

CHAPTER 4716
MINNESOTA PLUMBING BOARD
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4716.0010 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part, UPC sections 201.0 to 228.0 as incorporated by reference in part 4714.0050, and Minnesota Statutes, sections 326B.01 and 326B.42.

Subp. 2. **Commissioner.** "Commissioner" means the commissioner of labor and industry or a duly designated representative of the commissioner who is either an employee of the Department of Labor and Industry or a person working under contract with the department.

Subp. 3. **Department.** "Department" means the Minnesota Department of Labor and Industry.

Subp. 4. **Person.** "Person" means any individual, limited liability company, corporation, partnership, incorporated or unincorporated association, sole proprietorship, joint stock company, or any other legal or commercial entity.

Subp. 5. **Plumbing Code.** "Plumbing Code" means the code adopted as chapter 4714.

Subp. 6. **Registered unlicensed plumber.** "Registered unlicensed plumber" means an individual who performs plumbing work for a contractor or employer, does not hold any class of plumber license, is not a plumber's apprentice as described in Minnesota Statutes, section 326B.42, subdivision 6, and is registered with the commissioner under part 4716.0050.

Statutory Authority: *MS s 326B.43; 326B.435; 326B.47; 326B.52; 326B.555*

History: *33 SR 2042; 37 SR 5; 40 SR 71; 43 SR 1276*

Published Electronically: *May 8, 2019*

4716.0015 STANDARDS ADOPTED BY REFERENCE.

The following are incorporated by reference, are not subject to frequent change, and are made part of this chapter:

A. ASSE Standard 6010 Medical Gas Systems Installers, published by the American Society of Sanitary Engineering, 901 Canterbury Road, Suite A, Westlake, Ohio 44145-1480. ASSE Standard 6010 is copyright 2006 by the American Society of Sanitary Engineering; and

B. ANSI/ISO/IEC Standard 17024 Conformity assessment -- general requirement for bodies operating certification of persons, published by the American National Standards Institute, 10 East 40th Street, New York, New York 10016; International Organization for Standardization, 1, ch. De la Voie-Creuse, CP 56, CH-1211 Geneva 20, Switzerland; and International Electrotechnical Commission, 3, rue de Varembe, P.O. Box 131, CH-1211 Geneva 20, Switzerland. ANSI/ISO/IEC Standard 17024 is copyright 2003 by the American National Standards Institute.

These are available in the Office of the Commissioner of Labor and Industry.

Statutory Authority: *MS s 326B.43; 326B.435; 326B.52*

History: *37 SR 5*

Published Electronically: *December 5, 2012*

4716.0020 EXAMINATION AND LICENSING OF PLUMBERS.

Subpart 1. **Examinations.** An applicant for a plumber's license, other than a restricted journeyworker or restricted master plumber license, must satisfactorily pass an examination given by the commissioner.

A. An applicant for the master plumber examination must have:

(1) at least one year of practical plumbing experience as a licensed journeyworker plumber as described in subpart 2;

(2) a current master plumber license from another state where the requirements of the licensing jurisdiction are equivalent to those of Minnesota, as determined by the commissioner; or

(3) a current Minnesota restricted master plumber license and five years of verifiable experience in business as a plumbing contractor in Minnesota.

B. An applicant for the journeyworker examination:

(1) must be registered as a plumber's apprentice in Minnesota as described in Minnesota Statutes, section 326B.42, subdivision 6, or must be a registered unlicensed plumber as described in part 4716.0010, subpart 6, and must have at least four years of recorded practical plumbing experience, as specified in subpart 2, item F;

(2) must have a current Minnesota restricted journeyworker plumber license or restricted master plumber license and at least two years of practical plumbing experience gained while holding the restricted plumber license, as specified in subpart 2, item E; or

(3) must hold a current plumber's license from another state where the licensing jurisdiction requires at least four years of practical plumbing experience and an examination to qualify for licensure.

Subp. 2. **Experience.** This subpart applies to all practical plumbing experience described in subpart 1.

A. One year of practical plumbing experience consists of at least 1,750 hours.

B. The 1,750 hours necessary to gain one year of practical plumbing experience may be worked in more than one 12-month period; however, not more than 1,750 hours shall be credited for one calendar year.

