

2021 Regular Session

HOUSE BILL NO. 471

BY REPRESENTATIVE MACK

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PLUMBERS: Provides relative to the regulation of plumbers and gas fitters

1 AN ACT

2 To amend and reenact R.S. 37:1361(A), (B), (F)(1)(a) and (c), 1362, 1366, 1367(A) and (J),

3 1368(A), (B)(1), and (J), 1369, 1371(A)(1) and (B)(1)(b), 1372, 1373(A), 1377(A),

4 (B), (C), (D)(introductory paragraph) and (9), (E) through (J), and (K)(introductory

5 paragraph), 1378(A)(3), (6), and (8), and 1380(B), to enact R.S. 37:1368(K), and to

6 repeal R.S. 37:1379, relative to the regulation of plumbers and gas fitters; to provide

7 for the purposes of the state plumbing board; to provide for membership and

8 appointments; to provide for the term of office; to remove the tradesman plumber

9 license from the regulatory structure; to allow a journeyman plumber to engage in

10 gas fitting; to abolish the advisory committee; to provide for the accrual of

11 continuing professional development credits; to remove the requirements relative to

12 the registry of apprentices; to provide for training programs, to provide for the

13 supervision of apprentices; to provide requirements for licensure; to allow for the

14 issuance of up to three temporary working permits; to remove the authority of the

15 board to charge a registration fee for apprentice plumbers; to require a relevant

16 license for special enforcement officers; to include gas fitters in the revocation

17 provisions relative to a journeyman plumber; to require employing entities to

18 maintain a minimum level of insurance coverage; to remove an exception to the

19 insurance requirement; to make technical changes; and to provide for related matters.

20 Be it enacted by the Legislature of Louisiana:

1 Section 1. R.S. 37:1361(A), (B), (F)(1)(a) and (c), 1362, 1366(A), (B), (C), (F), (I),
2 and (K), 1367(A) and (J), 1368(A), (B)(1), and (J), 1369, 1371(A)(1) and (B)(1)(b), 1372,
3 1373(A), 1377(A), (B), (C), (D)(introductory paragraph) and (9), (E) through (J), and
4 (K)(introductory paragraph), 1378(A)(3), (6), and (8), and 1380(B) are hereby amended and
5 reenacted and R.S. 37:1368(K) is hereby enacted to read as follows:

6 §1361. State Plumbing Board, appointments; qualifications; legislative intent;
7 authority

8 A. The purpose of the legislature in enacting this Chapter is the protection
9 of the health, safety, environment, and general welfare of all those persons who use
10 and rely upon plumbing, natural gas, and medical gas and vacuum systems for their
11 personal or commercial needs, and the affording to ~~such~~ these persons of an effective
12 and practical protection against incompetent, inexperienced, or unlawful acts by
13 persons who perform plumbing, natural gas, and medical gas and vacuum systems
14 work. Further, the legislative intent is that the State Plumbing Board shall be the
15 sole and exclusive agency in this state empowered to license natural persons and
16 regulated business entities engaged or seeking to engage in the business of plumbing,
17 natural gas, and medical gas and vacuum systems installation and verification and
18 to ensure compliance with the licensing requirements of this Chapter. Nothing
19 herein shall preclude any current authority of the State Licensing Board for
20 Contractors.

21 ~~B. The State Plumbing Board is created. The board, which shall be appointed~~
22 ~~by the governor, shall consist of one registered engineer, one plumbing inspector,~~
23 ~~three master plumbers, three journeyman plumbers, and one tradesman plumber.~~
24 ~~Each appointment shall be made from a list of three names for each appointment~~
25 ~~submitted by the following:~~

26 ~~(1) The registered engineer and the plumbing inspector by the president of~~
27 ~~the Louisiana State Board of Health.~~

28 ~~(2) Master plumbers by the Louisiana Association of Plumbing, Heating and~~
29 ~~Cooling Contractors or its successors.~~

1 ~~(3) Journeymen plumbers by the Louisiana Pipe Trades Association or its~~
2 ~~successor.~~

3 ~~(4) The tradesman plumber by the executive director of the State Plumbing~~
4 ~~Board of Louisiana.~~

5 The State Plumbing Board is created and shall consist of eight members. The
6 board, which shall be appointed by the governor, shall consist of one registered
7 mechanical engineer, one plumbing inspector, one consumer advocate, and five
8 active master plumbers. Each appointment shall be made in accordance with the
9 following:

10 (1) The Louisiana State Board of Health, or its successor, shall submit three
11 names for the appointment of one Louisiana registered mechanical engineer.

