

STATE PLUMBING BOARD OF LOUISIANA



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OF LOUISIANA**

*"From Hospital to Home, Your Health Depends on Proper Plumbing
— A Cornerstone of Public Health"*

STATE PLUMBING LAW

LA.R.S. 37:1361 et seq.

RULES AND REGULATIONS

CHAPTER 16. PLUMBERS

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

A. The purpose of the legislature in enacting this Chapter is the protection of the health, safety, environment, and general welfare of all those persons who use and rely upon plumbing, and medical gas and vacuum systems for their personal or commercial needs, and the affording to such persons of an effective and practical protection against incompetent, inexperienced, or unlawful acts by persons who perform plumbing and medical gas and vacuum systems work. Further, the legislative intent is that 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 business of plumbing and medical gas and vacuum systems installation and verification and to ensure compliance with the licensing requirements of this Chapter. Nothing herein shall preclude any current authority of the State Licensing Board for Contractors.

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

C. The board shall be a corporate body, may sue and be sued, and shall possess in addition to the powers herein granted, all the usual powers incident to corporation.

D. All members shall be qualified electors of this state and licensed by the board except the first board members who shall be licensed within one year.

E. Five members shall constitute a quorum.

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

(b) Nothing in Subparagraph (a) of this Paragraph shall be construed to supersede any of the following:

(i) The authority of the State Licensing Board for Contractors to regulate mechanical contractors as defined in R.S. 37:2150.1.

(ii) The authority of the Louisiana Liquefied Petroleum Gas Commission to regulate gas fitter installations pursuant to R.S. 40:1846.

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

(2)(a) Notwithstanding any provision of a home rule charter to the contrary, the provisions of this Section shall preempt any municipal or other local regulatory examination authority relative to gas fitters and master gas fitters.

(b) No municipal or other local regulatory authority shall require any gas fitter or master gas fitter to apply for or to maintain any gas fitter or master gas fitter's license, or any equivalent thereof, as a condition to perform gas fitting work in any municipality or other local jurisdiction unless that gas fitter or master gas fitter's license is issued by the board.

(c) A municipality or other local regulatory authority may assess and collect locally adopted fees and charges relative to gas fitting work, as defined in R.S. 37:1377, that is performed in their respective jurisdictions but only from persons licensed pursuant to R.S. 37:1368.

Acts 1964, No. 498, §1; Acts 1990, No. 752, §1, eff. Jan. 1, 1991; Acts 1999, No. 1020, §1, eff. July 9, 1999; Acts 2016, No. 297, §1, eff. Jan. 1, 2017; Acts 2016, No. 515, §1.

§1362. Term of office

The members of the board shall serve for six years, provided, however, that initially three appointees shall serve for two years, three appointees shall serve for four years, and two appointees shall serve for six years or until their successors are appointed by the governor.

Acts 1990, No. 752, §1, eff. Jan. 1, 1991.

§1363. Officers of the board

The board shall elect from its members a chairman, a vice chairman and a secretary-treasurer for two year terms; the election to be held within thirty days of July 1 in each odd-numbered year. The chairman shall vote only in case of a tie.

Amended by Acts 1964, No. 498, §1; Acts 1977, No. 276, §1, eff. July 7, 1977.

§1364. Compensation of members

Each member of the board shall be reimbursed when actually in attendance at a board meeting or when required to travel for the official authorized business of the board, and such reimbursement shall not exceed seventy-five dollars per day plus actual expenses. Mileage to and from the member's domicile to the place of meeting or when otherwise required to travel for official authorized business of the board shall be reimbursed at the rate set by the division of administration for state employees pursuant to R.S. 39:231.

Acts 1990, No. 752, §1, eff. Jan. 1, 1991.

§1365. Domicile of the board

The domicile of the board shall be in the city of Baton Rouge; however, the State Plumbing Board may, in its discretion, maintain and establish district offices elsewhere in the state of Louisiana.

Amended by Acts 1968, No. 298, §1; Acts 1984, No. 608, §1.