C. Not more than two years of the practical plumbing experience from a state other than Minnesota shall be credited unless the applicant first obtains a plumber's license in the other state.

D. The applicant is responsible for verifying practical plumbing experience. The commissioner may require work records, time cards, pay records, or other documentation necessary to evaluate practical plumbing experience. The commissioner shall make the final determination about the adequacy and acceptability of an applicant's practical plumbing experience.

E. If the applicant is a licensed restricted journeyworker plumber or a licensed restricted master plumber, subitems (1) and (2) apply.

(1) The practical plumbing experience must include at least the following number of hours in the plumbing aspects specified in units (a) to (c). The remaining required hours of practical plumbing experience may be in any aspect of plumbing work included in the definition of plumbing in UPC section 218.0 as incorporated by reference in part 4714.0050; however, the applicant must include in the application the type of plumbing work and corresponding number of hours:

(a) water distribution system installation, 1,000 hours;

(b) drain, waste, and vent system installation, 1,000 hours; and

(c) fixture installation, 500 hours.

(2) The applicant must have been a licensed restricted journeyworker or a licensed restricted master plumber at all times while obtaining the practical plumbing experience.

F. If the applicant is a registered unlicensed plumber, subitems (1) and (2) apply.

(1) The practical plumbing experience must include at least the following number of hours in the plumbing aspects specified in units (a) to (c). The remaining required hours of practical plumbing experience may be in any aspect of plumbing included in the definition of plumbing in UPC section 218.0 as incorporated by reference in part 4714.0050; however, the applicant must include in the application the type of plumbing work and corresponding number of hours:

(a) water distribution system installation, 2,000 hours;

(b) drain, waste, and vent system installation, 2,000 hours; and

(c) fixture installation, 1,000 hours.

(2) The applicant must have been a registered unlicensed plumber at all times while obtaining the practical plumbing experience or the applicant must have obtained the practical plumbing experience in one of the following ways:

(a) during military service, and the applicant's military officer certifies the experience;

(b) as part of a plumbing education class approved by the commissioner, and an authorized representative of the plumbing educational institution certifies the experience; or

(c) as a plumber's apprentice in another state where the experience is verified by a state agency that regulates plumbing licensing in that state or by a federal agency.

G. Except as provided in item F, subitem (2), units (a) to (c), all practical plumbing experience must be certified by the licensed master plumber who is responsible for the work performed. A restricted master plumber cannot certify the restricted master plumber's own experience. The employer of a journeyworker plumber, restricted master plumber, restricted journeyworker plumber, or registered unlicensed plumber is responsible for:

(1) recording the practical plumbing experience worked by each such employee; and

(2) maintaining these records of practical plumbing experience for at least six years after the employee's last recorded experience.

Statutory Authority: *MS s 326B.435; 326B.47; 326B.555*

History: *33 SR 2042; 43 SR 1276*

Published Electronically: *May 8, 2019*

4716.0030 LICENSE APPLICATIONS.

Subpart 1. **Examination applications.** Applications to take the journeyworker or master plumber's examination must be submitted to the commissioner on forms prepared by the commissioner together with the required fee. The fee must be submitted with the application and is not refundable.

Subp. 2. License applications.

A. Any applicant who receives a passing grade on the journeyworker plumber's examination may submit an application for a journeyworker plumber's license.

B. Any applicant who receives a passing grade on the master plumber's examination may submit an application for a master plumber's license.

C. All initial applications for licensure must be on forms prepared by the commissioner, and must be accompanied by the required fee.

Statutory Authority: *MS s 326B.435*

History: *33 SR 2042*

Published Electronically: *November 29, 2017*

4716.0040 EXPIRATION OF LICENSES.

Subpart 1. **Issuance and expiration.** Initial and renewed journeyworker plumber's licenses and renewed restricted journeyworker plumber's licenses expire on December 31 of each odd-numbered year after issuance or renewal. Initial and renewed master plumber's licenses and renewed restricted master plumber's licenses expire on December 31 of each even-numbered year after issuance or renewal. Any journeyworker plumber, master plumber, restricted journeyworker plumber, or restricted master plumber who submits a renewal application after December 31 shall not work as a plumber until the person has submitted an application, fee, and penalty fee. Any licensed journeyworker or master plumber who does not renew the license within two years is no longer eligible for renewal. The person must retake and pass the examination before a new license will be issued. Any licensed restricted journeyworker or restricted master plumber who does not renew the license within two years of the license expiration will permanently forfeit the restricted plumber license.

