

PUBLIC PROTECTION CABINET
Department of Housing, Buildings and Construction
Division of Plumbing
(Amendment)

815 KAR 20:030. Plumbing licenses.

RELATES TO: KRS 318.010, 318.020, 318.030, 318.040, 318.050, 318.054, 318.060, 318.080

STATUTORY AUTHORITY: KRS 198B.040(10), 318.040(1)(d), (2), (3), 318.050, 318.054(3), 318.130

NECESSITY, FUNCTION, AND CONFORMITY: KRS 318.130 requires the Department of Housing, Buildings and Construction to promulgate and amend the Kentucky State Plumbing Code to regulate plumbing. KRS 318.040(1)(d) authorizes the commissioner to promulgate administrative regulations establishing qualifications for a master plumber's license and a journeyman plumber's license. KRS 318.040(2) and (3) require the department to establish examination requirements and procedures. KRS 318.050 requires the department to establish reasonable application fees for licensure as a master plumber or journeyman plumber. KRS 318.054(3) requires the department to establish reasonable renewal fees for master plumbers and journeyman plumbers. This administrative regulation establishes the application, examination, and renewal requirements for master plumbers and journeyman plumbers.

Section 1. Examinations.

(1) Examination applications.

(a) All examination applicants for any plumber's license shall submit to the department:

1. A completed Plumbing Examination Registration Form, Form PLB-3;
2. The appropriate non-refundable examination fee:
 - a. For a master plumber, \$150; or
 - b. For a journeyman plumber, fifty (50) dollars; and
3. A passport-sized color photograph of the applicant taken within the past six (6) months.

(b) If an applicant fails to successfully complete the appropriate examination within one (1) year from the date of the first notice of examination, the application shall be void.

(2) Examination design.

(a) The State Plumbing Examining Committee shall design the examination requirements.

(b) All examinations shall include:

1. Written questions pertaining to basic principles of plumbing, KRS Chapter 318, 815 KAR Chapter 2, and 815 KAR Chapter 20; and
2. Inserting the proper pipe size on a prepared drawing that indicates all stacks, wastes, and vents and the connected plumbing fixtures.
 - a. The proper sizing of main stacks shall be given more importance than other piping.
 - b. Deductions shall be required for oversized piping and for undersized piping.
3. The journeyman plumber's license examination shall include a practical section in which the applicant shall demonstrate the ability to properly install plumbing by engaging in certain activities, such as making proper connections of various plumbing materials.

- a. An applicant for a journeyman plumber's license examination shall furnish the plumbing materials required for the practical examination.
 - b. The department shall notify the applicant at least one (1) week prior to the date of examination as to what plumbing materials are needed.
4. The examination requirements shall be more complex for the master plumber's license examination than the journeyman plumber's license examination.
- (3) Examination schedule.
- (a) Regular examination of applicants for a master plumber's license or a journeyman plumber's license shall be conducted yearly during the months of February, May, August, and November.
 - (b) A special examination may be conducted during other times of a year as the department directs.
 - (c) Notice of the time and place of examination shall be given by the department at least one (1) week prior to the date of examination to each person who has a registration form on file, approved in accordance with subsection (1) of this section.
- (4) Examination retakes. Within one (1) year from the date of the applicant's first notice of examination:
- (a) An applicant who fails to attend or successfully complete an examination for which he has been scheduled may request to reschedule or retake the examination. Except for the examination fee, an applicant shall not resubmit the requirements in subsection 1 of this section.
 - (b) An applicant for a journeyman plumber's license who passes the written portion, the drawing portion, or the practical portion of the examination, but not all portions, may apply to retake only the portion failed.
 - (c) An applicant for a journeyman plumber's license who failed to achieve a passing score on the retaken portion of the examination may apply to retake the failed portion of the examination.
 - (d) An applicant shall pay the full examination fee for a retake of any portion of the examination.
- (5) A passing score on an examination shall be valid for three (3) years.

