
DIGEST

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Ponti

HB No. 973

Abstract: Establishes a residential gas fitter and commercial gas fitter's license.

Proposed law provides that, effective Jan. 1, 2015, the State Plumbing Board shall be the sole and exclusive agency in this state empowered to license natural persons and regulated business entities engaged or seeking to engage in the installation, repair, improvement, alteration, or removal of natural gas or liquefied petroleum gas piping systems, from the point of delivery up to the point of connection to the combustion zone, and tanks, annexed to real property.

Proposed law requires the board to assure that gas fitting work is performed by persons who have proven knowledge of and skill in the gas fitting trades.

Proposed law authorizes the State Plumbing Board to promulgate administrative rules, relating to gas fitting, which shall preempt any conflicting local laws. Proposed law prohibits the board from adopting any administrative rule relating to gas fitting until the rule has been approved pursuant to an oversight hearing of the House Committee on Commerce and the Senate Committee on Commerce, Consumer Protection, and International Affairs.

Proposed law shall not be construed to limit the authority of the State Licensing Board for Contractors to regulate mechanical contractors.

Proposed law shall be not be construed to limit the authority of the Louisiana Liquefied Petroleum Gas Commission to regulate gas fitters.

Proposed law shall not apply to work performed by a person or firm properly licensed for municipal or public works utility construction by the State Licensing Board for Contractors on utility construction on private property or an undedicated right of way, including but not limited to gravity sanitary sewer collection lines eight inches or larger including manholes, sewer force mains four inches or larger including fire hydrants, valves and fittings, and water mains six inches or larger. This exception shall not apply to work performed on back flow assemblies, gas lines located on private property, or to any water, gas, or sewer service line within ten feet of any structure.

Proposed law requires the board to adopt tests of qualification to be possessed by any persons actually engaged in residential gas fitting or commercial gas fitting, and to require any person engaged in the duties of a residential gas fitter or commercial gas fitter to possess a residential gas fitter or commercial gas fitter license issued by the board.

Proposed law requires the board to waive the examination required and grant a residential gas fitter license or commercial gas fitter license to any person working in the gas fitting industry who meets at least one of the following requirements:

- (1) Holds a gas fitter's license which was issued prior to July 1, 2014, by a local municipality after having passed an examination administered or written by a national testing company approved by the board.
- (2) Submits five original building permits, issued within the last three years, as proof that he has actually been engaged in the gas fitting industry prior to July 1, 2014.
- (3) Has completed six gas fitting projects within the ten-year period prior to July 1, 2014, or has constructed one such project for another person within the five-year period prior to July 1, 2014.
- (4) Holds a journeyman plumber's license or a master plumber's license issued by the board prior to July 1, 2014.

Proposed law prohibits a natural person from doing the work of a residential gas fitter or commercial gas fitter unless he possesses a license or renewal thereof issued by the board.

Proposed law shall preempt municipal or other local regulatory examination authority over gas fitters, notwithstanding any contrary provision of any home rule charter. Municipal or other local regulatory authorities may assess and collect locally adopted fees and charges relative to gas fitting work performed in their respective jurisdictions, but only to persons licensed by the board.

Proposed law requires the board to issue a license to any natural person who qualifies under the board's regulations and who desires to engage in the work of a residential gas fitter or commercial gas fitter, provided he passes a written and manual examination given by the board.

Proposed law requires the board to adopt a nationally recognized code or codes regulating gas fitting as the basis for such examinations and for its inspection of gas fitting performed by persons or business entities. The examinations may be administered by a recognized third party certifier.

Proposed law prohibits the board from adopting or promulgating any additional experience or testing requirement for the residential gas fitter's license or the commercial gas fitter's license.

Proposed law provides that no residential gas fitter or commercial gas fitter shall be required to work under the supervision of a master plumber when performing gas fitting pursuant to a residential gas fitter's license or commercial gas fitter's license issued by the board.

Proposed law provides that no municipal or other local regulatory authority shall require any residential gas fitter or commercial gas fitter to apply for or maintain any gas fitter's license, or any equivalent thereof, as a condition to performing gas fitting work in any municipal or other

local jurisdiction, other than a residential gas fitter's license or commercial gas fitter's license issued by the board.

Proposed law authorizes the board to charge the following fees:

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| (1) | Residential gas fitter or commercial gas fitter application fee | \$150.00 |
| (2) | Residential gas fitter or commercial gas fitter renewal fee | \$50.00 |
| (3) | Residential gas fitter or commercial gas fitter revival fee | \$50.00 |

Present law provides that the board shall at reasonable times and hours inspect plumbing work, medical gas piping installation, and the work of water supply protection specialists under its jurisdiction to assure compliance with present law.

Proposed law retains present law and adds gas fitting work.

Present law authorizes the board to enjoin any person from engaging in doing the work of a journeyman plumber, master plumber, medical gas piping installer, medical gas and vacuum systems verifier, or water supply protection specialist wherever it appears that a person is violating or is conspiring to violate the provisions of present law.

Proposed law retains present law and adds residential gas fitter and commercial gas fitter.

Proposed law defines a "residential gas fitter" as a natural person who possesses the necessary qualifications and knowledge to install, alter, repair, improve, remove, or test liquefied petroleum or natural gas piping systems, from the point of delivery up to the point of connection to the combustion zone, and tanks, annexed to one- and two-family dwellings. The term shall not include any person who is licensed by the Louisiana Liquid Petroleum Gas Commission and any services or work performed under such a license.

Proposed law defines a "commercial gas fitter" as a natural person who possesses the necessary qualifications and knowledge to install, alter, repair, improve, remove, or test liquefied petroleum or natural gas piping systems, from the point of delivery up to the point of connection to the combustion zone, and tanks, annexed to any real property except one- and two-family dwellings. The term shall not include any person who is licensed by the Louisiana Liquid Petroleum Gas Commission and any services or work performed under such a license.

Present law authorizes the board to revoke, suspend, or refuse to renew any license or endorsement issued by the board to any natural person for the habitual practice of a journeyman plumber, master plumber, medical gas piping installer, or holder of a water supply protection specialist endorsement to knowingly allow any person not licensed by the board to perform plumbing work, medical gas piping installation, or the work of a water supply protection specialist, except as otherwise authorized by present law.

Proposed law retains present law and adds residential gas fitter and commercial gas fitter.

Present law authorizes the board to revoke, suspend, or refuse to renew any license or endorsement issued by the board to any natural person for the habitual practice of a journeyman plumber, master plumber, medical gas piping installer, or holder of a water supply protection specialist endorsement of the rules and regulations adopted by the board.

Proposed law retains present law and adds residential gas fitter and commercial gas fitter.

Proposed law authorizes the board to revoke, suspend, or refuse to renew any license or endorsement issued by the board to any natural person for the violation of municipal or other local codes adopted by the board relating to gas fitting not otherwise preempted by proposed law or related regulations as evidenced by adjudication before local governing authorities.

(Amends R.S. 37:1371(B)(1)(m), 1372, 1373(A), and 1378(A)(6) and (8); Adds R.S. 37:1361(F), 1366(J), 1367(I), 1368(J), 1371(B)(1)(n), (o), and (p), 1377(I) and (J) 1378(A)(9))