Subp. 2. **License renewals.** Applications for license renewal must be submitted to the commissioner on forms prepared by the commissioner no later than December 31 of the year in which the license expires. The application must be accompanied by the required fee. Journeyworker and master plumbers who submit their license renewal applications after expiration of their license but within two years after expiration of the previously issued license must pay all past due renewal fees plus the required late fee. Restricted journeyworker and restricted master plumbers who submit their license renewal applications after expiration of their license but within two years after expiration of the previously issued license must pay the past due renewal fee plus the required late fee.

Statutory Authority: *MS s 326B.435; 326B.47; 326B.555*

History: 33 SR 2042; 43 SR 1276

Published Electronically: May 8, 2019

4716.0050 REGISTRATION OF REGISTERED UNLICENSED PLUMBER.

Subpart 1. **Scope.** Subpart 2 does not apply to a registered plumber's apprentice under Minnesota Statutes, section 326B.47, subdivision 1, paragraph (a).

Subp. 2. **Registration requirements.** No person shall work as a registered unlicensed plumber until that person has submitted an application and fee for registration to the commissioner. Registration must be renewed annually and shall be for the period from July 1 of each year to June 30 of the following year. Applications for initial and renewal registration must be submitted to the commissioner before July 1 of each registration period on forms provided by the commissioner, and must be accompanied by the required fee. A registered unlicensed plumber who submits a registration application after July 1 in any year must pay the renewal fee plus the required late fee.

A. A registered unlicensed plumber must be at least 18 years of age or be a high school graduate, except that a registered unlicensed plumber employed and supervised by the registered unlicensed plumber's parent must be at least 16 years of age.

B. At the time of registration, a registered unlicensed plumber must provide a name, address, date of birth, Social Security number, and information about education and practical plumbing experience.

Statutory Authority: MS s 326B.435; 326B.47; 326B.555

History: 33 SR 2042; 43 SR 1276

Published Electronically: May 8, 2019

MEDICAL GAS

4716.0070 AUTHORITY; PURPOSE.

Part 4716.0072 establishes certification requirements for individuals engaging in the installation, maintenance, or repair of medical gas systems under Minnesota Statutes, section 326B.438.

Statutory Authority: MS s 326B.43; 326B.435; 326B.52

History: 37 SR 5

Published Electronically: December 5, 2012

4716.0071 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 4716.0070 to 4716.0072 have the meanings given them in this part and UPC sections 201.0 to 228.0 and UPC chapter 14 as incorporated by reference in part 4714.0050.

Subp. 2. **Breaching.** "Breaching" means opening any portion of the medical gas system to atmosphere.

Subp. 3. **Certified installer.** "Certified installer" means an individual who has met the requirements of ASSE Standard 6010 Medical Gas Systems Installers and the brazing qualification as defined in NFPA 99C, and is currently certified to this standard and qualification by National Inspection Testing Certification (NITC) or by a recognized third-party certification agency.

Subp. 4. **Installation.** "Installation" means the process of putting in place the equipment and piping required for a medical gas system and making it ready for use.

Subp. 5. **Maintenance.** "Maintenance" means performing work that is done regularly to keep the medical gas system and system components in good condition and working order. Maintenance does not mean replacing cylinders or filters, and work that does not breach the integrity of the medical gas piping system.

Subp. 6. **Recognized third-party certification agency.** "Recognized third-party certification agency" means an agency approved by the commissioner and conforming to ANSI/ISO/IEC Standard 17024 Conformity assessment - General requirements for bodies operating certification of persons, or equivalent.

Subp. 7. **Repair.** "Repair" means breaching the medical gas system for the replacement of pipe, equipment, or other components and restoring the system to working order.

Statutory Authority: *MS s 326B.43; 326B.435; 326B.52*

History: *37 SR 5*

Published Electronically: *July 11, 2017*

4716.0072 LICENSURE; CERTIFICATION.

Subpart 1. **Licensure requirement.** No person shall offer to perform or perform medical gas installation, maintenance, or repair without a plumbing contractor license issued under chapter 326B. Each plumbing contractor shall designate an individual holding a medical gas certification issued by the commissioner as the individual responsible for the plumbing contractor's compliance with this part, chapter 4714, and Minnesota Statutes, section 326B.438.

