

STATE OF MAINE

**PLUMBERS' EXAMINING
BOARD**

LAWS AND RULES



DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION

PLUMBERS' EXAMINING BOARD
35 STATE HOUSE STATION
AUGUSTA, MAINE 04333
TELEPHONE: 207-624-8627

<http://www.maine.gov/pfr/professionallicensing/professions/plumbers/index.html>
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Title 32: PROFESSIONS AND OCCUPATIONS

Chapter 49: PLUMBERS

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Maine Revised Statutes
Title 32: PROFESSIONS AND OCCUPATIONS
Chapter 49: PLUMBERS

Subchapter 1: GENERAL PROVISIONS

§3301. DEFINITIONS

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [1999, c. 386, Pt. L, §1 (AMD).]

1. Apprentice plumber.

[1983, c. 468, §11 (RP) .]

1-A. Commissioner. "Commissioner" means the Commissioner of Professional and Financial Regulation.

[1985, c. 389, §16 (NEW) .]

1-B. Department. "Department" means the Department of Professional and Financial Regulation.

[1985, c. 389, §16 (NEW) .]

2. Board. "Board" means the Plumbers' Examining Board appointed under section 3401.

[1999, c. 386, Pt. L, §1 (AMD) .]

2-A. Journeyman-in-training. "Journeyman-in-training" means a person who is licensed under this chapter to assist in making plumbing installations under the direct supervision of a journeyman plumber or a master plumber who may not act as or represent that the person is a journeyman plumber, as defined in subsection 3.

[1999, c. 386, Pt. L, §1 (AMD) .]

3. Journeyman plumber. "Journeyman plumber" means any person who customarily performs the work of installing plumbing and drainage under the employment and direction of a master plumber or, not being a master plumber, does plumbing repair work as a regular part-time occupation.

[1999, c. 386, Pt. L, §1 (AMD) .]

4. Limited license. "Limited license" means a limited plumber's license to install and service plumbing work related to a specific type of plumbing equipment or to specific plumbing installations granted to any person who has passed a satisfactory examination before the board. It must specify the name of the person who is limited to engage in the occupation of installing and servicing the plumbing work related to the type of equipment or to specific plumbing installations only as authorized by the license.

[1999, c. 386, Pt. L, §1 (AMD) .]

5. Master plumber. "Master plumber" means any individual qualified under this chapter engaging in or about to engage in the business of installing plumbing or plumbing systems. The license must specify the name of the individual to whom the license is issued.

[2017, c. 210, Pt. D, §1 (AMD) .]

5-A. Propane and natural gas installer. A "propane and natural gas installer" means a person licensed under chapter 139 when installing propane and natural gas utilization equipment, subject to the restrictions of that person's license.

[2009, c. 344, Pt. D, §11 (AMD); 2009, c. 344, Pt. E, §2 (AFF) .]

6. Trainee plumber. "Trainee plumber" means any person who is engaged in assisting in making plumbing installations under the direct supervision of one or more licensed journeyman plumbers or licensed master plumbers, whether for the purpose of learning the trade or otherwise.

[2017, c. 210, Pt. D, §2 (AMD) .]

7. Trainee plumber.

[1983, c. 468, §15 (RP) .]

SECTION HISTORY

1971, c. 363, §1 (AMD). 1973, c. 521, §9 (AMD). 1975, c. 118, §§1,2 (AMD). 1977, c. 469, §§1-5 (AMD). 1983, c. 468, §§11-15 (AMD). 1985, c. 389, §§16,17 (AMD). 1987, c. 597, §§5-8 (AMD). 1993, c. 9, §1 (AMD). 1995, c. 502, §H31 (AMD). 1999, c. 386, §L1 (AMD). 2009, c. 344, Pt. D, §11 (AMD). 2009, c. 344, Pt. E, §2 (AFF). 2017, c. 210, Pt. D, §§1, 2 (AMD).

§3302. APPLICABILITY

1. License required. A license is required for any individual who is engaged in plumbing or performing plumbing installations. No license is required for any activity for which a permit is not required under Title 30, section 3223 or its successor. This section does not apply to the following:

A. Plumbing by regular employees of public utilities as defined in Title 35-A, section 102, when working as such; [1987, c. 141, Pt. B, §33 (AMD).]

B. Plumbing by oil burner technicians, duly licensed under chapter 139, and propane and natural gas installers, licensed under chapter 139, except that this exception only applies to hot and cold water connections to existing piping in the same room where the installation is taking place and does not apply beyond any existing branch connection supplying water; [2017, c. 210, Pt. D, §3 (AMD) .]

C. Plumbing by a person in a single-family residence occupied or to be occupied by that person as that person's bona fide personal abode as long as the installation conforms with board laws and rules; and [2017, c. 210, Pt. D, §3 (AMD) .]

D. Plumbing by a pump installer who is duly licensed pursuant to section 4700-I, subsection 2, except that this exception is limited to installing piping from the cold water distribution pipe at the pressure tank's main shut-off valve to the existing water supply piping as long as the piping is located in the same

room as the tank, the length of the piping is no longer than 15 feet and the piping does not extend beyond any existing branches. Such plumbing must conform to the board's laws and rules. [2017, c. 210, Pt. D, §3 (NEW).]

[2009, c. 344, Pt. D, §12 (AMD); 2009, c. 344, Pt. E, §2 (AFF); 2017, c. 210, Pt. D, §3 (AMD) .]

2. Municipal licenses not required. A municipality may not require plumbers to be municipally licensed nor may any municipality issue a permit for any plumbing installation unless satisfied that the person, firm or corporation applying for the permit complies with this chapter.

[1999, c. 386, Pt. L, §2 (AMD) .]

3. Supervision of trainee plumber. A master or journeyman plumber may not have more than 3 trainee plumbers working under the master or journeyman plumber's direct supervision.

[1999, c. 386, Pt. L, §2 (AMD) .]

SECTION HISTORY

1973, c. 521, §6 (RPR). 1977, c. 78, §182 (AMD). 1977, c. 469, §6 (RPR). 1983, c. 468, §16 (AMD). 1987, c. 141, §B33 (AMD). 1993, c. 9, §2 (AMD). 1999, c. 386, §L2 (AMD). 2009, c. 344, Pt. D, §12 (AMD). 2009, c. 344, Pt. E, §2 (AFF). 2017, c. 210, Pt. D, §3 (AMD).

§3303. PROVISIONS IN CITY CHARTERS NOT AFFECTED

(REPEALED)

SECTION HISTORY

1977, c. 469, §7 (RP).

§3304. UNLICENSED PRACTICE

Any person who violates section 3302, subsection 1 is subject to the provisions of Title 10, section 8003-C. [2007, c. 402, Pt. O, §1 (NEW).]

SECTION HISTORY

1971, c. 363, §2 (AMD). 1973, c. 521, §7 (AMD). 1977, c. 469, §8 (RPR). 1983, c. 413, §140 (RPR). 1999, c. 547, §B78 (AMD). 1999, c. 547, §B80 (AFF). 2007, c. 402, Pt. O, §1 (RPR).

§3305. EXCEPTIONS

(REPEALED)

SECTION HISTORY

1973, c. 521, §8 (NEW). 1977, c. 469, §9 (RP).

Subchapter 2: REGULATIONS

§3351. LOCAL ORDINANCE OR BYLAWS

(REPEALED)

SECTION HISTORY

1973, c. 521, §5 (RP).

§3352. PERMITS; FEES; HEARINGS ON REGULATIONS

(REPEALED)

SECTION HISTORY

1965, c. 234, §1 (AMD). 1973, c. 521, §5 (RP).