§1366. Duties of the board

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

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

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

C. The board shall recognize the system of qualification or registration of apprentices as administered by joint and nonjoint apprenticeship committees approved by the state of Louisiana. However, the board may accept an affidavit from an individual certifying his work experience in the field of plumbing, and such individual may be certified as a journeyman plumber provided he passes the written examination and pays the fees established by the board under R.S. 37:1368(B).

D. The board shall have the power to make such reasonable regulations as it may deem desirable in the performance of its functions and enforcement of the provisions of this Chapter.

E. The board shall meet at a minimum annually during the month of August at the time and place designated by the president of the board and the members and the advisory committee shall be so notified.

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

G. The board shall adopt tests of qualifications to be possessed by any person engaged in the work of installing piping used solely to transport gases for medical purposes and require any such person engaged in such work to possess a license issued by the board.

H. The board shall adopt tests of qualifications to be possessed by journeyman or master plumbers, licensed by the board, who seek an endorsement to their journeyman or master plumber license authorizing them to engage in the work or business of water supply protection specialists.

I. The board may establish and determine by rule minimum requirements relative to continuing professional development for the renewal or reinstatement of any license or special endorsement issued by the board.

J.(1) It is the duty of the board to assure that gas fitting work is performed by persons who have proven knowledge of and skill in the gas fitting trade.

(2) The board shall adopt tests of qualifications to be possessed by any persons actually engaged in gas fitting work and shall require that any person performing work as a gas fitter or master gas fitter shall possess a license issued by the board.

(3) The board shall adopt rules and regulations waiving any examination requirements imposed on persons performing gas fitting work who satisfy the performance conditions described in R.S. 37:2156.1(M) prior to July 1, 2016.

(4) For all other purposes of regulation, testing, and licensing pursuant to the provisions of this Chapter, the regulation, testing, and licensing of gas fitters by the board shall be subject to the same requirements and treated in the same manner as the regulation, testing, and licensing of plumbers.

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

L. The board shall assist the Board of Supervisors of Community and Technical Colleges in developing training, program, and course requirements that will prepare individuals to meet the qualifications established by the board for a tradesman plumber limited license.

Acts 1964, No. 498, §1; Acts 1968, No. 298, §1; Acts 1990, No. 752, §1, eff. Jan. 1, 1991; Acts 1995, No. 824, §1; Acts 1999, No. 956, §1, eff. Jan. 1, 2000; Acts 2016, No. 297, §1, eff. Jan. 1, 2017; Acts 2016, No. 515, §1.

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

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

(2) No natural person shall engage in doing the work of a journeyman plumber unless he possesses a license or renewal thereof issued by the board. A journeyman plumber may engage in the art of plumbing only when he is under the supervision of a master plumber licensed by this board. Notwithstanding any other provision to the contrary, a journeyman plumber may repair existing plumbing independently and without the supervision of a master plumber. Apprentices may engage in the art of plumbing only when they are under the direct constant, on-the-job supervision of a licensed journeyman plumber. Direct, constant on-the-job supervision means that a licensed journeyman plumber will supervise apprentices as governed by the Louisiana Workforce Commission.

B. No natural person shall engage in the work of a master plumber unless he possesses a master plumber's license or renewal thereof issued by the board. A master plumber shall not engage in the work of a journeyman plumber unless he currently possesses or previously possessed a journeyman plumber's license issued by the board. A person issued a master plumber's license shall designate to the board, as required by the regulations of the board, an employing entity, which may be a corporation, partnership, or sole proprietorship. A licensed master plumber shall notify the board of any change of employment status with an employing entity. A master plumber shall designate no more than one employing entity at any time.

C. No employing entity shall hold itself out as engaging in the business or art of plumbing unless it employs a master plumber. For purposes of this Section, employment of a master plumber means employment on a regular paid basis for actual services performed supervising journeyman plumbers.

D. The board shall adopt regulations to implement this Section.

E. This Section shall preempt municipal or other local regulatory examination authority over master plumbers, 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 plumbing work as defined in R.S. 37:1377 performed in their respective jurisdictions, but only to persons licensed under R.S. 37:1368.