Subp. 2. Certification requirement.

A. An applicant for medical gas installer certification must meet the following requirements:

(1) a certified installer as defined in part 4716.0071, subpart 5, who was certified on or before August 1, 2010; or

(2) both current licensure as a master plumber or journeyworker plumber under Minnesota Statutes, section 326B.46, and current certification as a certified installer as defined in part 4716.0071, subpart 3.

B. An individual meeting the requirements of this subpart may submit an application to the commissioner for certification as a medical gas installer. Individuals granted medical gas installer certification by the commissioner must maintain their status as a certified installer as defined in

part 4716.0071, subpart 3, while installing, maintaining, or repairing medical gas systems, and carry verification while in the field.

Subp. 3. **Application.** All applications submitted pursuant to this part must be submitted on a form approved by the commissioner and include the fees required by Minnesota Statutes, sections 326B.092 and 326B.438, subdivision 4.

Subp. 4. **Renewal and expiration.** The renewal and expiration of a medical gas installer certification shall be in accordance with Minnesota Statutes, section 326B.438, subdivisions 2 to 4.

Statutory Authority: *MS s 326B.43; 326B.435; 326B.52*

History: *37 SR 5; 40 SR 71*

Published Electronically: *November 29, 2017*

WATER CONDITIONING

4716.0090 AUTHORITY; PURPOSE.

Pursuant to Minnesota Statutes, section 326B.435, subdivision 2, part 4716.0092 establishes licensing requirements for water conditioning contractors, water conditioning masters, water conditioning journeyworkers, and other persons engaged in or working at the business of water conditioning installation or service.

Statutory Authority: *MS s 326B.43; 326B.435; 326B.52*

History: *37 SR 5*

Published Electronically: *November 29, 2017*

4716.0091 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 4716.0090 to 4716.0092 have the meanings given them in this part, UPC sections 201.0 to 228.0 as incorporated by reference in part 4714.0050, and Minnesota Statutes, section 326B.50.

Subp. 2. **Registered unlicensed water conditioner.** "Registered unlicensed water conditioner" means an individual who performs water conditioning work for a contractor or employer, does not hold any class of water conditioning license, and is registered with the commissioner under part 4716.0093.

Statutory Authority: *MS s 326B.43; 326B.435; 326B.47; 326B.52; 326B.555*

History: *37 SR 5; 43 SR 1276*

Published Electronically: *May 8, 2019*

4716.0092 LICENSURE.

Subpart 1. **Water conditioning contractor.** An applicant for a water conditioning contractor license must designate a responsible licensed master as defined in Minnesota Statutes, section

326B.50. The responsible licensed master must give a minimum 15-day notice to the water conditioning contractor and the department before resigning as the responsible licensed master for the contractor. The contractor and responsible licensed master must immediately notify the department upon the termination or separation of the contractor's responsible licensed master. The water conditioning contractor shall have 60 days from the last day of employment of its previous responsible licensed master to employ another responsible licensed master. The water conditioning contractor shall submit written notification to the department that it has designated a different responsible licensed master. If the water conditioning contractor is unable to acquire a replacement responsible licensed master, the water conditioning contractor's license is invalid and the contractor shall cease and desist from performing any water conditioning work and return the contractor's license for voluntary termination. Upon acquiring a replacement responsible licensed master, the water conditioning contractor may request reinstatement of the terminated license under Minnesota Statutes, section 326B.096.

Subp. 2. **Water conditioning master.** An applicant for a water conditioning master license must satisfactorily pass an examination given by the commissioner. An applicant for the water conditioning master examination must have had at least 12 months' experience as a licensed water conditioning journeyworker, or at least 12 months of practical experience as listed in subpart 4, items B and C, subitem (1). The applicant is responsible for verifying practical experience.