§3353. LAW GOVERNING; LOCAL INSPECTORS

(REPEALED)

SECTION HISTORY

1973, c. 521, §5 (RP).

Subchapter 3: EXAMINING BOARD

§3401. MEMBERSHIP; VACANCIES; REMOVAL; COMPENSATION

The Plumbers' Examining Board, as established by Title 5, section 12004-A, subsection 32, consists of 5 members, who are appointed by the Governor as follows. [2003, c. 446, §4 (AFF); 2003, c. 446, §1 (RPR).]

1. Public member. One of the members of the board must be a public member as defined in Title 5, section 12004-A.

[2007, c. 402, Pt. O, §2 (AMD) .]

2. Master plumbers. Three of the members of the board must be master plumbers as defined in section 3301, and one of those 3 members must be a member of a bona fide labor organization.

[2013, c. 217, Pt. F, §1 (AMD) .]

3. Journeyman plumbers.

[2003, c. 446, §1 (NEW); 2003, c. 446, §4 (AFF); T. 32, §3401, sub-§3 (RP) .]

3-A. Journeyman plumber.

[2013, c. 217, Pt. F, §2 (RP) .]

4. Local plumbing inspector. One of the members of the board must be a local plumbing inspector who has been engaged in plumbing inspections for at least 4 years and is employed by a municipality.

[2007, c. 402, Pt. O, §2 (AMD) .]

Members are appointed for terms of 4 years. Appointments of members must comply with Title 10, section 8009. [2007, c. 402, Pt. O, §2 (AMD).]

Any member of the board may be removed from office for cause by the Governor. [2003, c. 446, §1 (NEW); 2003, c. 446, §4 (AFF).]

SECTION HISTORY

1965, c. 234, §2 (AMD). 1975, c. 575, §38 (AMD). 1975, c. 771, §§362,363 (AMD). 1977, c. 469, §§10,10A,11 (AMD). 1981, c. 703, §A77 (AMD). 1983, c. 413, §141 (RPR). 1983, c. 553, §39 (AMD). 1983, c. 812, §229 (AMD). 1987, c. 597, §9 (RPR). 1989, c. 503, §B140 (AMD).

1993, c. 600, §A228 (AMD). 1995, c. 397, §54 (AMD). 2003, c. 107, §1 (AMD). 2003, c. 107, §2 (AFF). 2003, c. 446, §4 (AFF). 2003, c. 446, §1 (RPR). 2007, c. 402, Pt. O, §2 (AMD). 2013, c. 217, Pt. F, §§1, 2 (AMD).

§3402. EMPLOYEES

State plumbing inspectors appointed under this section have powers throughout the several counties of the State similar to those sheriffs have in their respective counties, relating to enforcement of this chapter and rules adopted under this chapter. These powers are limited to the power to issue citations, the power to serve summonses, to conduct investigations and to order corrections of violations by licensees in accordance with the specific statutory authority set forth in this chapter. If any state plumbing inspector finds any plumbing installation in any building or structure which does not comply with the adopted state plumbing code that inspector shall, with the consent of the local plumbing inspector, order that the installation be removed or remedied and that order must be complied with immediately by the owner or occupant of the premises or building or the installer of the plumbing in violation. If any state plumbing inspector finds any plumbing installation in any building or structure which creates a danger to other property or to the public, the inspector may forbid use of the building or structure by serving a written order upon the owner and the occupant, if any, to vacate within a reasonable period of time to be stated in the order. [1991, c. 509, §23 (AMD).]

Any person ordered by a state plumbing inspector to correct a plumbing deficiency or to vacate a building or structure may, within 7 days, appeal to the Plumbers' Examining Board, which shall within a reasonable time review the order and file its decision on the appeal. The decision of the board must be complied with within the time that is fixed in the decision. If any person, firm or corporation fails or refuses to carry out any such order of any state plumbing inspector or decision of the board, a court may order appropriate relief. Any person ordered by the board to correct a plumbing deficiency or to vacate a building or structure may appeal the order to the Superior Court pursuant to the Maine Rules of Civil Procedure, Rule 80B, by filing a petition for review within 48 hours of receipt of the order. The order by the Plumbers' Examining Board may not be stayed unless by order of the Superior Court for good cause. [1999, c. 386, Pt. L, §3 (AMD).]

Upon the failure of any person to carry out the final order, the Plumbers' Examining Board may petition the Superior Court for the county in which the premises or building is located from an injunction to enforce that order. If the court determines upon hearing the petition that a lawful final order was issued, it shall order compliance. [1989, c. 483, Pt. A, §51 (NEW).]

In addition to any other powers, state plumbing inspectors shall have the right of entry during usual business hours to inspect any and all buildings and premises in the performance of their duties. They may enter any building only with the permission of the owner, occupant or person having control of the building or pursuant to an order of court. [1989, c. 483, Pt. A, §51 (AMD).]

SECTION HISTORY

1977, c. 469, §12 (RPR). 1981, c. 703, §A78 (RPR). 1983, c. 553, §46 (AMD). 1985, c. 389, §18 (AMD). 1985, c. 785, §B138 (AMD). 1989, c. 483, §A51 (AMD). 1991, c. 509, §23 (AMD). 1995, c. 397, §55 (AMD). 1999, c. 386, §L3 (AMD).

§3403. MEETING; CHAIR

The board shall meet at least once a year to conduct its business and to elect a chair. Additional meetings must be held as necessary to conduct the business of the board and may be convened at the call of the chair or a majority of the board members. [2013, c. 246, Pt. B, §10 (AMD).]

SECTION HISTORY

1975, c. 575, §39 (AMD). 1977, c. 469, §13 (AMD). 1981, c. 703, §A79 (AMD). 1983, c. 413, §142 (RPR). 1983, c. 553, §40 (AMD). 2007, c. 402, Pt. O, §3 (AMD). 2013, c. 246, Pt. B, §10 (AMD).

§3403-A. POWERS AND DUTIES

The board shall administer, coordinate and enforce this chapter and has the following powers and duties in addition to those otherwise set forth in this chapter. [2007, c. 402, Pt. O, §4 (AMD).]

1. Rules. The board may, in accordance with Title 5, chapter 375, subchapter 2, adopt rules commensurate with the authority vested in it by this chapter. These rules may include, but not be limited to, internal plumbing, licensing requirements, examinations and reciprocity of licensing with similar boards of other states that maintain standards equivalent to this State.

[2007, c. 402, Pt. O, §4 (AMD) .]

2. Hearings.

[2007, c. 402, Pt. O, §4 (RP) .]

3. Contracts.

[2007, c. 402, Pt. O, §4 (RP) .]

4. Fees.

[1999, c. 386, Pt. L, §4 (RP) .]

5. Orders.

[1999, c. 386, Pt. L, §5 (RP) .]

SECTION HISTORY

1983, c. 413, §143 (NEW). 1985, c. 389, §19 (AMD). 1989, c. 878, §§B28,29 (AMD). 1997, c. 727, §C8 (AMD). 1999, c. 386, §§L4,5 (AMD). 2007, c. 402, Pt. O, §4 (AMD).

§3403-B. PLUMBING CODE

1. Plumbing and plumbing code. The board shall adopt minimum rules relating to plumbing, including a plumbing code. All rules, including installation and inspection rules, must be consistent with this chapter and Title 30-A, chapter 185, subchapter III, except that the authority of municipalities to adopt more restrictive ordinances under Title 30-A, section 3001 is not preempted. Notwithstanding the Maine Administrative Procedure Act, the adoption of a national or international published plumbing code as a new plumbing code for the State constitutes a major substantive rule and must receive affirmative action by the Legislature before adoption. Subsequent technical amendments to any national or international published plumbing code that may be adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

[2001, c. 215, §1 (AMD) .]