12 (2) The Building Officials Association of Louisiana, or its successor, shall
13 submit three names for the appointment of one plumbing inspector.

14 (3) The Louisiana Associated General Contractors, or its successor, shall
15 submit three names for the appointment of one consumer advocate.

16 (4) The Louisiana Pipe Trades, or its successor, shall submit three names for
17 the appointment of one active master plumber.

18 (5) The Plumbing-Heating-Cooling Contractors of Louisiana, or its
19 successor, shall submit three names for each of the four appointments of active non-
20 united association master plumbers. Three of these master plumber appointees shall
21 perform at least fifty percent of their work in the plumbing construction industry and
22 one of the master plumber appointees shall perform at least fifty percent of his work
23 in the plumbing repair industry.

24 * * *

25 F.(1)(a) The board shall be the sole and exclusive agency in this state
26 empowered to license any natural person or regulated business entity who is engaged
27 or who seeks to engage in the business of plumbing or gas fitting work for the
28 general public that includes installation, repair, improvement, alterations, or removal
29 of natural gas piping, tanks, and appliances annexed to real property.

30 * * *

1 (c) The board is authorized to promulgate rules and regulations related to
2 plumbing and gas fitting, and those rules and regulations shall preempt any
3 conflicting local laws.

4 * * *

5 §1362. Term of office

6 The members of the board shall serve for ~~six years, provided, however, that~~
7 ~~initially three appointees shall serve for two years, three appointees shall serve for~~
8 ~~four years, and two appointees shall serve for six years or until their successors are~~
9 ~~appointed by the governor~~ not more than two four-year terms.

10 * * *

11 §1366. Duties of the board

12 A.(1) ~~The board shall adopt tests of qualification to be possessed by any~~
13 ~~persons actually engaged in the repair of existing plumbing in one- and two-family~~
14 ~~dwelling and see that any person engaged in the duties of a tradesman plumber shall~~
15 ~~possess a tradesman plumber limited license.~~

16 ~~(2)~~ The board shall adopt tests of qualification to be possessed by any
17 persons actually engaged in plumbing installation or plumbing work of any
18 character, and see that any person engaged in the duties of a journeyman plumber
19 shall possess a journeyman ~~plumber's~~ plumber license.

20 (2) A journeyman plumber shall be allowed to engage in the work of gas
21 fitting with a journeyman plumber license issued by the board.

22 B.(1) The board shall adopt tests of qualification to be possessed by any
23 persons actually engaged in the art and business of a master plumber, and shall
24 require any person engaged in the duties of a master plumber to possess a master
25 ~~plumber's~~ plumber license.

26 (2) A master plumber shall be allowed to engage in the work of a master gas
27 fitter with a master plumber license.

28 C. The board shall recognize the system of qualification or registration of
29 apprentices as administered by joint and nonjoint apprenticeship committees

1 approved by the state of Louisiana. ~~However, the board may accept an affidavit~~
2 ~~from an individual certifying his work experience in the field of plumbing~~ The board
3 shall accept payroll records, W2 forms, or an affidavit from an individual certifying
4 his work experience in the field of plumbing, and such that individual may shall be
5 certified as a journeyman plumber and gas fitter provided he passes the written
6 examination and pays the fees established by the board under R.S. 37:1368(B).

7 D. Plumbing. "Plumbing" is the work or business of installing in buildings
8 and on premises the pipes, fixtures, and other apparatus for supplying water, or
9 removing liquid waste and/or water-borne waste, and fixtures, vessels and process
10 piping that is in direct contact with products for human consumption. The term is
11 also used to designate the installed fixtures, drainage fixtures and water distribution
12 systems of buildings or premises. For purposes of this Chapter the definition of
13 plumbing given above will not include:

14 (1) Water used in manufacturing establishments for processing products that
15 are not for human consumption.

16 (2) Drilling of water wells.

17 (3) Community water supply distribution system or systems.

18 (4) Community sewage collection or treating system or systems.

19 (5) Fixtures, vessels or piping used by manufacturing establishments for
20 removal of any waste other than human, vegetable or animal waste.

21 (6) All piping used for heating or cooling where it is not directly connected
22 with a potable water supply system.

23 (7) All piping used for conveying oil, gas or other hydrocarbons.

24 (8) Work done by an individual on his own personal residence.

