicant qualifies for a journey plumber license, a master plumber
 11 license, a limited license, A MASTER NATURAL GAS FITTERS LICENSE, A
 12 JOURNEYMAN NATURAL GAS FITTERS LICENSE, AN APPRENTICE NATURAL GAS
 13 FITTERS LICENSE, or a propane gas fitter certificate under this subtitle, the Board
 14 shall send the applicant a notice that states that:

15 (1) the applicant has qualified for a license; and

16 (2) the Board will issue a license to the applicant on receipt of:

17 (i) if contracting in the name of the applicant or another person to
 18 provide plumbing services, proof of the liability insurance as required under § 12-501
 19 of this title; and

20 (ii) a license fee of:

21 1. \$70 for a master plumber license or a limited master
 22 plumber license;

23 2. \$35 for a journey plumber license or a limited journey
 24 plumber license; [or]

25 3. \$35 for a propane gas fitter certificate;

26 4. \$70 FOR A MASTER NATURAL GAS FITTERS LICENSE; OR

27 5. \$35 FOR A JOURNEYMAN NATURAL GAS FITTERS LICENSE.

28 (b) On payment of the appropriate license fee and, if applicable, receipt of the
 29 proof of the insurance required under § 12-501 of this title, the Board shall issue a
 30 license to each applicant who meets the requirements of this subtitle.

31 (c) (1) Any master plumber, journey plumber, or apprentice holding a valid
 32 license is eligible to participate in a Board-approved cross connection/backflow
 33 prevention certification program to be certified as an approved cross
 34 connection/backflow prevention technician.

1 (2) Only a master plumber or journey plumber possessing certification
2 shall be authorized to certify the installation and testing of mechanical cross
3 connection control devices.

4 (3) For the purpose of certification of the installation and testing of
5 mechanical cross connection control devices, a local jurisdiction may adopt
6 regulations or enact laws that have qualifications comparable to or more stringent
7 than paragraph (2) of this subsection.

8 12-307.

9 (a) While a master plumber license is in effect, it authorizes the licensee to
10 provide plumbing services.

11 (b) While a journey plumber license is in effect, it authorizes the licensee to
12 provide plumbing services only under the direction and control of a master plumber or
13 a holder of a limited master plumber license.

14 (c) While an apprentice plumber license is in effect, it authorizes the licensee
15 to assist in providing plumbing services only under the direction and control of a
16 master plumber or a holder of a limited master plumber license.

17 (d) While a propane gas fitter certificate is in effect, it authorizes the
18 certificate holder to provide propane gas services and to directly supervise others in
19 the provision of those services in every political subdivision of the State.

20 (E) WHILE A MASTER NATURAL GAS FITTERS LICENSE IS IN EFFECT, IT
21 AUTHORIZES THE LICENSEE TO PROVIDE NATURAL GAS SERVICES.

22 (F) WHILE A JOURNEYMAN NATURAL GAS FITTERS LICENSE IS IN EFFECT, IT
23 AUTHORIZES THE LICENSEE TO PROVIDE NATURAL GAS SERVICES ONLY UNDER THE
24 DIRECTION AND CONTROL OF A LICENSED MASTER NATURAL GAS FITTER.

25 (G) WHILE AN APPRENTICE NATURAL GAS FITTERS LICENSE IS IN EFFECT, IT
26 AUTHORIZES THE LICENSEE TO PROVIDE NATURAL GAS SERVICE ONLY UNDER THE
27 DIRECTION AND CONTROL OF A LICENSED MASTER NATURAL GAS FITTER.

28 12-308.

29 (a) Unless a license is renewed for a 2-year term as provided in this section,
30 the license expires on the first May 1 that comes:

31 (1) after the effective date of the license; and

32 (2) in an odd-numbered year.

33 (b) At least 1 month before a license expires, the Board shall mail to the
34 licensee, at the last known address of the licensee:

35 (1) a renewal application form; and

1 (2) a notice that states:

2 (i) the date on which the current license expires;

3 (ii) the date by which the Board must receive the renewal
4 application for the renewal to be issued and mailed before the license expires; and

5 (iii) the amount of the renewal fee.