2. Plumbing code violations. Any person who violates the rules adopted pursuant to this section is subject to sanctions pursuant to Title 10, section 8003, subsection 5-A and any person who violates a municipal ordinance adopted pursuant to Title 30-A, sections 4201 and 4211 must be penalized in accordance

with Title 30-A, section 4452. Enforcement of the rules is the joint responsibility of the municipalities and the board. The board or a municipality may seek to enjoin violations of the rules or municipal ordinances. In the prosecution of a violation by a municipality, the court shall award reasonable attorney's fees to a municipality if that municipality is the prevailing party, unless the court finds that special circumstances make the award of fees unjust.

[2017, c. 210, Pt. D, §4 (AMD) .]

SECTION HISTORY

1997, c. 727, §C9 (NEW). 2001, c. 215, §1 (AMD). 2017, c. 210, Pt. D, §4 (AMD).

§3404. DENIAL OR REFUSAL TO RENEW LICENSE; DISCIPLINARY ACTION; REINSTATEMENT

The board may deny a license, refuse to renew a license or impose the disciplinary sanctions authorized by Title 10, section 8003, subsection 5-A for any of the reasons enumerated in Title 10, section 8003, subsection 5-A, paragraph A. [2007, c. 402, Pt. O, §5 (RPR).]

3. Violation of law. Any violation of this chapter or any rule adopted by the board; or

[1983, c. 413, §144 (NEW) .]

4. Conviction of crime. Subject to the limitations of Title 5, chapter 341, conviction of a crime which involves dishonesty or false statement or which relates directly to the practice of plumbing, or conviction of any crime for which incarceration for one year or more may be imposed.

[1983, c. 413, §144 (NEW) .]

The board, for reasons it considers sufficient, may reissue a license to any person whose license has been revoked if 2 or more members of the board vote in favor of the reissuance. [2007, c. 402, Pt. O, §5 (RPR).]

SECTION HISTORY

1973, c. 303, §3 (AMD). 1977, c. 469, §14 (RPR). 1977, c. 694, §§615,616 (AMD). 1983, c. 413, §144 (RPR). 1983, c. 553, §41 (AMD). 1999, c. 547, §B78 (AMD). 1999, c. 547, §B80 (AFF). 2007, c. 402, Pt. O, §5 (RPR).

§3405. DISPOSAL OF FEES

(REPEALED)

SECTION HISTORY

1983, c. 553, §42 (AMD). 1985, c. 389, §20 (AMD). 1995, c. 397, §56 (RP).

§3406. RECORDS

(REPEALED)

SECTION HISTORY

2007, c. 402, Pt. O, §6 (RP).

Subchapter 4: PLUMBING INSPECTORS

§3451. APPOINTMENT*(REPEALED)*

SECTION HISTORY

1973, c. 521, §5 (RP).

§3452. COMPENSATION; DUTIES*(REPEALED)*

SECTION HISTORY

1973, c. 521, §5 (RP).

§3453. APPROVING OWN WORK FORBIDDEN; ADDITIONAL INSPECTOR*(REPEALED)*

SECTION HISTORY

1973, c. 521, §5 (RP).

§3454. ANNUAL REPORTS*(REPEALED)*

SECTION HISTORY

1973, c. 521, §5 (RP).

Subchapter 5: LICENSES

§3501. ISSUANCE OF LICENSES**1. License required.**

[1999, c. 386, Pt. L, §6 (RP) .]

1-A. Application; qualifications. The board shall issue a license to any person who files a sworn application, who passes an examination approved by the board and who meets the qualifications set forth in this section.

[1999, c. 386, Pt. L, §6 (NEW) .]

2. Journeyman or limited license. The board may issue a journeyman plumber or limited plumber license to persons who submit an application on a form prescribed by the board with the required fee as set under section 3501-B and who provide satisfactory evidence of the following qualifications:

A. A minimum of at least 2 years with 4,000 hours of work in the field of plumbing installations as a licensed trainee plumber under the supervision of a master plumber, or the equivalent thereof, and obtaining a passing grade as determined by the board on the journeyman's examination; or [1999, c. 386, Pt. L, §6 (AMD) .]

B. A minimum of 2,000 hours of work in the field of plumbing installations as a journeyman-in-training under the supervision of a licensed master plumber, as long as the work experience is obtained within 4 years of the date upon which the applicant was issued a journeyman-in-training license. A journeyman-in-training license must be issued upon sworn application to any person who has satisfactorily completed one academic year of instruction in plumbing at a board-approved technical college or community college or in a career and technical education program approved pursuant to Title 20-A, section 8306-

B as a secondary student or in a registered Department of Labor apprenticeship program and who has obtained a passing grade, as determined by the board on the journeyman's examination. [2017, c. 4, §1 (AMD) .]

[2017, c. 4, §1 (AMD) .]

2-A. Master plumber license. The board may issue a master plumber license to a person who submits an application on a form prescribed by the board with the required fee as set under section 3501-B and who provides satisfactory evidence of the following qualifications:

A. A minimum of at least one year with 2,000 hours of work in the field of plumbing installations as a journeyman plumber or a minimum of at least 4 years with 8,000 hours of work in the field of plumbing installations as a trainee plumber under the supervision of a master plumber, or the equivalent; and [1987, c. 597, §11 (AMD) .]

B. Obtaining a passing grade, as determined by the board on the master's examination. [1983, c. 468, §18 (NEW) .]

[2003, c. 250, Pt. B, §1 (AMD) .]

2-B. Journeyman-in-training. The board may issue a journeyman-in-training license to a person who provides satisfactory evidence of completion of a plumbing course consisting of one year or 2 semesters at a board-approved technical college or community college, in a registered Department of Labor apprenticeship program or in a career and technical education program approved pursuant to Title 20-A, section 8306-B as a secondary student and who submits the required fee set under section 3501-B and evidence of having obtained a passing grade, as determined by the board, on the journeyman's examination. A journeyman-in-training license is valid for a single nonrenewable period of 4 years and may be issued only once to any individual.

[2017, c. 4, §2 (AMD) .]

3. Trainee license. The board may issue a trainee plumber license without examination to any person who submits a written application on a form supplied by the board with the required fee set under section 3501-B and who provides satisfactory evidence that the person is employed by a licensed master plumber or an entity that employs a licensed master plumber or plumbers and will assist the licensed master plumber or plumbers as a trainee plumber.

[2017, c. 210, Pt. D, §5 (AMD) .]

4. License displayed. All persons licensed by the board must receive a license that must be publicly displayed at the principal place of business of the plumber, if any, and a pocket card license that must be carried on the person and displayed at any time upon request.

[2007, c. 402, Pt. O, §7 (AMD) .]

5. Examinations.

[1999, c. 386, Pt. L, §6 (RP) .]

6. Installation, repair or replacement of well pumps. A person licensed under this subchapter who performs the installation, repair or replacement of a pump in a well, as defined in section 4700-E, subsection 8, shall install, repair or replace that pump in compliance with the code of performance adopted by the Maine Water Well Commission pursuant to section 4700-H, subsection 5. Any person, company, firm, partnership or corporation who installs, alters, repairs or replaces a pump system without being licensed as provided in

this chapter or in violation of the code of performance, except for an apprentice pump installer as set forth in this chapter, or any person, firm, partnership or corporation who procures a license as provided in this chapter wrongfully or by fraud commits a civil violation punishable by a fine of not more than \$1,000.