Subp. 3. **Water conditioning journeyworker.** An applicant for a water conditioning journeyworker license must satisfactorily pass an examination given by the commissioner. An applicant for the water conditioning journeyworker examination must have been a registered unlicensed water conditioner at all times while obtaining at least six months of practical experience as listed in subpart 4, item C, subitem (2), except as permitted in subpart 4, item A, subitem (4). The applicant is responsible for verifying practical experience.

Subp. 4. **Experience.** For the purposes of the experience required under subparts 2 and 3, the following requirements apply.

A. Experience in the planning, superintending, installing, and servicing of water conditioning systems is acceptable in the situations described in the following:

(1) experience while in the employ of a contractor licensed under Minnesota Statutes, section 326B.46 or 326B.55, and this part;

(2) experience while working in Minnesota for an employer who is exempt from being licensed as a contractor under Minnesota Statutes, section 326B.46 or 326B.55, subdivision 1, paragraph (d), clause (2), if the water conditioning installation or servicing work is done under the supervision of a properly licensed individual;

(3) experience while performing the practical installation and servicing of water conditioning systems outside of Minnesota, which the department has determined is substantially equivalent to work performed while in the employ of a licensed contractor in Minnesota. The determination must be based on a certification by the employer for the type of work performed; or

(4) experience performing the practical installation and servicing of water conditioning systems while in the military of the United States, which the department has determined is substantially equivalent to the work performed while in the employ of a licensed contractor in Minnesota. The determination must be based on a certification by the military for the type of work performed.

B. Twelve months of experience consists of at least 1,750 hours, which may be obtained in more than one 12-month period; however, not more than 1,750 hours shall be credited for one calendar year.

C. The commissioner may require work records, time cards, pay records, or other documentation necessary to evaluate experience. The commissioner shall make the final determination about the adequacy and acceptability of an applicant's experience.

(1) An applicant for water conditioning master examination must include at least the following number of hours in the following water conditioning aspects:

- (a) installation, 200 hours;
- (b) servicing, 300 hours;
- (c) planning, 250 hours; and
- (d) supervising, 250 hours.

The remaining required hours of practical experience may be in any aspect of water conditioning work. An applicant may not include any hours of experience obtained prior to attaining the age of 17.

(2) An applicant for water conditioning journeyworker examination must include at least the following number of hours in the following water conditioning aspects:

- (a) installation, 100 hours; and
- (b) servicing, 200 hours.

The remaining required hours of practical experience may be in any aspect of water conditioning work. An applicant may not include any hours of experience obtained prior to attaining the age of 17.

D. If the applicant is a registered unlicensed water conditioner:

(1) the applicant must have been a registered unlicensed water conditioner at all times while obtaining the practical water conditioning experience, except as allowed under Minnesota Statutes, section 326B.555, subdivision 2; and

(2) all practical water conditioning experience must be certified by the licensed water conditioning master who is responsible for the work performed. Practical water conditioning experience includes installation, servicing, and training hours. The commissioner may require work records, time cards, pay records, or other documentation necessary to evaluate experience. The

commissioner shall make the final determination about the adequacy and acceptability of an applicant's experience.

E. The employer of a water conditioning journeyworker or registered unlicensed water conditioner is responsible for:

(1) recording the practical water conditioning experience worked by each employee; and

(2) maintaining the records of practical water conditioning experience for at least six years after the employee's last recorded experience.

Subp. 5. Examinations.

A. Applications to take the water conditioning master or water conditioning journeyworker examination must be submitted on a form approved by the commissioner. Each application must include the fee under Minnesota Statutes, chapter 326B.

B. The commissioner shall give a written examination for the licensing of water conditioning contractors and installers at least once per year. The written licensing examination for contractors and installers shall include questions covering one or more of the following subject areas: relevant plumbing and installation provisions, materials and tools of the trade, general principles of water conditioning processes, and operation of water conditioning equipment. Additionally, the contractor's licensing examination shall include questions covering one or more of the following subjects: calculations to determine appropriate equipment size, and specific functions and processes involved in different types of water conditioning.

C. A score of 70 percent shall be considered passing. The examinee shall be notified of the results of the examination.

Subp. 6. Renewal and expiration. The renewal and expiration of a water conditioning contractor, water conditioning master, or water conditioning journeyworker license shall be in accordance with Minnesota Statutes, sections 326B.092 to 326B.097, and 326B.50 to 326B.59.