6 (c) Before a license expires, the licensee may renew it for an additional 2-year
7 term, if the licensee:

8 (1) otherwise is entitled to be licensed;

9 (2) pays to the Board a renewal fee of:

10 (i) \$70 for a master plumber license or a limited master plumber
11 license;

12 (ii) \$35 for a journey plumber license or a limited journey plumber
13 license;

14 (iii) \$15 for an apprentice plumber license OR APPRENTICE
15 NATURAL GAS FITTERS LICENSE; [or]

16 (iv) \$35 for a propane gas fitter certificate; [and]

17 (V) \$35 FOR A MASTER NATURAL GAS FITTERS LICENSE; OR

18 (VI) ~~\$45~~ \$25 FOR A JOURNEYMAN NATURAL GAS FITTERS LICENSE;
19 AND

20 (3) submits to the Board:

21 (i) if contracting in the name of the licensee or another person to
22 provide plumbing services, proof of the liability insurance required under § 12-501 of
23 this title; and

24 (ii) a renewal application on the form that the Board provides.

25 (d) The Board shall renew the license of and issue a renewal certificate to each
26 licensee who meets the requirements of this section.

27 (e) The Secretary may determine that licenses and certificates issued under
28 this subtitle shall expire on a staggered basis.

29 12-309.

30 (a) The Board shall reinstate the license of an individual who has failed to
31 renew the license for any reason if the individual:

1 (1) applies to the Board for reinstatement within 4 years after the
2 license expires; and

3 (2) meets the renewal requirements for the appropriate license under §
4 12-308 of this subtitle.

5 (b) The Board may not reinstate a journey plumber license, a master plumber
6 license, a limited license, [or] a propane gas fitter certificate, A MASTER NATURAL
7 GAS FITTERS LICENSE, ~~OR~~ A JOURNEYMAN NATURAL GAS FITTERS LICENSE, OR AN
8 APPRENTICE NATURAL GAS FITTERS LICENSE of an individual who for any reason
9 fails to apply for reinstatement within 4 years after the license expired unless the
10 individual:

11 (1) meets the renewal requirements for the appropriate license under §
12 12-308 of this subtitle; and

13 (2) passes the appropriate examination for obtaining a license under this
14 subtitle.

15 12-310.1.

16 (A) A person who is engaged in the business of providing propane gas services
17 under § 12-401(b) of this title shall meet the insurance requirements set forth in §
18 12-501 of this title.

19 (B) A PERSON WHO HOLDS A MASTER NATURAL GAS FITTERS LICENSE AND
20 PROVIDES NATURAL GAS SERVICES UNDER § 12-401(C) OF THIS TITLE SHALL MEET
21 THE INSURANCE REQUIREMENTS SET FORTH IN § 12-501 OF THIS TITLE.

22 12-311.

23 (a) (1) Each master plumber shall display:

24 (i) the master plumber license and the license number
25 conspicuously in the principal place of business of the master plumber; and

26 (ii) the license number of the master plumber license on each
27 vehicle used on the job for providing plumbing services.

28 (2) Each holder of a limited master plumber license shall display:

29 (i) the limited master plumber license and the license number
30 conspicuously in the principal place of business of the holder of the limited master
31 plumber license; and

32 (ii) the license number of the limited master plumber license on
33 each vehicle used on the job for providing plumbing services.

34 (3) Each holder of a propane gas fitter certificate shall display:

1 (i) the propane gas fitter certificate and the certificate number
2 conspicuously in the principal place of business of the certificate holder; and

3 (ii) the certificate number of the propane gas fitter certification on
4 each vehicle used on the job in providing propane gas services.

5 (4) EACH HOLDER OF A MASTER NATURAL GAS FITTERS LICENSE SHALL
6 DISPLAY:

7 (I) THE MASTER NATURAL GAS FITTERS LICENSE AND THE
8 LICENSE NUMBER CONSPICUOUSLY IN THE PRINCIPAL PLACE OF BUSINESS OF THE
9 LICENSE HOLDER; AND

10 (II) THE LICENSE NUMBER OF THE MASTER NATURAL GAS FITTERS
11 LICENSE ON EACH VEHICLE USED ON THE JOB FOR PROVIDING NATURAL GAS
12 SERVICES.

13 (b) Each licensee shall give the Board and any appropriate licensing authority
14 written notice of any change of name, address, or employment from that which
15 appears on the current license, at least 10 working days before the change is to take
16 effect.

17 12-312.