This subsection does not prevent a person from making pump system installations, alterations, repairs or replacements in a single-family residence occupied by that person or to be occupied by that person as a bona fide personal abode, providing the installation, alteration, repair or replacement conforms to the standards set forth in this chapter and any rules adopted by the Maine Water Well Commission or the department.

This subsection does not prevent a person from removing and replacing an existing pump for the purpose of well inspection or to test pumping if the pump and electrical system are not being modified.

[2001, c. 209, Pt. A, §4 (AMD) .]

SECTION HISTORY

1977, c. 469, §15 (RPR). 1977, c. 696, §245 (AMD). 1981, c. 470, §A153 (AMD). 1983, c. 468, §§17-19 (AMD). 1983, c. 553, §§43,44 (AMD). 1987, c. 597, §§10-12 (AMD). 1989, c. 443, §89 (AMD). 1991, c. 509, §24 (AMD). 1993, c. 25, §1 (AMD). 1999, c. 386, §L6 (AMD). 2001, c. 209, §A4 (AMD). 2003, c. 250, §§B1-3 (AMD). 2003, c. 688, §§A37,38 (AMD). 2005, c. 520, §1 (AMD). 2007, c. 402, Pt. O, §7 (AMD). 2017, c. 4, §§1, 2 (AMD). 2017, c. 210, Pt. D, §5 (AMD).

§3501-A. EXAMINATIONS

An applicant for a master, journeyman or journeyman-in-training plumber license shall present to the board a written application for examination, containing information that the board requires, accompanied by the prescribed fee as set under section 3501-B. Examinations must be in whole or in part in writing and of a thorough and practical character commensurate with the responsibilities of the prospective license holder. [2017, c. 210, Pt. D, §6 (AMD).]

The passing grade on a master plumber license examination may not be less than 75%. The passing grade on a journeyman plumber license examination may not be less than 70%. [2017, c. 210, Pt. D, §6 (AMD).]

SECTION HISTORY

1999, c. 386, §L7 (NEW). 2003, c. 250, §B4 (AMD). 2017, c. 210, Pt. D, §6 (AMD).

§3501-B. FEES

The Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation may establish by rule fees authorized under this chapter in amounts that are reasonable and necessary for their respective purposes, except that the fee for any one purpose may not exceed \$350 biennially. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [2009, c. 241, Pt. C, §1 (AMD); 2011, c. 286, Pt. B, §5 (REV).]

1. Application.

[2003, c. 250, Pt. B, §5 (RP) .]

2. Examination.

[2003, c. 250, Pt. B, §5 (RP) .]

3. Licensure.

[2003, c. 250, Pt. B, §5 (RP) .]

4. Plan review fee.

[2003, c. 250, Pt. B, §5 (RP) .]

SECTION HISTORY

1999, c. 386, §L8 (NEW). 2003, c. 250, §B5 (RPR). 2009, c. 241, Pt. C, §1 (AMD). 2011, c. 286, Pt. B, §5 (REV).

§3502. EXAMINATION

(REPEALED)

SECTION HISTORY

1965, c. 234, §3 (AMD). 1977, c. 469, §16 (RP).

§3503. MASTER PLUMBERS

(REPEALED)

SECTION HISTORY

1965, c. 234, §4 (AMD). 1977, c. 469, §17 (RP).

§3504. RENEWALS

A license expires on the date set by the commissioner pursuant to Title 10, section 8003, subsection 4 for the licensing period for which the license was issued. A license may be renewed upon receipt of an application for renewal and payment of the renewal fee as set under section 3501-B. [2009, c. 241, Pt. C, §2 (RPR).]

A license may be renewed up to 90 days after the date of its expiration upon payment of a late fee in addition to the renewal fee as set under section 3501-B. Any person who submits an application for renewal more than 90 days after the license expiration date shall pay an additional late fee as set under section 3501-B and is subject to all requirements governing new applications under this chapter, except that the board may in its discretion, giving due consideration to the protection of the public, waive examination or other requirements. Notwithstanding any other provision of this chapter, the board shall waive examination if a renewal application is made within 90 days after separation from the United States Armed Forces, under conditions other than dishonorable, by a person who has failed to renew the person's license because the person was on active duty in the United States Armed Forces; the waiver of examination may not be granted if the person served more than 4 years in the United States Armed Forces, except if the person is required by some mandatory provision to serve a longer period and the person submits satisfactory evidence to the board. [2007, c. 402, Pt. O, §8 (AMD).]

All journeyman-in-training licenses are issued for a single nonrenewable period of 4 years and are not subject to the requirements of this section. [2007, c. 402, Pt. O, §8 (AMD).]

SECTION HISTORY

1965, c. 234, §5 (AMD). 1977, c. 469, §18 (RPR). 1981, c. 703, §A80 (AMD). 1983, c. 413, §145 (AMD). 1983, c. 468, §20 (AMD). 1999, c. 386, §§L9,10 (AMD). 2003, c. 250, §B6 (AMD). 2007, c. 402, Pt. O, §8 (AMD). 2009, c. 241, Pt. C, §2 (AMD).

§3504-A. RECIPROCITY

The board shall issue a license to any person who files a sworn application and who is licensed under the laws of another state or territory of the United States as long as that state or territory has licensing standards and experience requirements at least equivalent to this State's and as long as that state or territory grants similar privileges to persons licensed under this chapter. Reciprocal licenses may not be denied on the basis of current residency. [1999, c. 386, Pt. L, §11 (NEW).]

SECTION HISTORY

1999, c. 386, §L11 (NEW).

§3505. JOURNEYMEN PLUMBERS

(REPEALED)

SECTION HISTORY

1965, c. 234, §6 (AMD). 1971, c. 263, §3 (AMD). 1975, c. 118, §3 (AMD).
1975, c. 510, §43 (AMD). 1977, c. 469, §19 (RP).

§3505-A. APPRENTICE AND TRAINEE PLUMBERS; FEES

(REPEALED)

SECTION HISTORY

1965, c. 234, §7 (NEW). 1975, c. 118, §4 (RPR). 1977, c. 469, §20 (RP).

§3506. RENEWAL

(REPEALED)

SECTION HISTORY

1965, c. 234, §8 (AMD). 1977, c. 469, §21 (RP).

§3507. CORPORATIONS, FIRMS AND PARTNERSHIPS

(REPEALED)

SECTION HISTORY

1965, c. 234, §9 (AMD). 1983, c. 468, §21 (RPR). 1987, c. 597, §13
(AMD). 1999, c. 386, §L12 (AMD). 2017, c. 210, Pt. D, §7 (RP).

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02-395

DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION

PLUMBERS' EXAMINING BOARD

ALL RULE CHAPTERS

Includes:

- Ch. 1, Advisory Rulings
- Ch. 2, Complaints, Investigations and Adjudicatory Hearings (*repealed*)
- Ch. 3, Licensing Requirements
- Ch. 4, Installation Standards
- Ch. 5, Examination Requirements (*repealed*)
- Ch. 6, Reciprocity
- Ch. 7, Fees (*repealed*)
- Ch. 8, Conflict of Interest (*repealed*)

Last Updated: January 1, 2022 (Chapter 4)

02 DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION**395 PLUMBERS' EXAMINING BOARD****Chapter 1: ADVISORY RULINGS**

Summary: This rule establishes guidelines relating to advisory rulings.

1. MEETING NOTICES (REPEALED)**2. MEETING AGENDAS (REPEALED)****3. RECORDS (REPEALED)****4. ADVISORY RULINGS****A. Authority and Scope**

The board may issue an advisory ruling in accordance with 5 MRSA §9001 concerning the applicability of a statute or rule to existing facts. The board shall review each request for an advisory ruling to determine whether the requested ruling is appropriate. The board may, at its discretion, decline to issue an advisory ruling if the request is hypothetical, if there is insufficient information upon which to base a ruling or for any other reason the board deems proper.