Statutory Authority: *MS s 326B.43; 326B.435; 326B.47; 326B.52; 326B.555*

History: *37 SR 5; 40 SR 71; 43 SR 1276*

Published Electronically: *May 8, 2019*

4716.0093 UNLICENSED WATER CONDITIONER REGISTRATION.

No person shall work as a registered unlicensed water conditioner until that person has submitted an application and fee for registration to the commissioner. Registration must be renewed annually and shall be for the period from July 1 of each year to June 30 of the following year. Applications for initial and renewal registration must be submitted to the commissioner before July 1 of each registration period on forms provided by the commissioner, and must be accompanied by the required fee. A registered unlicensed water conditioner who submits a registration application after July 1 in any year must pay the renewal fee plus the required late fee.

A. A registered unlicensed water conditioner must be at least 18 years of age or a high school graduate, except that a registered unlicensed water conditioner employed and supervised by the registered unlicensed water conditioner's parent must be at least 16 years of age.

B. An applicant for registration under this part must provide a name, address, date of birth, Social Security number, and information about education and practical water conditioning experience on a form provided by the commissioner.

Statutory Authority: *MS s 326B.435; 326B.47; 326B.555*

History: *43 SR 1276*

Published Electronically: *May 8, 2019*

4716.0095 AUTHORITY; PURPOSE.

Parts 4716.0096 and 4716.0097 establish certification requirements for persons performing or offering to perform the installation, maintenance, repair, replacement, testing, or rebuilding of reduced pressure zone backflow prevention assemblies under Minnesota Statutes, section 326B.437.

Statutory Authority: *MS s 14.389; 326B.435; 326B.437*

History: *37 SR 1253*

Published Electronically: *March 8, 2013*

4716.0096 LICENSURE; CERTIFICATION.

Subpart 1. **Backflow prevention rebuilder.** An applicant for backflow prevention rebuilder certification must be a licensed master plumber, journeyworker plumber, or restricted master or restricted journeyworker plumber and possess current American Society of Sanitary Engineering (ASSE) Standard 5110 Backflow Prevention Assembly Tester and ASSE Standard 5130 Backflow Prevention Assembly Repairer certifications.

Subp. 2. **Backflow prevention tester.** An applicant for backflow prevention tester certification shall possess a current ASSE Standard 5110 Backflow Prevention Assembly Tester certification.

Subp. 3. **Application.** All applications submitted pursuant to this part must be submitted on a form approved by the commissioner and include the fees required by Minnesota Statutes, sections 326B.092 and 326B.437.

Subp. 4. **Renewal and expiration.** The renewal and expiration of a backflow prevention rebuilder certification or backflow prevention tester certification shall be in accordance with Minnesota Statutes, section 326B.437, paragraph (c).

Statutory Authority: *MS s 14.389; 326B.435; 326B.437*

History: *37 SR 1253*

Published Electronically: *November 29, 2017*

4716.0097 REQUIREMENTS FOR RENEWAL OF CERTIFICATION.

Subpart 1. **Generally.** The commissioner must not renew the license of an applicant for renewal who has held the license for at least 24 months unless the applicant provides proof of current ASSE certification.

Subp. 2. **Backflow prevention rebuilder.**

A. A backflow prevention rebuilder shall maintain current ASSE Standard 5110 Backflow Prevention Assembly Tester and ASSE Standard 5130 Backflow Prevention Assembly Repairer certifications.

Exception: An individual possessing a current backflow prevention rebuilder certification issued by the commissioner prior to January 1, 2013, is exempt from the requirements in subpart 1. This exemption expires December 31, 2014. Renewal applications submitted after January 1, 2015, shall include documentation of the applicant's current ASSE Standard 5110 Backflow Prevention Assembly Tester and ASSE Standard 5130 Backflow Prevention Assembly Repairer certifications as a condition of renewal.

B. The following standards are incorporated by reference, are not subject to frequent change, are made part of this chapter, and are available in the office of the commissioner: ASSE Standard 5110 Backflow Prevention Assembly Testers and ASSE Standard 5130 Backflow Prevention Assembly Repairers. These standards are published by the American Society of Sanitary Engineering, 901 Canterbury Road, Suite A, Westlake, Ohio 44145-1480 and are copyright 2009 by the American Society of Sanitary Engineering.