18 (a) Subject to the hearing provisions of § 12-313 of this subtitle, the Board
19 may deny a license to any applicant, reprimand any licensee, or suspend or revoke a
20 license if the applicant or licensee:

21 (1) fraudulently or deceptively obtains or attempts to obtain a license for
22 the applicant or licensee or for another;

23 (2) fraudulently or deceptively uses a license;

24 (3) is guilty of gross negligence, incompetence, or misconduct while
25 providing plumbing services or assisting in providing plumbing services;

26 (4) is guilty of violating the State Plumbing Code or applicable local
27 plumbing code while providing plumbing services or assisting in providing plumbing
28 services;

29 (5) under the laws of the United States or of any state, is convicted of:

30 (i) a felony; or

31 (ii) a misdemeanor that is directly related to the fitness and
32 qualification of the applicant or licensee to provide plumbing services;

33 (6) is guilty of an unfair or deceptive trade practice, as defined in §
34 13-301 of the Commercial Law Article;

1 (7) fails to train and control adequately any person who, while under the
 2 direction and control of the master plumber or holder of a limited master plumber
 3 license, sells or gives estimates for providing plumbing services;

4 (8) fails to maintain the liability insurance required under § 12-501 of
 5 this title for a master plumber, holder of a limited master plumber license who
 6 contracts to provide plumbing services on behalf of the master plumber, holder of a
 7 limited master plumber license, or another, [or] holder of a propane gas fitter
 8 certificate, OR HOLDER OF A MASTER NATURAL GAS FITTERS LICENSE; or

9 (9) is guilty of violating § 12-605 of this title.

10 (b) The Board shall consider the following facts in the granting, denial,
 11 renewal, suspension, or revocation of a license or the reprimand of a licensee when an
 12 applicant or licensee is convicted of a felony or misdemeanor described in subsection
 13 (a)(5) of this section:

14 (1) the nature of the crime;

15 (2) the relationship of the crime to the activities authorized by the
 16 license;

17 (3) with respect to a felony, the relevance of the conviction to the fitness
 18 and qualification of the applicant or licensee to provide plumbing services;

19 (4) the length of time since the conviction; and

20 (5) the behavior and activities of the applicant or licensee before and
 21 after the conviction.

22 12-401.

23 (a) A person may engage in the business of providing plumbing services if:

24 (1) the person is a master plumber or holder of a limited master plumber
 25 license; or

26 (2) the person:

27 (i) designates a master plumber or holder of a limited master
 28 plumber license who actively directs, controls, and is responsible for all plumbing
 29 services; and

30 (ii) otherwise provides the plumbing services in accordance with
 31 this title.

32 (b) A person may engage in the business of providing propane gas services if:

33 (1) the person is the holder of a propane gas fitter certificate; or

34 (2) the person:

1 (i) designates a holder of a propane gas fitter certificate who
2 actively directs, controls, and is responsible for all propane gas services; and

3 (ii) otherwise provides the propane gas services in accordance with
4 this title.

5 (C) A PERSON MAY ENGAGE IN THE BUSINESS OF PROVIDING NATURAL GAS
6 SERVICES IF:

7 (1) THE PERSON IS THE HOLDER OF A MASTER NATURAL GAS FITTERS
8 LICENSE; OR

9 (2) THE PERSON:

10 (I) DESIGNATES A HOLDER OF A MASTER NATURAL GAS FITTERS
11 LICENSE WHO ACTIVELY DIRECTS, CONTROLS, AND IS RESPONSIBLE FOR ALL
12 NATURAL GAS SERVICES; AND

13 (II) OTHERWISE PROVIDES NATURAL GAS SERVICES IN
14 ACCORDANCE WITH THIS TITLE.

15 12-403.

16 (a) (1) Before a master plumber or holder of a limited master plumber
17 license may provide plumbing services through a person who engages in the business
18 of providing plumbing services under this subtitle, [or] a holder of a propane gas
19 fitter certificate may provide propane gas services through a person who engages in
20 the business of providing propane gas services under this subtitle, OR A *MASTER*
21 *PLUMBER OR A* HOLDER OF A MASTER NATURAL GAS FITTERS LICENSE MAY
22 PROVIDE NATURAL GAS SERVICES THROUGH A PERSON WHO ENGAGES IN THE
23 BUSINESS OF PROVIDING NATURAL GAS SERVICES UNDER THIS SUBTITLE, the
24 master plumber, holder of a limited master plumber license [or], holder of a propane
25 gas fitter certificate, OR HOLDER OF A MASTER NATURAL GAS FITTERS LICENSE shall
26 submit to the Board a notice stating the intent of the master plumber, holder of a
27 limited master plumber license, [or] holder of a propane gas fitter CERTIFICATE, OR
28 HOLDER OF A MASTER NATURAL GAS FITTERS LICENSE to do so.