B. Submission

A request for an advisory ruling must be submitted to the board in writing and must set forth in detail all facts pertinent to the question. The board may require submission of additional information as it deems necessary to provide a complete factual background.

C. Ruling

The board shall issue advisory rulings in writing. The advisory ruling must include a statement of facts or assumptions, or both, upon which the ruling is based. The statement, without reference to other documents, must be sufficiently detailed to apprise the reader of the basis of the opinion. The assent of three members of the board is required for the issuance of an advisory ruling. The ruling must be signed by the board chair, must be identified specifically as an advisory ruling, and must be numbered serially.

D. Publication

The department shall mail the advisory ruling to the requesting party and the Board Administrator shall retain a copy. An advisory ruling is a public document and shall be

available for public inspection during the normal working hours of the board. In addition, the board may otherwise publish or circulate an advisory ruling as it deems appropriate.

STATUTORY AUTHORITY: 5 MRSA §8051 and §9001(4)

EFFECTIVE DATE:

February 3, 1980 - Chapter 1 (as Chapter 110)

March 31, 1985 - Ch. 110 - 150

AMENDED:

March 6, 1990 Ch. 110 - 190

REPEALED AND REPLACED:

April 28, 1997 (as Chapter 1)

EFFECTIVE DATE (ELECTRONIC CONVERSION):

December 20, 1997

AMENDED:

May 11, 2010 – filing 2010-175

02 DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION

395 PLUMBERS' EXAMINING BOARD

Chapter 2: COMPLAINTS, INVESTIGATIONS AND ADJUDICATORY HEARINGS

Summary: This Chapter describes the procedure by which complaints and adjudicatory hearings will be handled by the Board.

STATUTORY AUTHORITY: 32 M.R.S.A. §§ 3403-A, 3403-B, and 3404

EFFECTIVE DATE:

February 3, 1980 - in Chapter 1

March 31, 1985 - part of Chapters 110-150

AMENDED:

March 6, 1990 - part of Chapters 110-150

REPEALED AND REPLACED:

April 28, 1997 - replacing Chapter 120

EFFECTIVE DATE (ELECTRONIC CONVERSION):

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REPEALED AND REPLACED:

January 20, 2002

REPEALED:

May 11, 2010 – filing 2010-176

02 DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION**395 PLUMBERS' EXAMINING BOARD****Chapter 3: LICENSING REQUIREMENTS**

Summary: This chapter sets forth the requirements for initial licensure, examination and license renewal. This chapter also describes the manner in which a lapsed license may be reinstated.

[Note: The statutory requirements for licensure as a trainee plumber, journeyman-in-training, journeyman plumber and master plumber are set forth in 32 MRSA §§ 3501 and 3501-A.]

1. TRAINEE PLUMBER

- A. *REPEALED*
- B. A person may apply for licensure as a trainee plumber on forms provided by the board. The application must be accompanied by the license fee set forth in Chapter 10, Section 5(29) of the rules of the Office of Licensing and Registration, entitled "Establishment of License Fees." The minimum age for licensure is 16.
- C. Whenever a licensed trainee plumber is no longer employed or supervised by a licensed master or journeyman plumber, the trainee plumber may not perform any plumbing work for which a license is required.
- D. Hours of work accumulated by a trainee plumber shall commence from the date of licensure. Hours completed before a trainee plumber's 16th birthday will not be recognized.

2. JOURNEYMAN-IN-TRAINING

- A. A person who meets the educational qualifications of 32 MRSA §3501(2-B) may apply to sit for the journeyman plumber examination. Upon passing the journeyman plumber examination, a person may apply for licensure as a journeyman-in-training in order to obtain the licensed work experience required for licensure as a journeyman plumber. Application for licensure must be made on forms provided by the board and must be accompanied by the license fee set forth in Chapter 10, Section 5(29) of the rules of the Office of Licensing and Registration, entitled "Establishment of License Fees."
- B. Whenever a licensed journeyman-in-training is no longer supervised by a licensed master or journeyman plumber, the journeyman-in-training may not perform any plumbing work for which a license is required.

3. JOURNEYMAN PLUMBER

- A. Upon passing the journeyman plumber examination, a person may apply for licensure as a journeyman plumber. Application for licensure must be made on forms provided by the board and must be accompanied by the license fee set forth in Chapter 10, Section 5(29) of the rules of the Office of Licensing and Registration, entitled “Establishment of License Fees.”
- B. Whenever a licensed journeyman plumber is no longer employed by a licensed master plumber, the journeyman plumber may not perform any plumbing work for which a license is required.

4. MASTER PLUMBER

Upon passing the master plumber examination, a person may apply for licensure as a master plumber. Application for licensure must be made on forms provided by the board and must be accompanied by the license fee set forth in Chapter 10, Section 5(29) of the rules of the Office of Licensing and Registration, entitled “Establishment of License Fees.”

5. RESPONSIBILITY OF THE MASTER OR JOURNEYMAN PLUMBER REGARDING SUPERVISION

- A. By the supervising master plumber’s signature on an application for licensure as a trainee plumber, the master plumber acknowledges supervisory responsibility for the work ethics, performance, and training of the trainee plumber.
- B. *REPEALED*
- C. A master plumber is responsible for ensuring that all journeyman plumbers, journeymen-in-training and trainee plumbers in the employ of or under the supervision of the master plumber are licensed and that they practice within the scope of the license held. A journeyman plumber is responsible for ensuring that all journeymen-in-training and trainee plumbers under the supervision of the journeyman plumber are licensed and that they practice within the scope of the license held.
- D. A master plumber must provide upon request an affidavit attesting to the work experience and work hours completed by a trainee plumber, journeyman-in-training or journeyman plumber while under the employment or supervision of the master plumber.
- E. Whenever a supervising master plumber ceases to provide supervision to a trainee plumber, the master plumber shall promptly notify the board in writing.

6. EXAMINATION

- A. An applicant for examination must submit all of the following items to the board:
 - (1) Completed application;

- (2) The nonrefundable application fee set forth in Chapter 10, Section 5(29) of the rules of the Office of Licensing and Registration, entitled “Establishment of License Fees;”
 - (3) Academic transcript or certificate, if applicable; and
 - (4) Affidavits of work experience and work hours furnished pursuant to Section 5(D) of this chapter.
- B. Incomplete or illegible applications will be returned to the applicant along with any attachments received.
 - C. An applicant must receive board approval before sitting for an examination. Examination scores of applicants who take an examination before receipt of board approval will not be recognized.
 - D. Board approval will remain valid for a period of 2 years following the date of the approval. If an applicant fails to pass an examination within this time, or fails to apply for licensure within 2 years from the date of notification of a passing score on the qualifying examination, the applicant must reapply as a new applicant and retake the examination.

7. LICENSE EXPIRATION (*REPEALED*)

8. LICENSE RENEWAL

The licenses of master plumbers, journeyman plumbers and trainee plumbers expire 2 years after the date of issuance. To renew a license, the licensee shall follow the on line renewal procedure prescribed by the board and shall remit the license fee set forth in Chapter 10, Section 5(29) of the rules of the Office of Licensing and Registration, entitled “Establishment of License Fees.”

9. LATE RENEWAL; REINSTATEMENT

A. Late Renewal

A license may be renewed up to 90 days after expiration upon payment of the late fee set forth in Chapter 11, Section 2(1) of the rules of the Office of Licensing and Registration, entitled “Late Renewals” along with the license fee.