F. No natural person shall engage in doing the work of a medical gas piping installer unless he possesses a license or renewal thereof issued by the board.

G. No natural person shall engage in the work of a water supply protection specialist unless he possesses a license or renewal thereof issued by the board as a journeyman plumber or master plumber and also possesses a special endorsement issued by the board pertaining to his work as a water supply protection specialist.

H. No natural person shall engage in doing the work of a medical gas and vacuum systems verifier unless he possesses a license or renewal thereof issued by the board. Inspection

and verification work performed by such person shall be conducted in person and at the physical site of the medical gas and vacuum systems subject to his verification.

I.(1) Notwithstanding the provisions of this Section, any person or firm who is not licensed by the State Plumbing Board, but who is properly licensed for municipal and public works utility construction pursuant to the requirements of the State Licensing Board for Contractors, may perform main-line utility construction on private property or undedicated rights-of-way or servitudes, limited to the following:

(a) Gravity sanitary sewer collection lines six inches and larger, including manholes, main lines, wyes, and tees.

(b) Sewer force mains four inches and larger.

(c) Water mains four inches and larger, including fire hydrants, valves, and fittings.

(2) The provisions of this Subsection shall not pertain to gas mains within the boundary lines of any private property, nor shall they pertain to any service lines.

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

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

Acts 1990, No. 752, §1, eff. Jan. 1, 1991; Acts 1993, No. 43, §1, eff. Jan. 1, 1994; Acts 1995, No. 824, §1; Acts 1999, No. 1020, §1, eff. July 9, 1999; Acts 2003, No. 815, §1; Acts 2008, No. 743, §7, eff. July 1, 2008; Acts 2014, No. 561, §1; Acts 2016, No. 297, §1, eff. Jan. 1, 2017; Acts 2016, No. 515, §1.

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

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

(a) Has a current apprentice registration certificate issued by the board.

(b) Has worked at least four thousand hours at the manual labor of plumbing under the direct, constant, on-the-job supervision of a journeyman or master plumber licensed by the board.

(c) Has successfully completed any educational requirements established by the board.

(d) Has passed any written or manual examination required by the board.

(e) Has paid the fees established by the board.

(2) The board shall issue a license to any person who qualifies under the state board's regulations and who desires to engage in doing the work of a journeyman plumber if he passes a written and manual journeyman plumber's examination given by the board and pays the fees established by the board.

B.(1) The board shall issue a license to any licensed journeyman plumber or other person who qualifies under the board's regulations and who desires to engage in the work of a master plumber, provided he passes a written master plumber's examination which shall be a standardized, nationally recognized test adopted by the board, pays the fees established by the board, and satisfies the provisions of R.S. 37:1367(B).

(2) No municipal or other local regulatory authority shall require any master plumber to apply for or maintain any master plumber's license, or any equivalent thereof, as a condition to

performing plumbing work in any municipal or other local jurisdiction, other than a master plumber's license issued by the board.

C. Any master plumber who has not been licensed by the board but who worked as a locally licensed master plumber prior to July 1, 1990, in a municipal or other local jurisdiction that previously licensed master plumbers shall be allowed to apply for and receive, upon payment of a reasonable fee set by the board, a restricted master plumber's license permitting him to continue working as a master plumber, but only in the jurisdiction in which he was previously locally licensed. Any person holding such a restricted master plumber's license shall not perform the work of a journeyman plumber unless licensed by the board. The board may adopt regulations to implement this Subsection. Any person holding a restricted master plumber's license shall not perform the work of a journeyman plumber unless he currently possesses or previously possessed a journeyman plumber's license issued by the board.

D. Any journeyman plumber licensed by the board who operated a plumbing business prior to July 1, 1990, in a municipal or other local jurisdiction that did not previously license master plumbers, shall be allowed to apply for and receive, upon payment of a reasonable fee set by the board, a restricted master plumber's license permitting him to continue working as a master plumber, but only in the applicable jurisdiction. The board may adopt regulations to implement this Subsection.