25 (9) Work done by an owner, management company, its agents, employees,
26 or assigns for maintenance work to be carried out upon the owner's property, as such
27 maintenance work is defined by rules of the State Plumbing Board. Such
28 maintenance work shall specifically not include construction or installation.

1 E. Exceptions. Provided, however, anything herein to the contrary
2 notwithstanding, the term "plumbing" shall not include pipes, fixtures, and other
3 apparatus of any nature whatsoever used in manufacturing plants, or used in the
4 exploration for, production of, or transportation of oil, gas, or other minerals,
5 whether before, during, or after installation.

6 F. No special meeting shall be called without notifying each board member
7 ~~and each member of the advisory committee~~ in writing ten days in advance.

8 G. Water supply protection. "Water supply protection" is the work or
9 business of installing, repairing, or maintaining backflow prevention devices hooked
10 directly to a drinking water supply system and located on the property of the entity
11 owning the water supply system and associated with "plumbing" as that term is
12 defined in this Section.

13 H. Medical gas and vacuum systems verifier. A "medical gas and vacuum
14 systems verifier" is a natural person who possesses the necessary qualifications and
15 knowledge to test and verify the operation of medical gas and vacuum pipeline
16 systems, subject to the professional qualifications standard established by the
17 American Society of Sanitary Engineering Series 6000, Standard No. 6030, and who
18 is licensed as such by the board.

19 I. The board may establish and determine by rule minimum requirements
20 relative to continuing professional development for the renewal or reinstatement of
21 any license or special endorsement issued by the board. The board shall allow
22 plumbers and gas fitters to accrue continuing professional development credits in
23 increments of one hour or greater throughout the year. The board shall allow
24 plumbers and gas fitters to accrue continuing professional development credits by
25 attending classes in person, taking classes online, or through correspondence with
26 certified instructors.

27 J. Master gas fitter. A "master gas fitter" includes any natural person who
28 possesses the necessary skills, abilities, proficiency, and qualifications to plan and
29 lay out the details for installing and supervising the work of installing, repairing, and

1 maintaining types of materials and equipment used for the construction, repair,
2 removal, or improvement to natural gas piping systems and tanks annexed to real
3 property but does not include any person who is licensed by the Louisiana Liquefied
4 Petroleum Gas Commission or any services or work performed pursuant to such a
5 license.

6 ~~K. Not later than January 1, 2017, the board shall establish and maintain a~~
7 ~~registry of all apprentice plumbers employed in Louisiana and shall issue a~~
8 ~~certificate to all registrants.~~

9 ~~E. K.~~ The board shall assist the ~~Board of Supervisors of Community and~~
10 ~~Technical Colleges~~ board of supervisors of community colleges, technical colleges,
11 and high schools in developing ~~training, program, training programs~~ and course
12 requirements that will prepare individuals to meet the qualifications established by
13 the board for a ~~tradesman plumber~~ journeyman plumber and gas fitter limited
14 license.

15 §1367. License required; ~~tradesman,~~ journeyman plumber and gas fitter; and master
16 plumber; master gas fitter; medical gas piping installer; medical gas and
17 vacuum systems verifier; water supply protection specialist endorsement; ~~gas~~
18 ~~fitter and master gas fitter~~; local examination preempted

19 A.(1) ~~No natural person shall engage in doing the work of a tradesman~~
20 ~~plumber unless he possesses a tradesman plumber limited license or renewal thereof~~
21 ~~issued by the board. At the direction of a master plumber, a tradesman plumber may~~
22 ~~independently repair existing plumbing in one- and two-family dwellings, without~~
23 ~~the supervision of a journeyman plumber.~~

24 (2) No natural person shall engage in doing the work of a journeyman
25 plumber and gas fitter unless he possesses a license or renewal thereof issued by the
26 board.

27 (2) A journeyman plumber may engage in the art of plumbing only when he
28 is under the supervision of a master plumber licensed by this board. ~~Notwithstanding~~

1 ~~any other provision to the contrary, a journeyman plumber may repair existing~~
2 ~~plumbing independently and without the supervision of a master plumber.~~

3 (3) Apprentices or helpers may engage in the art of plumbing only when they
4 are under the direct constant, on-the-job supervision of a licensed journeyman
5 plumber. Direct, constant on-the-job supervision means that a licensed journeyman
6 plumber will supervise apprentices as governed by the Louisiana Workforce
7 Commission is physically present at the property or jobsite where the apprentice or
8 helper is engaged in plumbing. A licensed journeyman plumber may supervise up
9 to three apprentices or helpers, who are engaged in plumbing, at a time. An
10 apprentice or helper doing work other than plumbing shall not be considered an
11 apprentice or helper for purposes of supervision.