B. Reinstatement

A master plumber or journeyman plumber who fails to renew a license more than 90 days but less than 2 years after expiration may reinstate the license without taking the examination by filing a new application for renewal and paying the license fee, the late fee set forth in Chapter 11, Section 2(1) of the rules of the Office of Licensing and Registration, entitled “Late Renewals,” and the additional late fee set forth in Chapter 10, Section 5(29) of the rules of the Office of Licensing and Registration entitled “Establishment of License Fees.”

An applicant who fails to renew a license 2 years or longer after expiration must apply for initial licensure pursuant to Section 6 of this chapter, meet the qualifications for initial licensure in effect at the time of the application and pass the appropriate examination.

[NOTE: Reinstatement of an expired license held by a plumber separating from the United States Armed Forces may be governed by 32 MRSA §3504.]

STATUTORY AUTHORITY: 32 MRSA §3403-A(1)

EFFECTIVE DATE:

February 3, 1980 - Chapter 1
March 31, 1985 - Ch. 110 - 150

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02 DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION**395 PLUMBERS' EXAMINING BOARD****Chapter 4: INSTALLATION STANDARDS**

Summary: This Chapter adopts standards for plumbing installations in the State of Maine.

1. PLUMBING INSTALLATIONS

- A. The Plumbers' Examining Board adopts and incorporates herein by reference the International Association of Plumbing and Mechanical Officials *2021 Uniform Plumbing Code*, Copyright © 2020, 29th edition, Third Printing, May 2021, as the standard for plumbing installations in the State of Maine, subject to the exclusions and amendments as set forth in this chapter.

The aforementioned *2021 Uniform Plumbing Code*, hereinafter referred to as the "UPC," may be purchased from:

International Association of Plumbing and Mechanical Officials
4755 E. Philadelphia Street
Ontario, CA 91761-2816
Telephone: (909) 472-4208 or 1-800-854-2766
Webpage: www.iapmo.org

- B. All plumbing installations must comply with the UPC as adopted herein with the exclusions and amendments set forth in this chapter; Title 32, Chapter 49 of the *Maine Revised Statutes*; and the rules of the board. Plumbing installations must also comply with all applicable statutes or rules of the State and all applicable ordinances, orders, rules and regulations of local municipalities.

C. **Exclusions and Amendments**

(1) **Chapter 1, Administration**

- a. The board adopts Chapter 102.8, Appendices, as amended below:

102.8 Appendices. The board does not adopt the provisions in the appendices as part of the code.

- b. The board adopts Chapter 104.1, Permits Required, as amended below:

104.1 Permits Required. It shall be unlawful for a person, firm, or corporation to make an installation, alteration, repair, replacement, or remodel a plumbing system regulated by this code except as permitted in Section 104.2, or to cause the same to be done without first obtaining a separate plumbing permit for each separate building or structure.

Notwithstanding any provision to the contrary, and for the purposes of this Chapter, only the following persons may apply for and obtain plumbing permits:

- (i) A person with a valid and current master plumber license issued by the board pursuant to Title 32, Section 3501, subsection 2-A; or
- (ii) Pursuant to Title 32, Section 3302, subsection 1(C), any person in a single-family residence occupied or to be occupied by that person as that person's bona fide personal abode as long as the installation conforms with the board's laws and rules.

c. The board adopts Chapter 104.2, Exempt Work as amended below:

104.2 Exempt Work. A permit shall not be required for the following:

(3) Installation of heating appliances and fuel fired (direct or indirect) water heaters by master or journeyman oil burner technicians or propane and natural gas technicians licensed pursuant to Title 32, Chapter 139 of the *Maine Revised Statutes*.

(4) The work excluded from the definition of "plumbing" in Title 30-A, Section 4201, subsection 3.

(5) Plumbing by regular employees of public utilities as defined in Title 35-A, Section 102, when working as such.

(6) Plumbing by a pump installer who is duly licensed pursuant to Title 32, Section 4700-I, subsection 2, except that this exception is limited to installing piping from the cold water distribution pipe at the pressure tank's main shut-off valve to the existing water supply piping as long as the piping is located in the same room as the tank, the length of the piping is no longer than 15 feet and the piping does not extend beyond any existing branches. Such plumbing must conform to the board's laws and rules.

d. The board adopts Chapter 104.3.1, Construction Documents, as amended below:

104.3.1 Construction Documents. Construction documents, engineering calculations, diagrams, and other data may be required to be submitted in two or more sets with each application for a permit.

e. The board does not adopt Chapter 104.3.2, Plan Review Fees.

f. The board does not adopt Chapter 104.3.3, Time Limitation of Application.

g. The board does not adopt Chapter 104.4.3, Expiration.

- h. The board does not adopt Chapter 104.4.4, Extensions.
- i. The board adopts Chapter 104.5, Fees, as amended below:

104.5 Permit Fees.

104.5.1 General. Permit fees shall be charged for the following permits.

- (1) Fixture fee, per fixture.
- (2) When only new water distribution and/or drainage pipes are installed or relocated in a building, but no fixtures installed.
- (3) Testable backflow prevention assembly.
- (4) A hookup fee shall be charged for the connection of a mobile home, which bears the Housing and Urban Development (HUD) seal or a modular home which bears the Manufactured Housing Board seal, to a building sewer.
- (5) A hookup fee shall be charged for connection to a public sewer when piping is installed outside the jurisdiction of the sanitary district. A hookup is considered a fixture when calculating the fee.
- (6) Relocated mobile homes, modular homes or any other similar structures shall be considered as new conventional stick built structures. A plumbing fixture fee shall be charged based on this section.

104.5.2 Fixtures. For the purpose of this section, a sanitary plumbing outlet on or to which a plumbing fixture or appliance may be set or attached shall be construed to be a fixture. Fees for reconnection and retest of existing plumbing systems in relocated buildings shall be based on the number of plumbing fixtures that require a permit to be issued.

104.5.3 Work Commencing Before Permit Issuance. Any person who begins any work for which a permit is required by this Code without first having obtained a permit shall, if subsequently eligible to obtain a permit for that work, pay double the permit fee for such work.

Exception: This provision shall not apply to any emergency work when it can be proved to the satisfaction of the Local Plumbing Inspector ("LPI") that such work was necessary and

that it was not practical to obtain a permit before the commencement of the work. In all emergency cases, a permit must be obtained within four (4) working days or a double permit fee shall be charged.

- j. The board does not adopt Table 104.5, Plumbing Permit Fees.
- k. The board adopts Chapter 105.2.6, Reinspections, as amended below:

105.2.6 Reinspections. A reinspection fee shall be permitted to be assessed for each inspection or reinspection where such portion of work for which inspection is called is not complete or where required corrections have not been made.

This provision shall not be interpreted as requiring reinspection fees the first time a job is rejected for failure to be in accordance with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for inspection or reinspection.

Reinspection fees shall be permitted to be assessed where the approved plans are not readily available to the inspector, for failure to provide access on the date for which the inspection is requested, or for deviating from plans requiring the approval of the Authority Having Jurisdiction.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

- l. The board adopts Chapter 105.3, Testing of Systems, with the following addition:

105.3.4 Testing of Plastic Pipe With Air. The board allows the testing of plastic schedule 40 DWV (drainage waste and vent) piping systems with 5 psi (pounds per square inch) maximum of air. For safety purposes, when testing with air, a listed 6 psi relief valve is required.

Co-extruded ABS (Acrylonitrile Butadiene Styrene) and PVC (Poly Vinyl Chloride) schedule 40 (cellular core) piping systems with referenced standards ASTM F1488 and ASTM F891 shall not be tested with air.

PVC and CPVC (Chlorinated Poly Vinyl Chloride) building supply and water distribution piping systems shall not be tested by air.