29 (2) The notice shall include:

30 (i) the name of the master plumber, holder of a limited master
31 plumber license, [or] holder of a propane gas fitter certificate, OR HOLDER OF A
32 MASTER NATURAL GAS FITTERS LICENSE submitting the notice;

33 (ii) a statement that the named individual has been designated as
34 the master plumber, holder of a limited master plumber license, [or] holder of a
35 propane gas fitter certificate, OR HOLDER OF A MASTER NATURAL GAS FITTERS
36 LICENSE of the person;

37 (iii) the address of the principal place of business of the person;

1 (iv) any trade or fictitious name that the person intends to use
2 while conducting the business of the person;

3 (v) the name of the person who carries insurance as required under
4 § 12-501 of this title; and

5 (vi) any other information that the Board requires by regulation.

6 (b) The Board may set by regulation procedures for keeping current
7 information about any person through whom plumbing services are provided.

8 12-501.

9 (a) A master plumber or holder of a limited master plumber license may not
10 contract to provide plumbing services on behalf of the master plumber, holder of a
11 limited master plumber license, or another person who engages in the business of
12 providing plumbing services unless the plumbing work of the master plumber or
13 holder of a limited master plumber license is covered by liability insurance, including
14 completed operations:

15 (1) for bodily injury in the amount of at least \$300,000; and

16 (2) for property damage in the amount of at least \$100,000.

17 (b) (1) The insurance required under this section may be bought:

18 (i) by a master plumber or holder of a limited master plumber
19 license; or

20 (ii) for a master plumber or holder of a limited master plumber
21 license, by the person who engages in the business of providing plumbing services and
22 employs the master plumber or holder of a limited master plumber license.

23 (2) The insurance requirement of this section is not met for work that a
24 master plumber or holder of a limited master plumber license does outside the scope
25 of employment for the person who carries the insurance.

26 (c) An apprentice plumber, journey plumber, or holder of a limited journey
27 plumber license need not obtain separate insurance while providing or assisting in
28 providing plumbing services within the scope of the license.

29 (d) (1) An applicant for a master plumber license or limited master plumber
30 license shall submit proof of the insurance required under this section to the Board
31 with the license application.

32 (2) The Board may not issue a master plumber license or limited master
33 plumber license to an applicant to whom the insurance requirements of this section
34 would apply unless the applicant submits proof of the insurance.

1 (e) Unless an applicant meets the insurance requirements of this section, the
2 Board may not renew the master plumber license or limited master plumber license of
3 the applicant to whom the insurance requirements of this section would apply.

4 (f) A master plumber or holder of a limited master plumber license shall give
5 the Board notice of the cancellation of insurance at least 10 days before the effective
6 date of the cancellation.

7 (g) If a county, municipal corporation, special taxing district, or other political
8 subdivision requires a master plumber, holder of a limited master plumber license, or
9 other person who engages in the business of providing plumbing services to execute a
10 surety bond under local plumbing requirements, the person may satisfy the bond
11 requirement by submitting proof of the insurance required under this section.

12 (h) The Board shall specify on the master plumber license or limited master
13 plumber license whether the master plumber or holder of the limited master plumber
14 license meets the insurance requirements of this section.

15 12-601.

16 (a) Except as otherwise provided in this title, a person may not provide,
17 attempt to provide, or offer to provide plumbing services unless licensed by the Board
18 to provide plumbing services.

19 (b) Except as otherwise provided in this title, a person may not assist, attempt
20 to assist, or offer to assist in providing plumbing services in the State unless licensed
21 by the Board to provide or assist in providing plumbing services.

22 (c) Except as otherwise provided in this title, a person may not provide,
23 attempt to provide, or offer to provide propane gas services unless licensed by the
24 Board to provide plumbing services or certified by the Board to provide propane gas
25 services.

26 (D) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, A PERSON MAY NOT
27 PROVIDE, ATTEMPT TO PROVIDE, OR OFFER TO PROVIDE NATURAL GAS SERVICES
28 UNLESS LICENSED BY THE BOARD TO PROVIDE PLUMBING SERVICES OR NATURAL
29 GAS SERVICES.

30 12-604.

31 Unless authorized under this title to provide plumbing services, a person may
32 not represent to the public, by use of a title, including "master plumber", "registered
33 plumber", "licensed master plumber", "holder of limited master plumber license",
34 "licensed journey plumber", "journey plumber", "holder of a limited journey plumber
35 license", [or] "holder of a propane gas fitter certificate", "HOLDER OF A MASTER
36 NATURAL GAS FITTERS LICENSE", ~~OR~~ "HOLDER OF A JOURNEYMAN NATURAL GAS
37 FITTERS LICENSE", OR "HOLDER OF AN APPRENTICE NATURAL GAS FITTERS
38 LICENSE", by description of services, methods, or procedures, or otherwise, that the
39 person is authorized to provide plumbing services in the State.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2000.