

CHAPTER 5230
DEPARTMENT OF LABOR AND INDUSTRY
PIPEFITTERS; POWER PIPING SYSTEMS

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**5230.0010 ORGANIZATION AND DUTIES OF ADVISORY COUNCIL FOR
 PIPEFITTING EXAMINATIONS.**

[For text of subps 1 and 2, see M.R.]

Subp. 3. Examination and certification. The council shall examine all applicants for contracting or journeyman pipefitters' licenses, and after being satisfied of an applicant's qualifications and passage of the examination, shall certify the applicant to the department for issuance of a license.

Subp. 4. Violations by licensee. Upon information coming to the council of any licensee having obtained his license through error, misrepresentation, or fraud, or of his incompetency, or of a willful violation of any of the rules applicable to the work of pipefitting or to the adopted Code of Minimum Standards, the council shall make an investigation as to the probable truth of such information. If the facts elicited by such investigation appear to warrant a suspension or revocation of the licensee's license, the council shall file with the commissioner written charges against the licensee and recommendation for the suspension for a stated length of time or revocation of the license. Thereupon, the commissioner shall proceed in accordance with the provisions of Minnesota's Administrative Procedure Act. If the license is suspended, it shall be reinstated at the end of the period of suspension, and if it is revoked an application for a new license cannot be made within one year from the date of revocation.

[For text of subps 5 to 11, see M.R.]

Statutory Authority: *MS s 175.171; 326.48*

History: *14 SR 1877*

5230.0020 DUTIES OF THE SECRETARY.

The secretary of the council shall be an employee of the department and have general charge of the office of the Pipefitting Division and its books and records, including those of the council. Specifically, his duties shall include the following:

[For text of items A to J, see M.R.]

Statutory Authority: *MS s 175.171; 326.48*

History: *14 SR 1877*

5230.0030 QUALIFICATIONS AND DUTIES OF INSPECTORS.

Inspectors shall be responsible for the fulfillment of their duties, which shall include the following:

[For text of item A, see M.R.]

B. They shall inspect the installation of all high pressure piping and appurtenances when requested or when deemed advisable to determine if such installation meets code requirements. They shall also inspect high pressure piping underground and overhead or in any building at any time to determine the safety operations of such piping and appurtenances.

C. They shall at all times be alert in ascertaining whether persons engaging in the business or occupation of high pressure piping are complying with the provisions of the registration act and Code of Minimum Standards, and especially as to whether or not such persons are licensed.

[For text of item D, see M.R.]

E. They shall at all times be courteous in the conduct of their duties and shall acquaint the persons engaged in the business of high pressure piping with the provisions of the registration act and Code of Minimum Standards.

[For text of items F and G, see M.R.]

H. They shall not divulge any of their opinions or findings pertaining to their duties as inspectors to any person not connected with the Division of Pipefitting Standards unless instructed to do so by their superior officers, nor shall they divulge to the public any matters of a private nature in the possession of the division.

[For text of item I, see M.R.]

J. They shall have authority to give notice to installers or the property owner by attaching a tag to the piping or equipment advising that the piping installation does not meet the Minnesota code requirements or that it was installed by persons not licensed to make such installation and that the equipment shall not be put into operation until the law and code are complied with and the tag removed by an authorized person.

Statutory Authority: *MS s 175.171; 326.48*

History: *14 SR 1877*

5230.0040 DEFINITIONS.

Subpart 1. Contracting pipefitter. A "contracting pipefitter" is any person engaged in the planning, superintending, and practical installation of high pressure piping and appurtenances, and otherwise lawfully qualified to construct high pressure piping installations and make replacements to existing plants, who is also qualified to conduct the business of high pressure piping installations and who is familiar with the laws, rules, and minimum standards governing same.

[For text of subp 2, see M.R.]

Subp. 3. Journeyman pipefitter. A "journeyman pipefitter" is any person other than a contracting pipefitter who as his principal occupation is engaged in the practical installation of high pressure piping and appurtenances in the employ of a contracting pipefitter.

Subp. 4. Pipefitter trainee. A "pipefitter trainee" is any person other than a contracting or journeyman pipefitter, whose principal occupation is learning and assisting in the installation of high pressure piping and appurtenances under the direct supervision of a licensed pipefitter.

Statutory Authority: *MS s 175.171; 326.48*

History: *14 SR 1877*

5230.0050 LICENSING AND REGISTRATION REQUIREMENT.

No person, firm, corporation, or association shall engage in the business or work at the occupation of high pressure piping in the state of Minnesota without first obtaining a license and being registered as a contracting or journeyman pipefitter, as the case may be, and no licensed contractor shall employ a journeyman pipefitter, to install high pressure piping unless such journeyman is a licensed pipefitter; and no person shall work as a pipefitter trainee for more than 30 days without being registered as such, nor longer than four years without making application for examination and license as a pipefitter.