12 * * *

13 J.(1) No person shall engage in performing the work of a gas fitter or master
14 gas fitter unless he possesses a license or renewal thereof issued by the board.

15 (2) Apprentices or helpers may engage in the art of gas fitting only when
16 they are under the direct, constant, on-the-job supervision of a licensed gas fitter.
17 Direct, constant, on-the-job supervision means that a gas fitter is physically present
18 at the property or jobsite where the apprentice or helper is engaged in gas fitting. A
19 licensed gas fitter may supervise up to three apprentices or helpers who are engaged
20 in gas fitting at a time. An apprentice or helper who is doing work other than gas
21 fitting shall not be considered an apprentice for purposes of supervision.

22 ~~(2)~~ (3) The provisions of this Subsection shall not apply to work performed
23 by persons on their own residences.

24 §1368. Issuance of ~~tradesman, journeyman, journeyman plumber and gas fitter~~
25 license; and master plumber's plumber license; medical gas piping and
26 installation license; medical gas and vacuum systems verifier license; water
27 supply protection specialist endorsement; exemption; gas fitter

28 A.(1) ~~The board shall issue a tradesman plumber limited license to any~~
29 ~~person who meets the following qualifications:~~

- 1 (a) ~~Has a current apprentice registration certificate issued by the board.~~
- 2 (b) ~~Has worked at least four thousand hours at the manual labor of plumbing~~
- 3 ~~under the direct, constant, on-the-job supervision of a journeyman or master plumber~~
- 4 ~~licensed by the board.~~
- 5 (c) ~~Has successfully completed any educational requirements established by~~
- 6 ~~the board.~~
- 7 (d) ~~Has passed any written or manual examination required by the board.~~
- 8 (e) ~~Has paid the fees established by the board.~~

9 (2) ~~The board shall issue a license to any person who qualifies under the~~

10 ~~state board's regulations and who desires to engage in doing the work of a~~

11 ~~journeyman plumber if he passes a written and manual journeyman plumber's~~

12 ~~examination given by the board and pays the fees established by the board.~~

13 The board shall issue a journeyman plumber and gas fitter license to any

14 person who qualifies under the state board's regulations, has paid the fees established

15 by the board, and meets any of the following qualifications:

- 16 (1) Has passed a written journeyman plumber's examination given by the
- 17 board or a certified third-party provider.
- 18 (2) Has completed at least eight thousand hours of on-the-job training.
- 19 (3) Has completed at least four thousand hours of on-the-job training and at
- 20 least two years of apprenticeship or technical training.

21 B.(1) The board shall issue a license to any licensed journeyman plumber or

22 ~~other person gas fitter~~ who has held a journeyman license for at least five years,

23 qualifies under the board's regulations, and who desires to engage in the work of a

24 master plumber or master gas fitter, provided if he completes a board approved

25 business course, passes a written master plumber's examination which shall be a

26 standardized, and nationally recognized test adopted by the board, pays the fees

27 established by the board, and satisfies the provisions of R.S. 37:1367(B).

28 * * *

CODING: Words in struck-through type are deletions from existing law; words underscored are additions.

1 J.(1) The board shall issue a gas fitter license to any person who is in
2 compliance with all requirements of the applicable provisions of this Chapter and all
3 requirements imposed by a rule or regulation promulgated by the board, has paid the
4 fees established by the board and satisfies any of the following requirements:

5 ~~(a) Completion and satisfactory passage of a written and manual examination~~
6 ~~administered either by the board or by a recognized third-party certifier.~~

7 ~~(b) Compliance with all requirements of the applicable provisions of this~~
8 ~~Chapter and all requirements imposed by any rules and regulations promulgated by~~
9 ~~the board.~~

10 (a) Has completed and passed a written examination administered by the
11 board or by a recognized third-party certifier.

12 (b) Has completed at least eight thousand hours of on-the-job training.

13 (c) Has completed at least four thousand hours of on-the-job training and at
14 least two years of apprenticeship or technical training.

15 (2) The board shall adopt a nationally recognized code or codes regulating
16 gas fitting as the basis for the administered examination, as required by Paragraph
17 (1) of this Subsection, and for any inspections of gas fitting performed by any person
18 subject to the provisions of this Chapter.

19 (3) Only a person who has been licensed as a gas fitter for at least five years
20 may be tested to receive a master gas fitter's license.

