

## **CHAPTER 43-18.2 SEWER AND WATER INSTALLERS**

### **43-18.2-01. Definitions.**

In this chapter, unless the context or subject matter otherwise requires:

1. "Board" means the state board of plumbing.
2. "Sewer and water contractor" means any person who installs, plans, and manages the installation and repair of building sewer and water service.
3. "Sewer and water installation" means the installation of building sewer and water service and the repair of existing building sewer and water service.
4. "Sewer and water installer" means any person, other than a sewer and water contractor, who installs and repairs building sewer and water service.

### **43-18.2-02. Duties of the board.**

The board shall:

1. Enforce this chapter.
2. Adopt rules not inconsistent with this chapter for the examination, regulation, and licensing of sewer and water contractors and sewer and water installers.
3. Exempt from the provisions of sections 43-18.2-06, 43-18.2-07, and 43-18.2-08 those North Dakota sewer and water contractors and installers as defined in section 43-18.2-01 who have at least one year's work experience prior to July 1, 1987.

### **43-18.2-03. Licenses.**

No person, firm, corporation, or limited liability company, except plumbers holding valid licenses under chapter 43-18, may engage in the business of sewer and water contractor or sewer and water installer unless registered and licensed by the board to do so. This license allows the licensee to do plumbing necessary for sewer and water installation.

### **43-18.2-04. Sewer and water installer apprentice license.**

All applicants for a building sewer and water installer apprentice license shall complete an application identifying the building sewer and water installer under whose supervision the applicant is working. The license is without charge for two years and must be renewed annually.

### **43-18.2-05. Out-of-state applicants.**

An applicant for a sewer and water contractor's license or a sewer and water installer's license from out of state may take the examination upon showing by affidavits that the applicant has experience in the state in which the applicant is licensed. This experience must be the same as is required of applicants from this state. The board shall provide applicants with application forms and affidavit forms necessary to comply with this section. The secretary-treasurer of the board shall investigate the validity of the affidavits. A rejected application must be treated as an adjudicative proceeding.

### **43-18.2-06. Experience for testing.**

An applicant for a sewer and water installer's license shall show evidence of two years' experience as a building sewer and water installer apprentice in this state. Applicants for a sewer and water installation contractor's license must have one year's experience as an installer in this state. All applicants shall show that their work complies with the state plumbing code. Proof of experience must be shown by affidavits which the board may investigate. The board shall provide applicants with application forms. If the application is rejected, the matter must be treated as an adjudicative proceeding.

### **43-18.2-07. Examination requirements.**

The examination for applicants for licensure must consist of:

1. Questions pertaining to the application and maintenance of basic principles of sewer and water installation.

2. Questions which require the application of the state plumbing code and the state industrial safety code to building sewer and water installation.

The questions for the sewer and water contractor and the building sewer and water installer need not be the same. The passing grade for the building sewer and water contractor must be eighty percent, and the sewer and water installer's passing grade must be seventy percent.

**43-18.2-08. Examination fees.**

An applicant for a sewer and water contractor's license shall pay an examination fee of one hundred dollars, and an applicant for a building sewer and water installer's license shall pay an examination fee of twenty-five dollars before taking the examination for the first time. The reexamination fee is fifty dollars for a sewer and water contractor's license and ten dollars for a sewer and water installer's license. No additional fee may be charged for the first year of licensure. No applicant may be examined for the same license more often than every three months.

**43-18.2-09. License renewal fees.**

The license renewal fee for a sewer and water contractor after the first year of licensure may not exceed one hundred dollars per year, and the license renewal fee for a sewer and water installer after the first year of licensure may not exceed twenty-five dollars per year. The license renewal fee for a sewer and water installer apprentice after the first two years of licensure is twenty-five dollars.

**43-18.2-10. Revocation of licenses.**

The board may revoke any license issued under this chapter if the licensee has:

1. Committed an offense, as defined by section 12.1-01-04, determined by the board to have a direct bearing upon a holder's ability to serve the public as a sewer and water contractor, sewer and water installer, or a sewer and water installer apprentice, or the board determines, following conviction of any offense, that a holder is not sufficiently rehabilitated under section 12.1-33-02.1;
2. Committed a fraud in obtaining the license;
3. Permitted the use of the license in violation of this chapter; or
4. Performed work or business in an incompetent manner as determined by the board.

**43-18.2-11. Administration of funds - Continuing appropriation.**

All fees and moneys obtained by the board through the administration of this chapter must be used for the regulation of the business of sewer and water installation and repair, and are appropriated to the board for this use. This appropriation is a continuing appropriation of all such funds. The handling and administration of the funds must otherwise be in accordance with section 54-44-12.

**43-18.2-12. Violation - Penalty.**

Any person that violates the state plumbing code adopted under section 43-18-09, violates section 43-18.2-03, or works under the license of another person in a manner that is in violation of section 43-18.2-06 is guilty of a class B misdemeanor.