Subp. 3. **Backflow prevention tester.** A backflow prevention tester shall maintain a current ASSE 5110 Backflow Prevention Assembly Tester certification.

Exception: An individual possessing a current backflow prevention tester certification issued by the commissioner prior to January 1, 2013, shall be exempt from the requirements in subpart 1. This exemption expires December 31, 2014. Renewal applications submitted after January 1, 2015, shall include documentation of the applicant's current ASSE Standard 5110 Backflow Prevention Assembly Tester certification as a condition of renewal.

Statutory Authority: *MS s 14.389; 326B.435; 326B.437*

History: *37 SR 1253*

Published Electronically: *October 3, 2013*

CONTINUING EDUCATION**4716.0200 DEFINITIONS.**

Subpart 1. **Scope.** The definitions in this part apply to parts 4716.0205 and 4716.0210.

Subp. 2. **Continuing education program.** "Continuing education program" means a course, seminar, workshop, or other educational offering approved by the department.

Subp. 3. **Hours of instruction.** "Hours of instruction" means the number of classroom hours approved by the department in advance for the attendance of a continuing education program.

Subp. 4. **Plumbing license.** "Plumbing license" means a master plumber or journeyworker plumber license issued by the department. Plumbing license does not include a water conditioning journeyworker or a water conditioning master as defined by Minnesota Statutes, section 326B.50, subdivisions 3a and 3b.

Subp. 5. **Restricted plumber.** "Restricted plumber" means an individual who meets the qualifications of Minnesota Statutes, section 326B.475, and is licensed by the department.

Subp. 6. **Sponsor.** "Sponsor" means a person that provides a continuing education program approved in advance by the department.

Statutory Authority: *MS s 326B.43; 326B.435; 326B.52*

History: *37 SR 5*

Published Electronically: *November 29, 2017*

4716.0205 REQUIREMENTS.

Subpart 1. Continuing education; content.

A. In addition to satisfying the requirements of Minnesota Statutes, chapter 326B, individuals who hold the following license types are required to obtain 16 hours of continuing education instruction during the license period before the license may be renewed:

- (1) master plumber;
- (2) journeyworker plumber; and
- (3) restricted plumber.

At least eight hours of instruction must pertain to the Plumbing Code, and the remainder must pertain to the Plumbing Code, technical topics related to plumbing installations and equipment, this chapter, the Minnesota State Building Code, or Minnesota Statutes, sections 326B.41 to 326B.59. Continuing education hours obtained by any electronic media must comply with Minnesota Statutes, sections 326B.098 to 326B.099.

B. In addition to satisfying the requirements of Minnesota Statutes, chapter 326B, individuals who hold the following license types are required to obtain four hours of continuing education instruction during the license period before the license may be renewed:

- (1) water conditioning master; and
- (2) water conditioning journeyworker.

At least two hours must pertain to the Plumbing Code and the remainder must pertain to the Plumbing Code, technical topics related to water conditioning installation and servicing, this chapter, or

Minnesota Statutes, sections 326B.50 to 326B.59. Continuing education hours obtained by any electronic media must comply with Minnesota Statutes, sections 326B.098 to 326B.099.

C. In addition to satisfying the requirements of Minnesota Statutes, chapter 326B, individuals who hold the following registration types are required to obtain continuing education instruction during the registration period before the registration can be renewed:

- (1) registered unlicensed plumbers; and
- (2) registered unlicensed water conditioners.

The registered unlicensed plumber must obtain at least two hours of continuing education instruction that must pertain to the Plumbing Code.

The registered unlicensed water conditioner must obtain at least two hours of continuing education instruction. At least one hour of instruction must pertain to the Plumbing Code, and the remainder must pertain to the Plumbing Code, technical topics related to water conditioning installation and servicing, this chapter, or Minnesota Statutes, sections 326B.50 to 326B.59. Continuing education hours obtained by any electronic media must comply with Minnesota Statutes, sections 326B.098 to 326B.099.

D. In addition to satisfying the requirements of Minnesota Statutes, chapter 326B, an applicant for renewal of a medical gas installer certification is required to obtain four hours of continuing education instruction during the certification period before the certification may be renewed. The required hours of instruction must pertain to the technical topics related to the installation, repair, or maintenance of medical gas systems, this chapter, NFPA 99, or Minnesota Statutes, section 326B.438.

