

326B.42 DEFINITIONS.

Subdivision 1. **Words, terms, and phrases.** For purposes of sections 326B.41 to 326B.49, the terms defined in this section have the meanings given to them.

Subd. 1a. **Contractor.** "Contractor" means a person who performs or offers to perform any plumbing work, with or without compensation, who is licensed as a contractor by the commissioner. Contractor includes plumbing contractors and restricted plumbing contractors.

[See Note.]

Subd. 1b. **Backflow prevention rebuilder.** A "backflow prevention rebuilder" is an individual who is qualified by training prescribed by the Plumbing Board and possesses a master or journeyman plumber's license to engage in the testing, maintenance, and rebuilding of reduced pressure zone type backflow prevention assemblies as regulated by the Plumbing Code.

Subd. 1c. **Backflow prevention tester.** A "backflow prevention tester" is an individual who is qualified by training prescribed by the Plumbing Board to engage in the testing of reduced pressure zone type backflow prevention assemblies as regulated by the Plumbing Code.

Subd. 2. **Direct supervision.** The term "direct supervision," with respect to direct supervision of a plumber's apprentice or registered unlicensed individual by a master, restricted master, journeyman, or restricted journeyman plumber, means that:

(1) at all times while the plumber's apprentice or registered unlicensed individual is performing plumbing work, the supervising plumber is present at the location where the plumber's apprentice or registered unlicensed individual is working;

(2) the supervising plumber is physically present and immediately available to the plumber's apprentice or registered unlicensed individual at all times for assistance and direction;

(3) any form of electronic supervision does not meet the requirement of physically present;

(4) the supervising plumber actually reviews the plumbing work performed by the plumber's apprentice or registered unlicensed individual before the plumbing is operated; and

(5) the supervising plumber is able to and does determine that all plumbing work performed by the plumber's apprentice or registered unlicensed individual is performed in compliance with the plumbing code.

Subd. 3. MS 2007 Supp [Renumbered subd 5]

Subd. 3. **Journeyman plumber.** A "journeyman plumber" is an individual, other than a master plumber, who, as a principal occupation, is engaged as an employee of, or is otherwise working under the direction of, a master plumber in the practical installation of plumbing.

Subd. 4. MS 2007 Supp [Renumbered subd 7]

Subd. 4. **Master plumber.** A "master plumber" is an individual who is skilled in the planning, superintending, and the practical installation of plumbing, who is otherwise lawfully qualified to contract for plumbing and installations and to conduct the business of plumbing and who is familiar with the laws and rules governing the same.

Subd. 5. **Municipality.** The term "municipality" shall have the meaning given to it in section 326B.103, subdivision 9.

Subd. 6. **Plumber's apprentice.** A "plumber's apprentice" is any individual who is employed in the practical installation of plumbing under an apprenticeship agreement approved by the department under Minnesota Rules, part 5200.0340.

Subd. 7. **Plumbing code.** "Plumbing code" means Minnesota Rules, chapter 4715.

Subd. 8. **Plumbing contractor.** "Plumbing contractor" means a licensed contractor whose responsible individual is a licensed master plumber.

[See Note.]

Subd. 9. **Responsible individual.** A contractor's "responsible individual" means the licensed master plumber or licensed restricted master plumber designated in writing by the contractor in the contractor's license application, or in another manner acceptable to the commissioner, as the individual responsible for the contractor's compliance with sections 326B.41 to 326B.49, all rules adopted under these sections and sections 326B.50 to 326B.59, and all orders issued under section 326B.082.

[See Note.]

Subd. 10. **Restricted plumbing contractor.** "Restricted plumbing contractor" means a licensed contractor whose responsible individual is a licensed restricted master plumber.

[See Note.]

History: (5872, 5887, 5887-23, 5887-30, 5887-30e) 1907 c 457 s 8; 1913 c 554 s 1; 1933 c 349 s 5; 1937 c 367 s 1,6; 1937 c 370 s 4; 1941 c 460 s 1; 1943 c 474 s 1; 1947 c 253 s 1; 1957 c 907 s 1-3; 1967 c 602 s 10-16; 1979 c 121 s 1; 1985 c 73 s 1-4; 1985 c 248 s 70; 1Sp1985 c 6 s 2; 1986 c 373 s 1,2; 1986 c 402 s 1; 1986 c 444; 1991 c 289 s 1-9; 2002 c 328 s 1-7; 2003 c 58 s 1; 2007 c 135 art 6 s 1; 2007 c 140 art 4 s 61; art 5 s 1-18; art 6 s 2,3,14,15; art 13 s 4; 2008 c 337 s 5,6,48,64; 2010 c 280 s 24,25; 2010 c 347 art 3 s 24-27; 1Sp2011 c 4 art 3 s 9-13

NOTE: Subdivisions 1a, 8, 9, and 10, as added by Laws 2010, chapter 347, article 3, sections 24 to 27, are effective January 1, 2012. Laws 2010, chapter 347, article 3, section 76, as amended by Laws 2010, chapter 385, section 6.