21 K. For purposes of this Chapter, the board shall accept all hours earned
22 through a relevant plumbing and gas fitting apprenticeship training program provided
23 by a high school, secondary school, or community college to count towards the
24 apprenticeship or technical training hours required for licensure.

25 §1369. Temporary working permits

26 Temporary working permits to perform work as a journeyman plumber may
27 be issued as required by R.S. 37:1376 and may be issued to a holder of a state license
28 as a journeyman plumber from a state with like examinations, should that state
29 recognize the Louisiana license, or where other bona fide evidence shows that the

1 applicant's past experience would be capable of protecting the public from defective
 2 plumbing. An applicant may apply for and shall receive up to three temporary
 3 working permits. Each temporary permit ~~must~~ is to be signed by both the chairman
 4 and secretary of the board. A reasonable fee may be charged for the issuance of
 5 temporary permits, as fixed by the board. Temporary permits shall not be issued to
 6 master plumbers.

7 * * *

8 §1371. Fees

9 A.(1) The board may fix and charge reasonable examination, licensing, and
 10 renewal fees for ~~tradesman,~~ journeyman plumbers and gas fitters, ~~and~~ master
 11 plumbers, temporary permit fees for journeyman plumbers and gas fitters, restricted
 12 license fees for journeyman and master plumbers, and renewal fees for inactive
 13 master plumbers. The board may fix and charge reasonable examination, licensing,
 14 and renewal fees for persons engaged in the work or business of medical gas piping
 15 installation and for persons engaged in the work or business of a medical gas and
 16 vacuum system verifier. The board may fix and charge reasonable examination,
 17 licensing, and renewal fees associated with endorsements issued to journeyman or
 18 master plumbers relative to the work of a water supply protection specialist. ~~The~~
 19 ~~board may also fix and charge a reasonable registration fee for apprentice plumbers.~~
 20 These fees shall not exceed the amount required to maintain the board and pay the
 21 expenses of operating the board and enforcing the provisions of this Chapter.

22 * * *

23 B.(1) ~~Effective January 1, 2000, the~~ The board may increase fees and
 24 charges in accordance with the following schedule:

25 * * *

26	(b) Iterate <u>Oral</u> journeyman plumber examination	\$150.00
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27 * * *

28 §1372. Inspections

29 The board shall at reasonable times and hours inspect plumbing work,
 30 medical gas piping installation, gas fitting work, and the work of water supply

1 protection specialists under its jurisdiction to assure compliance with the adopted
2 plumbing code and this Chapter. The board may appoint and compensate special
3 enforcement officers for this purpose. Each enforcement officer shall currently have
4 or previously possessed a journeyman or master plumber or gas fitters license issued
5 by the board.

6 §1373. Injunctions

7 A. The board may enjoin any person from engaging in doing the work of a
8 ~~tradesman plumber, journeyman plumber and gas fitter~~, master plumber, medical gas
9 piping installer, medical gas and vacuum systems verifier, gas fitter, master gas
10 fitter, or water supply protection specialist wherever it appears that a person is
11 violating or is conspiring to violate the provisions of this Chapter. The board may
12 also enjoin an employing entity from violating or conspiring to violate the provisions
13 of this Chapter.

14 * * *

15 §1377. Definitions; exceptions

16 A. ~~Master plumber. A "master plumber" is~~ "Master plumber" means a
17 natural person who possesses the necessary qualifications and knowledge to plan and
18 lay out plumbing systems; who supervises journeyman plumbers in the installation,
19 alteration, ~~and/or~~ and repair of plumbing systems; and who is licensed as such by the
20 board.

21 B.(1) ~~Journeyman plumber. A "journeyman plumber" is~~ "Journeyman
22 plumber" means a natural person who possesses the necessary qualifications and
23 knowledge to install, alter, or repair plumbing systems; is licensed as such by the
24 board; is supervised by a master plumber; and is in the employ of an employing
25 entity.