E. The board shall adopt regulations establishing a category of inactive master plumber, who shall be charged a reasonable annual renewal fee during the period of his inactive status. An inactive master plumber shall not be required to designate an employing entity. When an inactive plumber returns to work as a master plumber, he shall designate an employing entity and pay a reasonable fee set by the board.

F. An inactive master plumber shall be permitted to work as a journeyman plumber during the period or periods he maintains an inactive plumber's license, if he is currently or was previously licensed by the board as a journeyman plumber.

G. The board shall issue a license to any person who qualifies under the board's regulations and who desires to engage in doing the work of a medical gas piping installer if he passes a written and manual examination given by the board for this purpose and pays the fees established by the board. No person shall qualify for examination pursuant to this Section unless he completes a course of training provided by an organization recognized by the board. The board shall adopt regulations establishing conditions for board approval of such training programs.

H.(1) The board shall issue a special endorsement to any person who qualifies under the board's regulations and who desires to engage in the work of a water supply protection specialist and who also possesses either a journeyman plumber's license or a master plumber's license issued by the board and passes a written and manual examination given by the board for this purpose and pays the fees established by the board. No person shall qualify for examination pursuant to this Section unless he completes a course of training provided by an organization recognized by the board. The board shall adopt regulations establishing conditions for board approval of such training programs.

(2) Notwithstanding the provisions of Paragraph (1) of this Subsection, any person who possesses a master plumber's license and produces acceptable proof that he has five years of experience as a water supply protection specialist prior to August 15, 1995, shall be issued an initial special endorsement by the board. This endorsement shall authorize the applicant to engage in the work of a water supply protection specialist without taking the licensing

examination required of other applicants, provided that he pays the fees established by the board. Any applicant licensed pursuant to this Paragraph shall thereafter be subject to all provisions of this Chapter including the provisions regarding license renewal.

I. The board shall issue a license to any natural person who qualifies under the board's regulations and who desires to engage in doing the work of a medical gas and vacuum systems verifier if he passes an examination conducted by a nationally recognized organization for this purpose and pays the fees established by the board. No person shall qualify for licensing pursuant to this Subsection unless he completes a course of training provided by an organization recognized by the board. The board shall adopt regulations establishing conditions for board approval of such training programs and certification.

J.(1) The board shall issue a gas fitter license to any person who satisfies the following requirements:

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

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

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

Acts 1990, No. 752, §1, eff. Jan. 1, 1991; Acts 1993, No. 43, §1, eff. Jan. 1, 1994; Acts 1995, No. 824, §1; Acts 1999, No. 956, §1, eff. Jan. 1, 2000; Acts 1999, No. 1020, §1, eff. July 9, 1999; Acts 2016, No. 297, §1, eff. Jan. 1, 2017; Acts 2016, No. 515, §1.

§1369. Temporary working permits

Temporary working permits to perform work as a journeyman plumber may be issued as required by R.S. 37:1376 and may be issued to a holder of a state license as a journeyman plumber from a state with like examinations, should that state recognize the Louisiana license, or where other bona fide evidence shows that the applicant's past experience would be capable of protecting the public from defective plumbing. Each temporary permit must be signed by both the chairman and secretary of the board. A reasonable fee may be charged for the issuance of temporary permits, as fixed by the board. Temporary permits shall not be issued to master plumbers.

Acts 1990, No. 752, §1, eff. Jan. 1, 1991.

§1370. Renewals

Every holder of a license or endorsement of such license issued under this Chapter shall renew his license and, if applicable, endorsement each year by payment of the annual renewal fee established by the board pursuant to R.S. 37:1371.

Amended by Acts 1964, No. 498, §1; Acts 1995, No. 824, §1.