Section 2. Master Plumber License Application. To qualify for licensure as a master plumber, an applicant shall:

- (1)
 - (a) Have held a valid journeyman plumber's license for a minimum of two (2) years within the past five (5) years immediately preceding application and be actively employed in plumbing under the supervision of a licensed master plumber for a minimum of two (2) years;
 - (b) Hold an engineer license in Kentucky and be sufficiently experienced in mechanical engineering, as determined by the department based upon the number and complexity of the applicant's past mechanical engineer projects;
 - (c) Hold a valid plumbing license issued by another state for a minimum of two (2) years within the past five (5) years immediately preceding application; or
 - (d) Have been engaged in the practice of plumbing in another state that does not issue a plumbing license, in a capacity equivalent to a master plumber, for a minimum of four (4) consecutive years immediately preceding application.
- (2) Master plumber license application.
 - (a) An applicant for a master plumber license shall submit to the department:
 1. A completed Application for License as a Master Plumber, Form PLB-1;
 2. Proof of successfully completing the Kentucky master plumber examination with a passing score of a minimum of eighty (80) percent obtained for each portion of the examination; and

3. A license fee of \$250.

(b) A master plumbing license applicant applying with experience under subsection (1) (c) or (d) of this section shall submit proof of successfully completing the journeyman plumber examination pursuant to Section 3(2)(b) of this administrative regulation.

(3) The initial license fee for a master plumber may be prorated for not less than seven (7) months or more than eighteen (18) months and shall expire on the final day of the applicant's birth month.

Section 3. Journeyman Plumber License Application. To qualify for licensure as a journeyman plumber, an applicant shall:

(1)

(a) Have At least two (2) consecutive years of experience as an apprentice plumber; or
(b) Complete a department approved course that includes content on the practice of plumbing or the Kentucky State Plumbing Code and at least one (1) year of experience as an apprentice plumber.

(2) Journeyman plumber license application. An applicant for a journeyman plumber license shall submit to the department:

(a) A completed Application for License as a Journeyman Plumber, Form PLB-2;
(b) Proof of successfully completing the Kentucky journeyman plumber examination with a passing score of a minimum of seventy-five (75) percent obtained for each portion of the examination; and
(c) A license fee of sixty (60) dollars.

(3) The initial license fee for a journeyman plumber may be prorated for not less than seven (7) months or more than eighteen (18) months and shall expire on the final day of the applicant's birth month.

Section 4. License Renewals.

(1) Filing for renewal. A master plumber and a journeyman plumber shall submit to the department:

(a) The applicable renewal fee made payable to the Kentucky State Treasurer of:
1. \$250 for a master plumber; or
2. Sixty (60) dollars for a journeyman plumber;
(b) Proof of completing the continuing education requirements established in 815 KAR 2:010; ~~and~~
(c) Proof of insurance as required by KRS 318.030 for a master plumber; ~~and~~;
(d) A completed Form DHBC L-1, Licensing Renewal Application.

(2) Inactive status.

(a) To place a plumbing license in inactive status:

1. A master plumber shall pay an initial inactive fee of \$125.
2. A journeyman plumber shall pay an initial inactive fee of thirty (30) dollars.

(b)

1. An inactive master plumber shall not secure a plumbing permit, advertise, represent himself as a qualified master plumber, or otherwise engage in the work of a master plumber.

2. An inactive journeyman plumber shall not represent himself as a qualified journeyman plumber or otherwise engage in the work of a journeyman plumber.

(c) To reactivate a plumbing license, the inactive licensed plumber shall complete all renewal requirements of subsection (1) of this section and pay the appropriate reactivation fee:

1. \$125 for a master plumber; or
2. Thirty (30) dollars for a journeyman plumber.

Section 5. Change of information.

- (1) A licensee shall notify the department of any change to the name or address of the business or employer.
- (2) Death of a master plumber.
 - (a) If the master plumber representing a company dies, the company shall notify the department within ten (10) days of the master plumber's death.
 - (b) The 180 day interim period established in KRS 318.054 shall begin on the date the master plumber dies.
 - (c) The company shall not be required to renew the deceased's master plumber license, if the license renewal date falls within the 180 day interim period.
 - (d) The company shall not use the deceased master plumber's license after the expiration date of the interim period.
 - (e) The company shall notify the department when the company has a replacement master plumber to represent the company.

Section 6. Incorporation by Reference.

