

HOUSE BILL 711

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By: **Delegate Barkley**

Introduced and read first time: February 5, 2016

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Plumbing – State Plumbing Code – Adoption of the International**
3 **Plumbing and Fuel Gas Codes**

4 FOR the purpose of requiring the State Board of Plumbing to adopt by regulation a certain
5 version of the International Plumbing Code and the International Fuel Gas Code as
6 the State Plumbing Code on or before a certain date; requiring the Board to adopt a
7 certain version of certain codes within a certain period of time after a certain date;
8 authorizing the Board to adopt regulations to amend the State Plumbing Code under
9 certain circumstances; defining certain terms; making stylistic changes; and
10 generally relating to the State Plumbing Code and the State Board of Plumbing.

11 BY repealing and reenacting, with amendments,
12 Article – Business Occupations and Professions
13 Section 12–101 and 12–205
14 Annotated Code of Maryland
15 (2010 Replacement Volume and 2015 Supplement)

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

18 **Article – Business Occupations and Professions**

19 12–101.

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

21 (b) “Apprentice natural gas fitter” means, unless the context requires otherwise,
22 an individual who is licensed by the Board to assist a master natural gas fitter in providing
23 natural gas services while:

24 (1) under the direction and control of the master natural gas fitter; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) in training to become a journeyman natural gas fitter.

2 (c) “Apprentice plumber” means, unless the context requires otherwise, an
3 individual who is licensed by the Board to assist a master plumber or a holder of a limited
4 master plumber license in providing plumbing services while:

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

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

8 (d) “Board” means the State Board of Plumbing.

9 (e) “Certified propane gas fitter” means an individual who has been certified by
10 the Board to provide propane gas services.

11 (f) “Gas” means natural gas, propane gas, or any other gas used for any purpose,
12 including residential, medical, commercial, or industrial purposes.

13 **(G) (1) “INTERNATIONAL FUEL GAS CODE” MEANS THE FIRST PRINTING**
14 **OF THE MOST RECENT EDITION OF THE INTERNATIONAL FUEL GAS CODE ISSUED**
15 **BY THE INTERNATIONAL CODE COUNCIL.**

16 **(2) “INTERNATIONAL FUEL GAS CODE” DOES NOT INCLUDE INTERIM**
17 **AMENDMENTS OR SUBSEQUENT PRINTINGS OF THE MOST RECENT EDITION OF THE**
18 **INTERNATIONAL FUEL GAS CODE.**

19 **(H) (1) “INTERNATIONAL PLUMBING CODE” MEANS THE FIRST PRINTING**
20 **OF THE MOST RECENT EDITION OF THE INTERNATIONAL PLUMBING CODE ISSUED**
21 **BY THE INTERNATIONAL CODE COUNCIL.**

22 **(2) “INTERNATIONAL PLUMBING CODE” DOES NOT INCLUDE**
23 **INTERIM AMENDMENTS OR SUBSEQUENT PRINTINGS OF THE MOST RECENT EDITION**
24 **OF THE INTERNATIONAL PLUMBING CODE.**

25 [(g)] (I) “Journey plumber” means, unless the context requires otherwise, an
26 individual who is licensed by the Board to provide plumbing services while under the
27 direction and control of a master plumber or holder of a limited master plumber license.

28 [(h)] (J) “Journeyman natural gas fitter” means, unless the context requires
29 otherwise, an individual who is licensed by the Board to provide natural gas services while
30 under the direction and control of a master natural gas fitters license.

31 [(h-1)] (K) “Lead-free” means:

- 1 (1) containing not more than 0.2% lead for solder and flux;
- 2 (2) except as provided in item (3) of this subsection, containing not more
3 than:
- 4 (i) 4% lead by dry weight for individual plumbing fittings and
5 fixtures; or
- 6 (ii) 8% lead by dry weight for individual pipes and pipe fittings;
- 7 (3) containing a percentage of lead for plumbing fittings and fixtures that
8 is in compliance with standards established under 42 U.S.C.A. § 300g-6(e) of the federal
9 Safe Drinking Water Act; and
- 10 (4) containing not more than a weighted average lead content of 0.25% for
11 the wetted surfaces of a pipe, pipe fitting, plumbing fitting, or fixture intended to dispense
12 water for human consumption through drinking or cooking.