§1371. Fees

A.(1) The board may fix and charge reasonable examination, licensing, and renewal fees for tradesman, journeyman, and master plumbers, temporary permit fees for journeyman

plumbers, restricted license fees for journeyman and master plumbers, and renewal fees for inactive master plumbers. The board may fix and charge reasonable examination, licensing, and renewal fees for persons engaged in the work or business of medical gas piping installation and for persons engaged in the work or business of a medical gas and vacuum system verifier. The board may fix and charge reasonable examination, licensing, and renewal fees associated with endorsements issued to journeyman or master plumbers relative to the work of a water supply protection specialist. The board may also fix and charge a reasonable registration fee for apprentice plumbers. These fees shall not exceed the amount required to maintain the board and pay the expenses of operating the board and enforcing the provisions of this Chapter.

(2) For the purposes of this Section, gas fitters shall be subject to the same provisions that are imposed on journeyman plumbers, except for those included in Subparagraph (B)(1)(b) of this Section.

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

(a) Journeyman plumber examination	\$125.00
(b) Illiterate journeyman plumber examination	\$150.00
(c) Initial journeyman plumber license fee, payable upon successful completion of examination	\$40.00
(d) Journeyman plumber renewal fee	\$40.00
(e) Journeyman plumber revival fee	\$15.00
(f) Journeyman plumber revival fee paid after March 31	\$30.00
(g) Journeyman plumber temporary permits	\$75.00
(h) Journeyman plumber administrative charge for processing application	\$62.50
(i) Medical gas and vacuum systems verifier application fee	\$200.00
(j) Medical gas and vacuum systems verifier renewal fee	\$200.00
(k) Medical gas and vacuum systems verifier revival fee	\$65.00
(l) Medical gas and vacuum systems verifier revival fee paid after March 31	\$130.00
(m) N.S.F. check or returned check fee	\$20.00

(2) Any other fees adopted by the board in accordance with the Administrative Procedure Act in effect on July 9, 1999, shall remain in effect.

Acts 1990, No. 752, §1, eff. Jan. 1, 1991; Acts 1995, No. 824, §1; Acts 1999, No. 1020, §1, eff. July 9, 1999; Acts 2016, No. 297, §1, eff. Jan. 1, 2017; Acts 2016, No. 515, §1.

§1372. Inspections

The board shall at reasonable times and hours inspect plumbing work, medical gas piping installation, gas fitting work, and the work of water supply protection specialists under its jurisdiction to assure compliance with this Chapter. The board may appoint and compensate special enforcement officers for this purpose.

Acts 1990, No. 752, §1, eff. Jan. 1, 1991; Acts 1995, No. 824, §1;; Acts 2016, No. 297, §1, eff. Jan. 1, 2017.

§1373. Injunctions

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

B. The injunctions provided for herein may be obtained without the necessity of posting bond. A court of competent jurisdiction may in its discretion award a reasonable attorney fee to the board in the event the board prevails in any such action. In order for the board to sustain any such action, it is not necessary to allege or prove either that an adequate remedy at law does not exist or that substantial or irreparable damage would result from the continued violation of this Chapter.

Acts 1990, No. 752, §1, eff. Jan. 1, 1991; Acts 1995, No. 824, §1; Acts 1999, No. 1020, §1, eff. July 9, 1999; Acts 2016, No. 297, §1, eff. Jan. 1, 2017; Acts 2016, No. 515, §1.

§1374. Penalty

A. Whoever violates the provisions of this Chapter shall be fined not less than five hundred dollars nor more than five thousand dollars, or imprisoned for not more than ninety days, or both.

B.(1) Upon receipt of a complaint from a consumer for whom the work was performed, the Louisiana State Plumbing Board shall have the authority to fine any person, or employing entity, who performs plumbing work or engages in the business of plumbing while not possessing a license or endorsement issued by the board or otherwise in violation of this Chapter, subject to the provisions of the Administrative Procedure Act, an amount not more than five thousand dollars. The monies collected pursuant to this Subsection shall be used by the board in a manner consistent with R.S. 37:1371.

(2) The provisions of Paragraph (1) of this Subsection also apply to unlicensed gas fitters.