- m. The board does not adopt Chapter 105.4, Connection to Service Utilities.
- n. The board does not adopt Chapter 106.3, Penalties.
- o. The board does not adopt Chapter 107.0, Board of Appeals.

- p. The board does not adopt Chapter 107.1, General.
- q. The board does not adopt Chapter 107.2, Limitations of Authority.

(2) **Chapter 2, Definitions**

- a. The board does not adopt the following definitions:
 - (i) Chapter 203.0: Appliance, Low-Heat; Appliance, Medium-Heat; Appliance Categorized Vent Diameter/Area; Appliance Fuel Connector.
 - (ii) Chapter 204.0: Boiler Blowoff; Bonding Conductor or Jumper.
 - (iii) Chapter 205.0: Category 1; Category 2; Category 3; Category 3 Vacuum System; Category 4; Chimney; Chimney, Factory-Built; Chimney, Masonry; Chimney, Metal; Chimney Classifications; Chimney, High-Heat Appliance-Type; Chimney, Low-Heat Appliance-Type; Chimney, Medium-Heat Appliance-Type; Chimney, Residential Appliance-Type; Combustible Material; Confined Space; Critical Care Area.
 - (iv) Chapter 206.0: Direct-Vent Appliances.
 - (v) Chapter 207.0: Effective Ground-Fault Current Path; Excess Flow Valve (EFV).
 - (vi) Chapter 208.0: Flammable Vapor or Fumes; Flue Collar.
 - (vii) Chapter 209.0: Gas Piping; Gas Piping System; General Anesthesia and Levels of Sedation/Analgesia; Deep Sedation/Analgesia; General Anesthesia; Minimal Sedation (Anxiolysis); Moderate Sedation/Analgesia (Conscious Sedation); Grounding Electrode.
 - (viii) Chapter 214.0: Liquefied Petroleum Gas (LP-Gas) Facilities.
 - (ix) Chapter 215.0: Medical Air; Medical Gas; Manifold; Medical Gas System; Medical Support Gas; Medical-Surgical Vacuum; Medical-Surgical Vacuum System.
 - (x) Chapter 216.0: Nitrogen, NF.
 - (xi) Chapter 218.0: Patient Care Space; Category 1 Space; Category 2 Space; Category 3 Space; Category 4 Space; Patient Medical Gas; Proportioning System for Medical Air USP.
 - (xii) Chapter 219.0: Quick-Disconnect Device (Fuel Gas).

- (xiii) Chapter 221.0: Scavenging; Service Piping; Standard Cubic Feet per Minute (SCFM); Station Inlet; Station Outlet.
 - (xiv) Chapter 222.0: Transition Gas Riser.
 - (xv) Chapter 223.0: User Outlet.
 - (xvi) Chapter 224.0: Vacuum System-Level-1; Valve, Service; Vent Connector, Gas; Vent Offset; Venting System; Vent, Gases; Type B Gas Vent; Type BW Gas Vent; Type L Gas Vent.
- b. The board adopts Chapter 218.0, Plumbing System, as amended below:
- Plumbing System.** Includes all potable water, alternate water sources, building supply, and distribution pipes; all plumbing fixtures and traps; all drainage and vent pipes; and all building drains and building sewers, including their respective joints and connections, devices, receptors, and appurtenances within the property lines of the premises and shall include potable water piping, potable water treating or using equipment, and water heaters.
- c. The board adopts Chapter 220.0, Roughing-In, as amended below:
- Roughing-In.** The installation of all parts of the plumbing system that can be completed prior to the installation of fixtures. This includes drainage, water supply, vent piping, and the necessary fixture supports.

(3) **Chapter 3, General Regulations**

- a. The board does not adopt Chapter 312.12.3, Tub Waste Openings.
- b. The board does not adopt Chapter 313.7, Gas Piping.
- c. The board adopts Chapter 315.1, Unions, as amended below:

315.1 Unions. Approved unions shall be permitted to be used in drainage piping where accessibly located in the trap seal or between a fixture and its trap; in the vent system, except underground or in wet vents; and at any point in the water supply system.
- d. The board does not adopt Chapter 319.0, Medical Gas and Vacuum Systems.
- e. The board does not adopt Chapter 319.1, General.

(4) **Chapter 4, Plumbing Fixtures and Fixture Fittings**

- a. The board adopts Chapter 422.2, Separate Facilities, as amended below:

422.2 Separate Facilities. Separate toilet facilities shall be provided for each sex.

Exceptions:

- (1) Residential installations.
- (2) In occupancies with a total occupant load of 10 or less, including customers and employees, one toilet facility, designed for use by no more than one person at a time, shall be permitted for use by both sexes.
- (3) In business and mercantile occupancies with a total occupant load of 50 or less, including customers and employees, one toilet facility, designed for use by no more than one person at a time, shall be permitted for use by both sexes.
- (4) In an eating establishment as provided in Title 22, Section 1686, one toilet facility, designed for use by no more than one person at a time, shall be permitted for use by both sexes.

(5) **Chapter 5, Water Heaters**

- a. The board does not adopt Chapter 5, Water Heaters, except for the following sections:

- (i) Chapter 501.0, General.
- (ii) Chapter 501.1, Applicability.
- (iii) Table 501.1(1), Water Heaters
- (iv) Chapter 505.1, Water Heaters.
- (v) Chapter 505.2, Safety Devices.
- (iv) Chapter 505.4, Indirect-Fired Water Heaters.
- (vii) Chapter 505.4.1, Single-Wall Heat Exchanger.
- (viii) Chapter 507.1, Dielectric Insulator.
- (ix) Chapter 507.4, Ground Support.
- (x) Chapter 507.5, Drainage Pan.

(xi) Chapter 507.24, Installation Instructions.

(6) **Chapter 6, Water Supply and Distribution**

- a. The board adopts Chapter 605.12.2, Solvent Cement Joints, as amended below:

605.12.2 Solvent Cement Joints. Solvent cement joints for PVC pipe and fittings shall be clean from dirt and moisture. Pipe shall be cut square and pipe shall be deburred. Where surfaces to be joined are cleaned and free of dirt, moisture, oil, and other foreign material, apply primer that complies with ASTM F656.

- b. The board does not adopt Chapter 609.12, Pipe Insulation, including 609.12.1 and 609.12.2.
- c. The board does not adopt Chapter 612.0, Residential Fire Sprinkler Systems, which includes Chapter 612.1, Where Required, through Chapter 612.7.2, Final Inspection and does not adopt any tables referenced therein.

(7) **Chapter 7, Sanitary Drainage**

- a. The board adopts Chapter 705.6.2, Solvent Cement Joints, as amended:

705.6.2 Solvent Cement Joints. Solvent cement joints for PVC pipe and fittings shall be clean from dirt and moisture. Pipe shall be cut square and pipe shall be deburred. Where surfaces to be joined are cleaned and free of dirt, moisture, oil and other foreign material, apply primer that complies with ASTM F656.

- b. The board does not adopt Chapter 713.5, Permit.
- c. The board does not adopt Table 721.1, Minimum Horizontal Distance Required From Building Sewer (feet).

(8) **Chapter 8, Indirect Wastes**

- a. The board adopts Chapter 807.3, Domestic Dishwashing Machine, as amended below:

807.3 Domestic Dishwashing Machine. Domestic dishwashing machines shall discharge indirectly through an air-gap into a waste receptor or standpipe installed in accordance to this code, or discharge into a wye branch fitting on the tailpiece of the kitchen sink or the dishwasher connection of a food waste disposal unit. The waste line from a domestic dishwashing machine that discharges into a kitchen sink tailpiece wye or food waste disposal unit shall connect through a deck mounted dishwasher air gap fitting, or the waste line shall rise to the underneath of the sink counter and be securely fastened.