13 **[(i)] (L)** (1) “License” means, unless the context requires otherwise, a license
14 issued by the Board to:

- 15 (i) provide plumbing services;
- 16 (ii) assist in providing plumbing services;
- 17 (iii) provide propane gas services; or
- 18 (iv) provide natural gas services.

19 (2) “License” includes, unless the context requires otherwise, each of the
20 following licenses:

- 21 (i) a master plumber license;
- 22 (ii) a journey plumber license;
- 23 (iii) an apprentice plumber license;
- 24 (iv) a limited license;
- 25 (v) a propane gas fitter certificate;
- 26 (vi) a master natural gas fitters license;
- 27 (vii) a journeyman natural gas fitters license; and

1 (viii) an apprentice natural gas fitters license.

2 **[(j)] (M)** (1) “Limited license” means a license issued by the Board as limited
3 by § 12–310 of this title to:

4 (i) provide plumbing services as a master plumber; or

5 (ii) provide plumbing services as a journey plumber.

6 (2) “Limited license” includes:

7 (i) a limited master plumber license; and

8 (ii) a limited journey plumber license.

9 **[(k)] (N)** “Master natural gas fitter” means, unless the context requires
10 otherwise, an individual who is licensed by the Board to provide natural gas services.

11 **[(l)] (O)** (1) “Master plumber” means, unless the context requires otherwise,
12 an individual who is licensed by the Board to provide plumbing services and natural gas
13 services.

14 (2) “Master plumber” includes a master plumber gas fitter.

15 **[(m)] (P)** (1) “Provide natural gas services” means the installation,
16 maintenance, extension, alteration, and removal of piping, gas-fired equipment,
17 appliances, or appurtenances in connection with a natural gas supply system downstream
18 of the gas utility point of delivery.

19 (2) “Provide natural gas services” does not include the installation,
20 maintenance, extension, alteration, or removal of any of the following with respect to the
21 plumbing water supply and drainage system:

22 (i) fixtures that require additional energy sources, including clothes
23 washers, dishwashers, food grinders, humidifiers, ice pumps, sterilizers, water coolers, and
24 water heaters; and

25 (ii) operational devices, including aerators, backflow preventers,
26 expansion tanks, filters, flow controls, heat exchangers, interceptors, meters, separators,
27 and relief valves.

28 **[(n)] (Q)** (1) “Provide plumbing services” means to install, maintain, extend,
29 alter, or remove piping, a plumbing fixture, a plumbing appliance, a plumbing
30 appurtenance, or other plumbing apparatus:

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

1 (ii) in connection with:

2 1. a public or private disposal system, sanitary drainage
3 facility, or storm drainage facility;

4 2. a venting system; or

5 3. a public or private water supply system.

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

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

13 (i) environmental control;

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

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

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

20 [(o)] (R) "Provide propane gas services" means to install, repair, service, and
21 replace propane gas piping, propane gas utilization equipment, and associated accessories.

22 [(p)] (S) "State Plumbing Code" means the regulations adopted by the Secretary,
23 as amended by the Board, to provide standards that:

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

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

27 [(q)] (T) "Weighted average lead content" means a calculation determined by:

28 (1) identifying each component of a pipe, pipe fitting, plumbing fitting, or
29 fixture that water flows through and comes into contact with during normal operation;

30 (2) identifying the percentage of lead content of each component of the pipe,
31 pipe fitting, plumbing fitting, or fixture;

1 (3) determining the wetted surface area of each component of the pipe, pipe
2 fitting, plumbing fitting, or fixture;

3 (4) determining the percent of total wetted surface area of the pipe, pipe
4 fitting, plumbing fitting, or fixture, represented in each component;

5 (5) calculating the contributing percent lead for each component that
6 comes into contact with water by multiplying the percentage of lead content of the
7 component by the percent of total wetted surface area represented by the component; and

8 (6) calculating the sum of each contributing percent lead value determined
9 for each component under item (5) of this subsection.