C. Nothing in this Section shall be construed to supersede the exceptions provided for in R.S. 37:1376 and 1377.

Acts 1990, No. 752, §1, eff. Jan. 1, 1991; Acts 2011, No. 105, §1, eff. June 20, 2011; Acts 2016, No. 297, §1, eff. Jan. 1, 2017.

§1375. Applicability of Chapter

This Chapter shall apply to:

A. All cities, towns, villages, communities and public sewerage and/or water districts in the State of Louisiana.

B. All areas within one mile of the boundary of any city or sewer or water districts, referred to above; and all areas within one mile of the community, sewerage or water facilities of the areas referred to above.

C. Nothing herein contained shall be construed to apply to any employee of any municipal department or gas, sewer, and/or water district system.

Amended by Acts 1964, No. 498, §1; Acts 1968, No. 298, §1.

§1376. Exceptions

A. Any journeyman who has not been licensed and does his work in a place not previously under the jurisdiction of the Louisiana State Plumbing Board shall, upon payment of the regular examination fee, be issued a permit to continue the art of plumbing, limited to the area in which he has been previously doing plumbing work.

B. When an area, not previously covered by this Act, comes under the jurisdiction of the board, the board will take the following steps to license the journeymen who do work in that area.

(1) The board shall notify all plumbers in said area that they now come under the jurisdiction of the board by written advertisement in the local official journal. This notification shall inform the plumbers of the area that an examination will be given at a time which is not less than thirty days nor more than ninety days from the date of the publication.

(2) Any applicant who has practiced the art of plumbing in this area for the past five years and who is unable to meet the requirements for a journeyman license may upon payment of the required fee be issued a permit good until the next examination by the board which will permit him to continue practicing the art of plumbing, but shall limit his practice to the place in which he has been so licensed. This individual will be required to take each examination given by the board thereafter until he is able to qualify under the board's regulations.

(3) Any person who has taken four journeymen plumbers' examinations and still fails to qualify may be issued a qualified license to continue practicing the art of plumbing in the place in which he was issued temporary permits.

Amended by Acts 1964, No. 498, §1; Acts 1968, No. 298, §1.

§1377. Definitions; exceptions

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

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

(2) Tradesman plumber. A "tradesman plumber" is a natural person who possesses the necessary qualifications and knowledge to repair existing plumbing systems and is licensed by the board to repair existing plumbing systems in one- and two-family dwellings at the direction of a master plumber, without the supervision of a journeyman plumber.

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

D. Plumbing. "Plumbing" is the work or business of installing in buildings and on premises the pipes, fixtures, and other apparatus for supplying water, or removing liquid waste

and/or water-borne waste, and fixtures, vessels and process piping that is in direct contact with products for human consumption. The term is also used to designate the installed fixtures, drainage fixtures and water distribution systems of buildings or premises. For purposes of this Chapter the definition of plumbing given above will not include:

- (1) Water used in manufacturing establishments for processing products that are not for human consumption.
- (2) Drilling of water wells.
- (3) Community water supply distribution system or systems.
- (4) Community sewage collection or treating system or systems.
- (5) Fixtures, vessels or piping used by manufacturing establishments for removal of any waste other than human, vegetable or animal waste.
- (6) All piping used for heating or cooling where it is not directly connected with a potable water supply system.
- (7) All piping used for conveying oil, gas or other hydrocarbons.
- (8) Work done by an individual on his own personal residence.
- (9) Work done by an owner, management company, its agents, employees, or assigns for maintenance work to be carried out upon the owner's property, as such maintenance work is defined by rules of the State Plumbing Board. Such maintenance work shall specifically not include construction or installation.

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

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

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

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

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

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

K. Gas Fitting. "Gas fitting" means the work or business of installing, repairing, improving, altering, or removing natural gas piping, fittings, valves, or tanks used for conveying fuel gas for appliances on or in premises or in buildings annexed to real property. For purposes of this Chapter, gas fitting does not include the following:

(1) The installation or maintenance of piping by any entity of a municipal or gas district system that is subject to the regulatory authority of the Public Service Commission, the New Orleans City Council, or the office of pipeline safety in the Department of Natural Resources.