Licenses shall be granted as contracting or journeyman pipefitters upon proof of qualifications therefor as hereinafter provided, and no pipefitter trainee shall be registered as such who is not at least 16 years of age.

An applicant for a contractor's license to do business in the name of a firm or partnership shall be a bona fide member or employee of such firm or partnership. An applicant for a contractor's license to do business in the name of a corporation shall be a regular employee or member in such corporation.

Statutory Authority: *MS s 175.171; 326.48*

History: *14 SR 1877*

5230.0060 APPLICATIONS FOR REGISTRATION.

Subpart 1. **Contractor and journeymen licenses.** Application for a contractor's license and registration shall be made to the secretary of the Division of Pipefitting Standards at least 30 days prior to the next scheduled examination on blanks provided for that purpose by the division. Application for a journeyman's license shall be filed with the division at least ten days prior to the next examination. The council may waive the rule applying to journeyman examinations in emergency cases. If the statements made by the applicant in said application form indicate that he possesses the necessary qualifications to take an examination, the secretary shall notify him of the time and place of examination. If, on examination, the applicant fully qualifies, the council shall so certify to the department, which shall thereupon issue to him a license as a contracting or journeyman pipefitter, as the case may be, for the remainder of the calendar year. If an applicant fails to qualify at an examination, the council shall so certify to the secretary, who shall notify the applicant of his failure to pass.

[For text of subp 2, see M.R.]

Statutory Authority: *MS s 175.171; 326.48*

History: *14 SR 1877*

5230.0070 PIPEFITTER QUALIFICATIONS.

Applicants for license as a contracting pipefitter shall:

[For text of item A, see M.R.]

B. possess sufficient education to read and comprehend blueprints, specifications, and terms of contracts, and to compute the cost of installing high pressure piping and equipment;

C. have worked at the trade of pipefitting for at least five years;

D. be examined as to their knowledge of high pressure pipefitting, the requirements of the laws and minimum standards for the installation of high pressure piping in the state of Minnesota, their ability to lay out a plan of high pressure piping, and their knowledge of the physics and mechanics applicable to high pressure piping;

E. generally demonstrate to the council their fitness to properly, intelligently, and lawfully carry on the business of a contracting and employing pipefitter in the state of Minnesota;

[For text of items F to H, see M.R.]

Statutory Authority: *MS s 175.171; 326 48*

History: *14 SR 1877*

5230.0080 JOURNEYMAN PIPEFITTER QUALIFICATIONS.

Applicants for license shall:

- A. be at least 20 years of age;
- B. possess sufficient education to read and comprehend blueprints and specifications for the installation of high pressure piping;
- C. be of good moral character;
- D. have been a registered pipefitter trainee or journeyman pipefitter for at least four years;
- E. pay an examination fee; and
- F. pass the required examination by at least 70 percent.

Statutory Authority: *MS s 175.171; 326.48*

History: *14 SR 1877*

5230.0090 EXAMINATION OF APPLICANTS FOR LICENSES.

Subpart 1. **Contents.** Examinations shall consist of written or oral questions and drawings of plans and sketches, except that when an applicant is handicapped for a written examination, his examination may be entirely oral. All questions and sketches shall pertain to practical experience and knowledge of pipefitting and be standard, but may be changed from time to time.

Subp. 2. **Grading.** Examination papers shall be reviewed by at least two members of the council. Each answer or sketch shall be graded on the basis of 100 for perfect. The council may grant up to ten percent for experience in the trade or to persons who are certified welders based upon actual experience on high pressure pipefitting as shown on the application. An average of at least 70 percent shall constitute the passing mark.

[For text of subp 3, see M.R.]

Statutory Authority: *MS s 175.171; 326.48*

History: *14 SR 1877*

5230.0110 REGISTRATION OF TRAINEES.

Subpart 1. [Repealed, 14 SR 1877]

Subp. 2. [Repealed, 14 SR 1877]

Subp. 2a. **Annual registration, supervision.** All contracting pipefitters shall, within ten days of the employment of a pipefitter trainee, inform the department of the employment of the pipefitter trainee, giving the name, address, age, and date of employment of the pipefitter trainee.

All persons learning the trade of pipefitting shall register with the department on an annual basis until the four years of training are documented. The registration shall be made at the time of initial registration with the department and annually after that on the anniversary of the initial registration. Upon completion and verification of four years of employment and training by a licensed contracting pipefitter, the pipefitter trainee shall make application for examination and license as a journeyman.