10 12–205.

11 [(a) The Board may adopt regulations to amend the State Plumbing Code.]

12 (A) (1) ON OR BEFORE JULY 1, 2017, THE BOARD SHALL, BY
13 REGULATION, ADOPT AS THE STATE PLUMBING CODE THE 2015 INTERNATIONAL
14 PLUMBING CODE AND THE 2015 INTERNATIONAL FUEL GAS CODE, WITH
15 MODIFICATIONS INCORPORATED BY THE BOARD UNDER PARAGRAPH (3) OF THIS
16 SUBSECTION AND SUBSECTIONS (B) AND (C)(2) OF THIS SECTION.

17 (2) AFTER JULY 1, 2017, THE BOARD SHALL ADOPT EACH
18 SUBSEQUENT VERSION OF THE INTERNATIONAL PLUMBING CODE AND THE
19 INTERNATIONAL FUEL GAS CODE WITHIN 18 MONTHS AFTER IT IS ISSUED.

20 (3) THE BOARD MAY ADOPT REGULATIONS TO AMEND LIMITED
21 SECTIONS OF THE STATE PLUMBING CODE IF THE PLUMBING INDUSTRY PRESENTS
22 INFORMATION TO THE BOARD REGARDING BETTER AND SAFER PLUMBING
23 MATERIALS AND INSTALLATION PRACTICES.

24 (b) (1) The Board may adopt, as part of the State Plumbing Code, regulations
25 to carry out the purposes of and to enforce §§ 12–605 and 12–606 of this title.

26 (2) The Board may adopt standards of the American National Standards
27 Institute or any other nationally recognized organization.

28 (3) The Board shall adopt, as part of the State Plumbing Code, regulations
29 to carry out the purposes of and to enforce §§ 12–605.1 and 12–605.2 of this title.

30 (c) (1) At least once a year, the Board shall review:

31 (i) new and existing standards of the American National Standards
32 Institute and any other organization listed in the State Plumbing Code or the Model

1 Performance Building Code for water conserving appliances, devices, fittings, and fixtures;
2 and

3 (ii) the availability and cost of water conserving appliances, devices,
4 fittings, and fixtures that conform to the standards.

5 (2) If the Board finds that a water conserving appliance, device, fitting, or
6 fixture that conforms to the standards of the American National Standards Institute or any
7 other organization listed in the State Plumbing Code or the Model Performance Building
8 Code is readily available at reasonable cost, the Board shall amend the State Plumbing
9 Code to:

10 (i) incorporate the standards for and require use of the water
11 conserving appliance, device, fitting, or fixture; and

12 (ii) require the use of a water supply system and a drainage and
13 venting system that are designed based on the hydraulic requirements of the required
14 water conserving appliances, devices, fittings, and fixtures.

15 (3) Notwithstanding the availability and cost of the appliance, device,
16 fitting, or fixture, the Board may allow, under the State Plumbing Code, the installation of
17 a water conserving appliance, device, fitting, or fixture that meets the standards of the
18 American National Standards Institute or any other organization listed in the State
19 Plumbing Code or the Model Performance Building Code, subject to the use of a water
20 supply system and a venting and drainage system design based on the hydraulic
21 requirements of the appliance, device, fitting, or fixture.

22 (4) On or before July 1 of each year and subject to § 2-1246 of the State
23 Government Article, the Board shall submit to the General Assembly a written report on
24 the implementation of this subsection, including the results of the review conducted under
25 this subsection.

26 (d) The Board shall:

27 (1) periodically publish an updated version of the State Plumbing Code;
28 and

29 (2) make available on request of any person a copy of the State Plumbing
30 Code for a reasonable fee.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2016.