26 (2) ~~Tradesman plumber. A "tradesman plumber" is a natural person who~~
27 ~~possesses the necessary qualifications and knowledge to repair existing plumbing~~
28 ~~systems and is licensed by the board to repair existing plumbing systems in one- and~~

1 ~~two-family dwellings at the direction of a master plumber, without the supervision~~
2 ~~of a journeyman plumber.~~

3 C. ~~Apprentice plumber. An "apprentice plumber" is "Apprentice plumber"~~
4 means a natural person engaged in learning the plumbing trade by working under the
5 direct on-the-job supervision of a journeyman plumber and in the employ of an
6 employing entity. ~~Apprentice plumbers shall be indentured in an apprenticeship~~
7 ~~program approved by the Louisiana Workforce Commission.~~

8 D. ~~Plumbing.~~ "Plumbing" is means the work or business of installing in
9 buildings and on premises the pipes, fixtures, and other apparatus for supplying
10 water; or natural gas or removing liquid waste ~~and/or~~ or water-borne waste, and
11 fixtures, vessels and process piping that is in direct contact with products for human
12 consumption. The term is also used to designate the installed fixtures, drainage
13 fixtures, and natural gas and water distribution systems of buildings or premises. For
14 purposes of this Chapter the definition of plumbing ~~given above will~~ does not
15 include:

16 * * *

17 (9) Work done by an owner, management company, its agents, employees,
18 or assigns for maintenance work to be carried out upon the owner's property, as ~~such~~
19 the maintenance work is defined by the rules of the State Plumbing Board. ~~Such~~
20 ~~maintenance~~ Maintenance work shall ~~specifically~~ not include construction or
21 installation.

22 E. ~~Exceptions. Provided, however, anything herein to the contrary~~
23 ~~notwithstanding, the term "plumbing" shall~~ "Plumbing" does not include pipes,
24 fixtures, and other apparatus of any nature whatsoever used in manufacturing plants,
25 or used in the exploration for, production of, or transportation of oil, gas, or other
26 minerals, whether before, during, or after installation.

27 F. ~~Medical gas piping.~~ "Medical gas piping installation" is means the work
28 or business of installing in buildings and premises piping used solely to transport
29 gases for medical purposes.

1 G. ~~Water supply protection.~~ "Water supply protection" ~~is~~ means the work
2 or business of installing, repairing, or maintaining backflow prevention devices
3 hooked directly to a drinking water supply system and located on the property of the
4 entity owning the water supply system and associated with "plumbing" as that term
5 is defined in this Section.

6 H. ~~Medical gas and vacuum systems verifier.~~ A "medical gas and vacuum
7 systems verifier" ~~is~~ means a natural person who possesses the necessary
8 qualifications and knowledge to test and verify the operation of medical gas and
9 vacuum pipeline systems, subject to the professional qualifications standard
10 established by the American Society of Sanitary Engineering Series 6000, Standard
11 No. 6030, and who is licensed as such by the board.

12 I. ~~Gas fitter.~~ A "gas fitter" ~~includes~~ means any natural person who possesses
13 the necessary qualifications and knowledge to install, alter, repair, improve, remove,
14 or test natural gas piping, tanks, and appliances annexed to real property. ~~but~~ The
15 term does not include any person who is licensed by the Louisiana Liquefied
16 Petroleum Gas Commission or any services or work performed pursuant to such a
17 license.

18 J. ~~Master gas fitter.~~ A "master gas fitter" ~~includes~~ means any natural person
19 who possesses the necessary skills, abilities, proficiency, and qualifications to plan
20 and lay out the details for installing and supervising the work of installing, repairing,
21 and maintaining types of materials and equipment used for the construction, repair,
22 removal, or improvement to natural gas piping systems and tanks annexed to real
23 property. ~~but~~ The term does not include any person who is licensed by the Louisiana
24 Liquefied Petroleum Gas Commission or any services or work performed pursuant
25 to such a license.

26 K. ~~Gas fitting.~~ "Gas fitting" means the work or business of installing,
27 repairing, improving, altering, or removing natural gas piping, fittings, valves, or
28 tanks used for conveying fuel gas for appliances on or in premises or in buildings

1 annexed to immovable property. For purposes of this Chapter, gas fitting does not
2 include the following:

3 * * *

4 §1378. Revocation of licenses; other disciplinary actions

5 A. The board may, pursuant to the procedures provided in the Administrative
6 Procedure Act, revoke, suspend, or refuse to renew any license or endorsement
7 issued by the board to any natural person. Grounds for revocation, or lesser
8 disciplinary action, include but are not limited to the following:

9 * * *

10 (3) The habitual performance of the work of ~~either a tradesman plumber, a~~
11 journeyman plumber and gas fitter, or a master plumber which is substantially below
12 the standards established by the Louisiana Department of Health or any of its
13 agencies or offices, or the habitual performance of work of a medical gas installer
14 or medical gas and vacuum systems verifier not in compliance with regulations of
15 the state fire marshal or related local governmental codes.