(9) **Chapter 9, Vents**

- a. The board adopts Chapter 901.0, General, as amended below by adding the following:

...

901.4 Future Vents. In the basement of every new building there shall be an accessible future vent connection. Buildings that require a main vent stack shall have a future vent connection full size of the vent stack. In all other buildings (including residential) there shall be a minimum of a two inch future vent connection. All future vent connections shall be drip connected, identified, and labeled "Future Vent".

- b. The board adopts Chapter 906.0, Vent Termination, as amended below:

906.1 Roof Termination. Each vent pipe or stack shall extend through its flashing and shall terminate vertically not less than two (2) feet (610 mm) above the roof nor less than one (1) foot (305 mm) from any vertical surface.

...

906.3 Use of Roof. Vent pipes shall be extended separately or combined, of full required size, not less than two (2) feet above the roof or firewall. Flagpoling of vents shall be prohibited except where the roof is used for purposes other than weather protection. Vents within ten (10) feet (3,048 mm) of any part of the roof that is used for such other purposes shall extend not less than seven (7) feet (2134 mm) above such roof and shall securely stay.

...

906.7 Frost or Snow Closure. Where frost or snow closure is likely to occur in locations having minimum design temperature below 0°F (-17.8°C), vent terminals shall be not less than two (2) inches (50 mm) in diameter, but in no event smaller than the required vent pipe. The change in diameter shall be made inside the building not less than one (1) foot (305 mm) below the roof in an insulated space and terminate not less than two (2) feet (610 mm) above the roof, or in accordance with the Authority Having Jurisdiction.

(10) **Chapter 11, Storm Drainage**

- a. The board does not adopt Chapter 1101.6, Subsoil Drains, which includes:

(i) Chapter 1101.6.1, Discharge.

(ii) Chapter 1101.6.2, Sump.

- (iii) Chapter 1101.6.3, Splash Blocks.
- (iv) Chapter 1101.6.4, Backwater Valve.
- (v) Chapter 1101.6.5, Open Area.
- b. The board does not adopt Chapter 1101.7, Building Subdrains.
- c. The board does not adopt Chapter 1101.8, Areaway Drains.
- d. The board does not adopt Chapter 1101.9, Window Areaway Drains.
- e. The board does not adopt Chapter 1101.10, Filling Stations and Motor Vehicle Washing Establishments.
- f. The board does not adopt Chapter 1101.11, Paved Areas.
- (11) **Chapter 12, Fuel Gas Piping**
 - a. The board does not adopt Chapter 12, Fuel Gas Piping.
- (12) **Chapter 13, Health Care Facilities and Medical Gas and Medical Vacuum Systems**
 - a. The board does not adopt Chapter 13, Health Care Facilities and Medical Gas and Medical Vacuum Systems.

STATUTORY AUTHORITY:

32 MRS §§ 3403-A, 3403-B(1), 3302

EFFECTIVE DATE:

April 28, 1997

EFFECTIVE DATE (ELECTRONIC CONVERSION):

December 20, 1997

PROVISIONAL ADOPTION (MAJOR SUBSTANTIVE):

January 15, 2002 – filing LR-2002-2

FINAL ADOPTION:

September 17, 2005 – by action of the Legislature, Resolve 2005 c.81 approved (signed by the Governor) June 3, 2005, effective September 17, 2005

AMENDED:

May 11, 2010 – filing 2010-178
 October 1, 2016 – filing 2016-145

REPEALED AND REPLACED:

January 1, 2022 – filing 2021-212

02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

395 PLUMBERS' EXAMINING BOARD

Chapter 5: EXAMINATION REQUIREMENTS

Summary: This chapter sets forth specific information pertaining to the examination.

STATUTORY AUTHORITY: 32 M.R.S.A. §§ 3403-A, 3501 and 3501-A

EFFECTIVE DATE:

February 3, 1980 - Chapter 1
March 31, 1985 - Ch. 110 - 150

AMENDED:

March 6, 1990 - Ch. 110 - 190

REPEALED AND REPLACED:

April 28, 1997 - replacing Chapter 140

EFFECTIVE DATE (ELECTRONIC CONVERSION):

December 20, 1997

REPEALED AND REPLACED:

January 20, 2002

REPEALED:

May 11, 2010 – filing 2010-179

02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION**395 PLUMBERS' EXAMINING BOARD****Chapter 6: RECIPROCITY**

SUMMARY: This Chapter defines the procedures for qualifying for licensure by reciprocity.

1. RECIPROCAL AGREEMENTS

- A. The Board may enter into reciprocal licensing agreements with other states, provided that the Board finds that the standards and conditions for licensure of plumbers for the other state are at least equal to those of this Board. In making this determination, the factors the Board shall consider include, but need not be limited to, the type of examination administered, the passing score and provisions (if any) for waiver of examination, and the length of time those standards have been in effect.
- B. If the reciprocal state uses different terminology for its licensing grades than Maine uses, or uses the same terms with different meanings, a reciprocity agreement shall specify which degrees of licensure are subject to reciprocity.
- C. An individual licensed by reciprocity shall comply with the Maine statutes and rules governing plumbers while engaged in plumbing installations in the State of Maine.
- D. If a reciprocity agreement is terminated by either Maine or the reciprocal state, no new licenses shall be granted on the basis of that agreement, but the termination of the agreement shall not impair the validity or renewability of licenses previously issued under the agreement.

2. APPLICATION

- A. If a reciprocity agreement has been ratified by both the Board and the licensing authority in the reciprocal state, any plumber licensed in the reciprocal state shall be issued a Maine license of the equivalent degree in Maine. Applicants for reciprocity must submit all of the following:
 - 1. Completed application;
 - 2. Application fee (nonrefundable);
 - 3. License fee;
 - 4. Documentation of experience;
 - 5. Certified statement verifying licensure from the reciprocal state.

STATUTORY AUTHORITY: 32 M.R.S.A. §§ 3403-A(1), 3504-A, and 3501

EFFECTIVE DATE:

February 3, 1980 - Chapter 1
March 31, 1985 - Ch. 110 - 150

AMENDED:

March 6, 1990 - Ch. 110 - 190

REPEALED AND REPLACED:

April 28, 1997 - replacing Chapter 150

EFFECTIVE DATE (ELECTRONIC CONVERSION):

December 20, 1997

REPEALED AND REPLACED:

January 20, 2002

02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

395 PLUMBERS' EXAMINING BOARD

Chapter 7: FEES

Summary: This Chapter defines the application, examination and licensee fee structure for all categories of licensure.

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 49 §3403-A

EFFECTIVE DATE:

March 6, 1990 Ch. 110 - 190

AMENDED:

March 26, 1991 Ch. 160

REPEALED AND REPLACED:

April 28, 1997 - replaced by Chapter 7

EFFECTIVE DATE (ELECTRONIC CONVERSION):

December 20, 1997

REPEALED:

May 11, 2010 – filing 2010-180

02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

395 PLUMBERS' EXAMINING BOARD

Chapter 8: CONFLICT OF INTEREST

Summary: This chapter contains the Conflict of Interest Policy which sets the professional standards for Plumbers' Examining Board members.

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 49 § 3403-A.

EFFECTIVE DATE:

March 6, 1990 - Ch. 110-190

REPEALED AND REPLACED:

April 28, 1997 - replacing Chapter 170

EFFECTIVE DATE (ELECTRONIC CONVERSION):

December 20, 1997

REPEALED:

May 11, 2010 – filing 2010-181