All persons learning the trade of pipefitting shall be under the direct supervision of a contracting or journeyman pipefitter. The minimum ratio of pipefitter trainees to licensed pipefitters on the jobsite shall be:

- A. one pipefitter trainee for the first licensed pipefitter; and

B. one pipefitter trainee for every three licensed pipefitters after that; provided, that at least one journeyman or contracting pipefitter must be on the jobsite at all times when work is in progress.

Subp. 3. **Changes in employment or address.** All registered pipefitter trainees shall inform the department of changes of employment and their address.

Statutory Authority: *MS s 175.171; 326.48*

History: *14 SR 1877*

NOTE: This part applies to all high pressure piping projects after January 31, 1990, to high pressure pipefitter trainees registered after January 31, 1990, and to all high pressure pipefitter apprentices registered with the department before February 1, 1990

NOTE: On January 31, 1990, a temporary restraining order was issued restraining the enforcement of the rules adopted at 14 SR 1877. See *Boise Cascade Corporation vs Kenneth Peterson*, Commissioner of the Department of Labor and Industry, State of Minnesota, case file CZ4-90-48 (Federal District Court, District of Minnesota)

5230.0120 RIGHTS OF LICENSED CONTRACTING PIPEFITTER.

A contracting pipefitter's license shall entitle him to work as a journeyman pipefitter under rules applicable to journeyman pipefitters, but a journeyman pipefitter's license shall not entitle the holder thereof to do business as a contracting pipefitter.

Statutory Authority: *MS s 175.171; 326.48*

History: *14 SR 1877*

5230.0130 DUTIES OF LICENSED CONTRACTING PIPEFITTERS.

A contracting pipefitter employing a journeyman pipefitter or a pipefitter trainee shall comply with all the laws, rules, and minimum standards of the state of Minnesota, paying promptly for labor and material furnished an owner, and reporting income tax and conforming to the laws governing the relationship of master and servant, including the carrying or workmen's compensation insurance, paying the Social Security tax, paying wages when due, furnishing written contracts of employment, and employing licensed pipefitters on high pressure pipe work.

Statutory Authority: *MS s 175.171; 326.48*

History: *14 SR 1877*

5230.0140 DISPLAY OF LICENSES.

All certificates of licenses of a contracting pipefitter shall be posted in a conspicuous place in the office of the contractor's place of business and license cards issued to persons shall at all times be in possession of the licensee during business hours and shall be displayed when required by a representative of the Division of Pipefitting Standards or the department. Such card shall at no time be in the possession of any other person than the licensee to whom it was issued. Licenses issued hereunder shall not be transferable.

Statutory Authority: *MS s 175.171; 326.48*

History: *14 SR 1877*

5230.0160 SEVERANCE OF LICENSEE.

If the member of a firm, corporation, or association holding a license for it shall sever his connection with such concern, the concern shall have no right to continue the business of high pressure pipefitting without procuring another license.

Statutory Authority: *MS s 175.171; 326.48*

History: *14 SR 1877*

5230.0170 CHANGES AND TRANSFERS OF LICENSE.

Changes in the name or place of business of a firm, corporation, or association for which an individual is holding a license and the removal of the residence

of a licensed journeyman from one city to another shall be reported immediately to the secretary of the Division of Pipefitting Standards by the licensee.

Statutory Authority: *MS s 175.171; 326.48*

5230.0180 SURRENDER OF LICENSE UPON REVOCATION.

When a pipefitter's license is revoked, the licensee shall at once surrender his certificate and identification card to the secretary of the Division of Pipefitting Standards.

Statutory Authority: *MS s 175.171; 326.48*

History: *14 SR 1877*

5230.1080 STANDARD QUALIFICATION FOR WELDING PROCEDURES, WELDERS, AND WELDING OPERATORS.

[For text of subps 1 to 7, see M.R.]

Subp. 8. Guided-bend test. Side-bend, face-bend, and root-bend specimens shall be bent in a test-jig that has been approved by the Division of Pipefitting Standards. The specimen shall be placed on the die of the test-jig with the weld at mid-span. The side of the specimen turned toward the gap of the jig shall be the face for face-bend specimens, the root for root-bend specimens, and the side with the greater defects, if any, for side-bend specimens. The specimen shall be forced into the die by applying load on the plunger until the curvature of the specimen is such that a 1/32 inch diameter wire cannot be inserted between the die and the specimen.

Guided-bend specimens shall have no cracks or other open defects exceeding one-eighth inch measured in any direction on the convex surface of specimen after bending except that cracks occurring on the corners of the specimen during testing shall not be considered, unless there is definite evidence that they result from slag inclusions or other internal defects.

Statutory Authority: *MS s 326.46*

History: *14 SR 1877*