16 * * *

17 (6) The habitual practice of a ~~tradesman plumber~~, journeyman plumber and
18 gas fitter, master plumber, medical gas piping installer, or holder of a water supply
19 protection specialist endorsement to knowingly allow any person not licensed by the
20 board to perform plumbing work, medical gas piping installation, or the work of a
21 water supply protection specialist, except as otherwise authorized by this Chapter.

22 * * *

23 (8) The habitual violation by a master plumber, journeyman plumber and gas
24 fitter, ~~tradesman plumber~~, apprentice plumber, medical gas piping installer, medical
25 gas and vacuum systems verifier, or holder of a water supply protection specialist
26 endorsement of the rules and regulations adopted by the board.

27 * * *

28 §1380. Insurance requirements for master plumbers

29 * * *

- 1 B. The employing entity shall maintain:
- 2 (1) Workers' compensation insurance as required by law.
- 3 (2) Motor vehicle ~~bodily injury and property damage liability insurance in~~
- 4 ~~the minimum amount required by law~~ insurance of at least one hundred thousand
- 5 dollars.
- 6 (3) Bodily injury insurance of at least three hundred thousand dollars.
- 7 (4) Property damage insurance of at least one hundred thousand dollars.
- 8 (3) (5) Comprehensive general liability and property damage insurance in
- 9 a minimum aggregate amount of ~~one hundred thousand dollars~~ five hundred
- 10 thousand dollars, except on plumbing work done in parishes under thirty thousand
- 11 persons in population on buildings, residences, or structures being no more than six
- 12 thousand square feet of interior space, the minimum aggregate amount shall be fifty
- 13 thousand dollars.

* * *

15 Section 2. R.S. 37:1379 is hereby repealed in its entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 471 Original

2021 Regular Session

Mack

Abstract: Revises regulations relative to plumbing and gas fitting.

Present law creates the state plumbing board (hereinafter "board") and describes the purpose of the board.

Proposed law retains present law and adds the regulation of natural gas to the purposes of the board.

Present law requires the board to be made of 9 members, appointed by the governor. Proposed law reduces the number of members from 9 to 8, appointed by the governor.

Present law requires the membership of the board to consist of 1 registered engineer, 1 plumbing inspector, 3 master plumbers, 3 journeyman plumbers, and 1 tradesman plumber. The members are to be selected from a list of 3 names submitted in accordance with the following:

- (1) The registered engineer and the plumbing inspector by the president of the Louisiana State Board of Health.

- (2) Master plumbers by the Louisiana Association of Plumbing, Heating and Cooling Contractors or its successors.
- (3) Journeymen plumbers by the Louisiana Pipe Trades Association or its successor.
- (4) The tradesman plumber by the executive director of the State Plumbing Board of Louisiana.

Proposed law changes the composition of the board in part, and requires the board be composed of 1 registered mechanical engineer, 1 plumbing inspector, 1 consumer advocate, and 5 active master plumbers. The members are to be appointed in accordance with the following:

- (1) The Louisiana State Board of Health, or its successor, shall submit 3 names for the appointment of 1 Louisiana registered mechanical engineer.
- (2) The Building Officials Association of Louisiana, or its successor, shall submit 3 names for the appointment of 1 plumbing inspector.
- (3) The La. Associated General Contractors, or its successor, shall submit 3 names for the appointment of 1 consumer advocate.
- (4) The Louisiana Pipe Trades, or its successor, shall submit 3 names for the appointment of 1 active master plumber.
- (5) The Plumbing-Heating-Cooling Contractors of Louisiana, or its successor, shall submit 3 names for each of the 4 appointments of active non-united association master plumbers. Three of these master plumber appointees shall perform at least 50% of their work in the plumbing construction industry and 1 of the master plumber appointees shall perform at least 50% of their work in the plumbing repair industry.

Present law gives the board authority to license and promulgate rules relative to gas fitting. Proposed law retains present law and extends these particular authorities to plumbing.

Present law requires the members to serve for 6 years. Proposed law changes the term of office to not more than 2 terms, each term consisting of 4 years.

Present law requires the board to regulate the licensing of a tradesman plumber. Proposed law repeals present law and removes all provisions relative to the regulation of a tradesman plumber. Under proposed law, there is no longer a tradesman plumber license.

Proposed law allows a licensed journeyman plumber to engage in the work of gas fitting under that license.

Proposed law allows a licensed master plumber to engage in the work of a master gas fitter under that license.

Present law allows the board to establish and determine by rule minimum requirements relative to continuing professional development. Proposed law retains present law and requires the board to allow the credits to be accrued in increments of one hour or greater and to allow the credits to be obtained in person, online, or through correspondence with certified instructors.