- (1) The following material is incorporated by reference:
 - (a) "Application for License as a Master Plumber", Form PLB-1, April 2023~~[October 2019]~~;
 - (b) "Application for License as a Journeyman Plumber", Form PLB-2, April 2023~~[October 2019]~~; ~~[and]~~
 - (c) "Plumbing Examination Registration Form, Form PLB-3, October 2019; ~~and~~[-]
 - (d) "Licensing Renewal Application", Form DHBC L-1, April 2023.
 - (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Housing, Buildings and Construction, Division of Plumbing, 500 Mero Street, Frankfort, Kentucky 40601-5412, Monday through Friday, 8 a.m. to 4:30 p.m. and is available online at <http://dhbc.ky.gov>.
- (1 Ky.R. 756; 1348; eff. 6-11-1978; 2 Ky.R. 448; eff. 4-14-1976; 3 Ky.R. 237; eff. 11-3-1976; Recodified from 401 KAR 1:015, 7-5-1978; 7 Ky.R. 844; eff. 4-15-1982; 12 Ky.R. 1899; eff. 7-2-1986; 13 Ky.R. 956; eff. 12-2-1986; 17 Ky.R. 2878; eff. 5-3-1991; 3521; 18 Ky.R. 283; eff. 7-30-1991; 3037; 5-28-1992; 21 Ky.R. 1388; eff. 1-9-1995; 25 Ky.R. 2467; 2902; eff. 5-26-1999; 27 Ky.R. 3374; eff. 8-15-2001; 32 Ky.R. 2361; 33 Ky.R. 403; eff. 8-10-2006; 34 Ky.R.1237; 1747; eff. 2-1-2008; 37 Ky.R. 2757; 38 Ky.R. 20; eff. 8-5-2011; 41 Ky.R. 1199; 1795; eff. 3-6-2015; 45 Ky.R. 808; 1544; eff. 1-4-2019; 46 Ky.R. 1648, 2418; eff. 6-2-2020; 49 Ky.R. 2148; eff. 12-5-2023.)

RAY A. PERRY, Secretary

RICK W. RAND, Commissioner

APPROVED BY AGENCY: April 12, 2023

FILED WITH LRC: April 13, 2023 at 3:30 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on June 27, 2023 at 10:00 a.m., eastern time, in the Department of Housing, Buildings and Construction, 500 Mero Street, First Floor, Frankfort, Kentucky 40601. Individuals interest in being heard at this hearing shall notify this agency in writing by five working days prior to the hearing of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. The hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through June 30, 2023 at 11:59 p.m., eastern time. Send written notification of the intent to be head at the

public hearing or written comments on the proposed administrative regulation by the above date to the contact person below:

CONTACT PERSON: Molly B. Cassady, General Counsel, Department of Housing, Buildings and Construction, Mero St., Kentucky 40601, phone 502-782-5448, fax 502-573-1057; email molly.cassady@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Molly B. Cassady

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation establishes the application, examination, and renewal requirements for master plumbers and journeyman plumbers.

(b) The necessity of this administrative regulation:

KRS 318.130 requires the Department of Housing, Buildings and Construction to promulgate and amend the Kentucky State Plumbing Code to regulate plumbing. KRS 318.040(1)(d) authorizes the commissioner to promulgate administrative regulations establishing qualifications for a master plumber's license and a journeyman plumber's license. KRS 318.040(2) and (3) require the department to establish examination requirements and procedures. KRS 318.050 requires the department to establish reasonable application fees for licensure as a master plumber or journeyman plumber. KRS 318.054(3) requires the department to establish reasonable renewal fees for master plumbers and journeyman plumbers.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

KRS 318.130 requires the Department of Housing, Buildings and Construction to promulgate and amend the Kentucky State Plumbing Code to regulate plumbing. KRS 318.040(1)(d) authorizes the commissioner to promulgate administrative regulations establishing qualifications for a master plumber's license and a journeyman plumber's license. KRS 318.040(2) and (3) require the department to establish examination requirements and procedures. KRS 318.050 requires the department to establish reasonable application fees for licensure as a master plumber or journeyman plumber. KRS 318.054(3) requires the department to establish reasonable renewal fees for master plumbers and journeyman plumbers. This administrative regulation establishes the application, examination, and renewal requirements for master plumbers and journeyman plumbers.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

This administrative regulation establishes the application, examination, and renewal requirements for master plumbers and journeyman plumbers, as required by KRS 318.040(1)(d), (2), (3); 318.050; and 318.054(3).