(2) Any work done by a person who is licensed by the Louisiana Liquefied Petroleum Gas Commission or any other services performed pursuant to such a license.

Acts 1964, No. 498, §1; Acts 1968, No. 298, §1; Acts 1990, No. 752, §1, eff. Jan. 1, 1991; Acts 1990, No. 771, §1; Acts 1992, No. 447, §4; Acts 1995, No. 824, §1; Acts 1999, No. 1020, §1, eff. July 9, 1999; Acts 2008, No. 743, §7, eff. July 1, 2008; Acts 2016, No. 297, §1, eff. Jan. 1, 2017; Acts 2016, No. 515, §1.

§1378. Revocation of licenses; other disciplinary actions

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

(1) Conviction of a felony.

(2) Falsification of any material portion of a licensee's application or other requisite submission to the board including but not limited to insurance, work, training, or experience verifications.

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

(4) The refusal of a master plumber, after notice from the board, to accurately designate an employment entity in his application, his renewal thereof, or upon any change in employment status with an employing entity.

(5) The habitual practice of a master plumber to knowingly allow any employing entity to hold itself out as engaging in the business of plumbing at a time when the employing entity does not employ the master plumber as designated to the board.

(6) The habitual practice of a tradesman plumber, 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 this Chapter.

(7) The violation of municipal or other local plumbing codes not otherwise preempted by this Chapter or related regulations as evidenced by adjudication before local governing authorities.

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

(9) The habitual violation of any rules or regulations adopted by the board by a gas fitter or master gas fitter.

(10) The violation of any municipal code, any other code adopted by the board related to gas fitting not otherwise preempted by this Chapter, or any other related regulation as evidenced by an adjudication from a local governing authority.

(11) The refusal of a master gas fitter to accurately designate an employing entity or provide notice of any change in employment with an employing entity.

B. Any licensee whose license is revoked or otherwise restricted as provided herein, may within fifteen days of written notice by the secretary of the board of such revocation, appeal suspensively to the district court in the parish of his residence. The district court shall conduct a trial de novo, but shall not reverse or modify the decision of the board unless it determines that it is arbitrary and capricious. In the event a licensee presents new evidence to the district court, the court shall remand the matter to the board for additional fact-finding and, if appropriate, administrative orders.

Acts 1990, No. 752, §1, eff. Jan. 1, 1991; Acts 1995, No. 824, §1; Acts 1999, No. 1020, §1, eff. July 9, 1999; Acts 2016, No. 297, §1, eff. Jan. 1, 2017; Acts 2016, No. 515, §1.

§1379. Advisory committee

There shall be an advisory committee appointed by the Louisiana Pipe Trades Association and the Louisiana Association of Plumbing, Heating and Cooling Contractors, Inc., with each organization appointing five members to the committee. The committee shall have access to all meetings and records of the board and shall have the privilege of discussing board business at any and all meetings, and advise the board upon the board's activities. They shall receive no pay or expenses and shall not be qualified to vote.

Added by Acts 1964, No. 498, §1

§1380. Insurance requirements for master plumbers

A. No master plumber or restricted master plumber license shall be issued, renewed, or revived until the applicant has provided proof acceptable to the board that insurance has been issued to the employing entity which is designated in accordance with R.S. 37:1367 by an insurer authorized to do business in this state.

B. The employing entity shall maintain:

(1) Workers' compensation insurance as required by law.

(2) Motor vehicle bodily injury and property damage liability insurance in the minimum amount required by law.

(3) Comprehensive general liability and property damage insurance in a minimum aggregate amount of one hundred thousand dollars, except on plumbing work done in parishes under thirty thousand persons in population on buildings, residences, or structures being no more than six thousand square feet of interior space, the minimum aggregate amount shall be fifty thousand dollars.

C. The provisions of this Section shall not apply to a master plumber applying for and being issued an inactive master plumber license.

Acts 1991, No. 759, §1.