Present law requires the board to maintain a registry of all apprentice plumbers in the state and issue certificates to all registrants. Proposed law repeals present law.

Present law requires the board to recognize certain qualifications or registration of apprenticeship toward licensure of a journeyman plumber. Proposed law retains present law

and adds W2s and payroll records to the list of qualifying documents sufficient to prove those qualifications.

Present law establishes an advisory committee and grants the committee certain rights and duties relating to the board. Proposed law repeals present law to abolish the advisory committee and withdraw all rights and duties granted to it.

Present law establishes the regulatory structure and licensing requirements for a journeyman plumber and requires a person engaging in the work of a journeyman plumber to have journeyman plumber's license. Proposed law retains present law and extends the license to include gas fitting work.

Present law defines parameters for apprentices engaging in plumbing work.

Present law requires a licensed journeyman plumber to supervise apprentices according to the standards of the La. Workforce Commission. Proposed law changes the standards from those provided by the La. Workforce Commission, and instead requires the overseer to be physically present at the jobsite where the apprentice is engaged in plumbing. Additionally, proposed law allows a journeyman plumber to supervise up to 3 apprentices at a time, and specifies that an apprentice engaged in work other than plumbing, is not counted as an apprentice for purposes of the 3 apprentice limit. Proposed law applies these same standards to the supervision of apprentices engaging in gas fitting.

Proposed law requires the board to issue a journeyman plumber and gas fitter license to any qualifying person who has paid the required fees and meets any of the following requirements:

- (1) Has completed and passed a written examination administered by the board or by a recognized third-party certifier.
- (2) Has completed at least 8,000 hours of on-the-job training.
- (3) Has completed at least 4,000 hours of on-the-job training and at least two years of apprenticeship or technical training.

Present law requires the board to issue a master plumber's license to a journeyman plumber who meets certain criteria. Proposed law retains present law but extends the requirement to gas fitters seeking a master gas fitters license. Proposed law also adds a requirement that the applicant complete a board approved business course.

Present law provides the requirements for issuance of a gas fitter's license. Proposed law retains present law in part, and further requires the board to issue a license to a qualified person who pays all required fees and satisfies any of the following requirements:

- (1) Has completed and passed a written examination administered by the board or by a recognized third-party certifier.
- (2) Has completed at least 8,000 hours of on-the-job training.
- (3) Has completed at least 4,000 hours of on-the-job training and at least two years of apprenticeship or technical training.

Proposed law requires a gas fitter to be licensed for 5 years before testing for a master gas fitter license.

Proposed law requires the board to accept all hours earned through relevant apprenticeship training to count towards the apprenticeship or technical hours required for licensure.

Present law provides for temporary working permits. Proposed law retains present law and allows an applicant to apply for up to 3 temporary permits.

Present law allows the board to charge reasonable fees for certain services. Proposed law retains present law in part, but prohibits the board from charging a registration fee for apprentice plumbers.

Present law provides for inspections to be conducted by special enforcement officers. Proposed law retains present law but requires the special enforcement officers to currently possess or to have previously possessed a journeyman or master plumber or gas fitters license.

Present law requires an employing agency to maintain workers' compensation insurance as required by law. Proposed law retains present law.

Present law requires an employing agency to maintain motor vehicle, bodily injury, and property damage liability insurance in the minimum amount required by law. Proposed law retains the requirement, but provides the minimum amount required. Under proposed law the employer shall maintain motor vehicle insurance of at least \$100,000, bodily injury insurance of at least \$300,000, and property damage insurance of at least \$100,000.

Present law requires an employing agency to maintain general liability and property damage insurance in a minimum aggregate amount of \$100,000. Proposed law raises this minimum aggregate amount from \$100,000 to \$500,000.

Proposed law removes an exception in present law that allows a lesser amount of insurance coverage if certain criteria are met and applies the \$500,000 minimum to all circumstances.

(Amends R.S. 37:1361(A), (B), (F)(1)(a) and (c), 1362, 1366(A), (B), (C), (F), (I), and (K), 1367(A) and (J), 1368(A), (B)(1), and (J), 1369, 1371(A)(1) and (B)(1)(b), 1372, 1373(A), 1377(A), (B), (C), (D)(intro. para.) and (9), (E) - (J), and (K)(intro. para.), 1378(A)(3), (6), and (8), and 1380(B); Adds R.S. 37:1368(K); Repeals 37:1379)