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

This amendment amends two forms by removing logos, adding fee charts, and asking the applicant to provide their birth date instead of birth month. This amendment also creates a form, incorporated by reference, that is required for renewal.

(b) The necessity of the amendment to this administrative regulation:

This amendment is necessary to update forms and assist in streamlining the application and renewal process for plumbing licensees.

(c) How the amendment conforms to the content of the authorizing statutes:

KRS 318.130 requires the Department of Housing, Buildings and Construction to promulgate and amend the Kentucky State Plumbing Code to regulate plumbing. KRS 318.040(1)(d) authorizes the commissioner to promulgate administrative regulations establishing qualifications for a master plumber's license and a journeyman plumber's license. KRS 318.040(2) and (3) require the department to establish examination requirements and procedures. KRS 318.050 requires the department to establish reasonable application fees for licensure as a master plumber or journeyman plumber. KRS 318.054(3) requires the department to establish reasonable renewal fees for master plumbers and journeyman plumbers.

(d) How the amendment will assist in the effective administration of the statutes:

This amendment is necessary to update forms and assist in streamlining the application and renewal process for plumbing licensees.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

Any plumbing applicant or licensee and the Department of Housing, Buildings and Construction.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:

Applicants and licensees will need to complete the updated forms.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

This amendment does not establish or increase a fee.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

The plumbing license application and renewal process shall be streamlined.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

This amendment will not result in additional cost to the agency initially.

(b) On a continuing basis:

This amendment will not result in additional cost to the agency on a continuing basis.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

Any costs associated with the implementation and enforcement of this administrative regulation will be met with existing agency funds.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

Any costs associated with the implementation and enforcement of this administrative regulation will be met with existing agency funds.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

This amendment does not establish or increase any fees.

(9) TIERING: Is tiering applied?

Tiering is not applied as all regulated entities are subject to the same amended requirements.

FISCAL NOTE

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation?

The Department of Housing, Buildings and Construction, Division of Plumbing and Licensing Branch.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.

KRS 318.130 requires the Department of Housing, Buildings and Construction to promulgate and amend the Kentucky State Plumbing Code to regulate plumbing. KRS 318.040(1)(d) authorizes the commissioner to promulgate administrative regulations establishing qualifications for a master plumber's license and a journeyman plumber's license. KRS 318.040(2) and (3) require the department to establish examination requirements and procedures. KRS 318.050 requires the department to establish reasonable application fees for licensure as a master plumber or journeyman plumber. KRS 318.054(3) requires the department to establish reasonable renewal fees for master plumbers and journeyman plumbers.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?

These amendments are not anticipated to generate additional revenue for the state or local government for the first year.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years?

These amendments are not anticipated to generate additional revenue for the state of local government for subsequent years.

(c) How much will it cost to administer this program for the first year?

There are no anticipated additional costs to administer these regulatory amendments for the first year.

(d) How much will it cost to administer this program for subsequent years?

There are no anticipated additional costs to administer these regulatory amendments for subsequent years.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):Neutral

Expenditures (+/-):Neutral

Other Explanation:

None

(4) Estimate the effect of this administrative regulation on the expenditures and cost savings of regulated entities for the first full year the administrative regulation is to

be in effect.

(a) How much cost savings will this administrative regulation generate for the regulated entities for the first year?

There are no anticipated cost savings associated with this administrative regulation for the first year.

(b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years?

There are no anticipated cost savings associated with this administrative regulation for subsequent years.

(c) How much will it cost the regulated entities for the first year?

There are no anticipated costs to the regulated entities for the first year.

(d) How much will it cost the regulated entities for subsequent years?

There are no anticipated costs to the regulated entities for subsequent years.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Cost Savings (+/-):Neutral

Expenditures (+/-):Neutral

Other Explanation:

None.

(5) Explain whether this administrative regulation will have a major economic impact, as defined below.

"Major economic impact" means an overall negative or adverse economic impact from an administrative regulation of five hundred thousand dollars (\$500,000) or more on state or local government or regulated entities, in aggregate, as determined by the promulgating administrative bodies. [KRS 13A.010(13)] This administrative regulation will not have a major economic impact, as defined above.