E. In addition to satisfying the requirements of part 4716.0097 and Minnesota Statutes, chapter 326B, individuals who hold the following certifications are required to obtain the following continuing education during the certification period before the certificate may be renewed:

- (1) a backflow prevention rebuilder shall meet the minimum requirements to recertify in ASSE Standards 5110 and 5130; and
- (2) a backflow prevention tester shall meet the minimum requirements to recertify in ASSE Standard 5110.

Subp. 2. **Application.**

A. Each applicant for the renewal of a license, registration, or certification specified in subpart 1 must obtain during the term of the license, registration, or certification period and before a renewal application is submitted to the department, the required number of credits of approved continuing education. No individual may transfer continuing education hours of instruction to another individual. Hours may only be applied to the renewal period in which they are obtained and may not be carried over to the next renewal period.

B. Where an individual holds more than one type of plumbing license, registration, or certification credits for hours of instruction may be applied to each license, registration, or

certification during the same renewal period so long as the specific requirements for the license, registration, or certification are met.

Statutory Authority: *MS s 14.389; 326B.43; 326B.435; 326B.437; 326B.47; 326B.52; 326B.555*

History: *37 SR 5; 38 SR 986; 43 SR 1276*

Published Electronically: *May 8, 2019*

4716.0210 CREDIT FOR HOURS OF INSTRUCTION.

Subpart 1. **Approval of continuing education programs.** To qualify as a continuing education hour of instruction under part 4716.0205, subpart 1, a continuing education program shall be approved in advance by the department. The subject matter must pertain to the plumbing code or the topics specified in part 4716.0205, subpart 1. The sponsor shall submit an application for approval according to Minnesota Statutes, section 326B.0981. An interactive educational program may also be approved for presentation through electronic media. Any program presented through electronic media that does not include real-time interaction between the presenter and the licensee or registrant must include an examination process that ensures a licensee or registrant has successfully completed the program.

Subp. 2. **Notification of presentations.** Not less than 30 days prior to a presentation of a continuing education program, the sponsor shall notify the department in writing of the date, time, and location of the program.

Subp. 3. **Instruction in another state.** Notwithstanding subparts 1 and 2, continuing education programs that are offered in another state and have not been preapproved by the department, shall be approved for credit if the department is provided with evidence that the educational program meets the requirements of this part, part 4716.0205, and Minnesota Statutes, sections 326B.098 to 326B.099, and the course has been approved for continuing education hours of instruction or credit by a public authority licensing plumbers or restricted plumbers in the other state.

Subp. 4. **Qualifications of instructors.** All educational programs shall be conducted by instructors who meet the requirements of Minnesota Statutes, section 326B.099, subdivision 3, and have the qualifications described in at least one of the following items:

A. an individual plumber license issued by the department and at least four years' experience in plumbing inspection, plumbing installations, or teaching subjects within the scope of plumbing work permitted by the instructor's license;

B. at least five years' practical experience in the subject being taught. An instructor in this category may only be approved for instruction on technical topics related to plumbing installations and equipment; or

C. an instructor certified by a national plumbing-related training program.

Subp. 5. **Credit for teaching.** Instructors of educational programs approved under this part shall receive instruction credit for each hour of instruction allowable under subpart 1.

Subp. 6. **Report of credits earned.** Within 14 days after presentation of an educational program for credit under part 4716.0205, the sponsor shall provide a certificate of completion to each licensee or registrant in attendance and shall forward an attendance list and original attendance sign-in document to the department on a form supplied by the department, or in a format approved by the department. Each certificate of completion and attendance list shall include the name of the sponsor, date and location of the presentation, educational program identification that was provided to the department, hours of instruction or continuing education units, and the licensee's or registrant's name and license or registration number or the last four digits of the applicant's Social Security number. The attendance list must be typewritten and provide a summary of each attendee's hours for each course attended.

Subp. 7. **Credit for completing an educational program.** Participants in an educational program must complete the entire program to receive credit. Partial credit must not be granted.

Statutory Authority: *MS s 326B.43; 326B.435; 326B.52*

History: *37 SR 5*

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