

## NOTICE OF PROPOSED RULE CHANGES AND PUBLIC HEARING

The State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors has submitted several proposed rule changes. A Public Hearing is scheduled for 8:30 a.m. on Friday, September 16, 2022, at the Board's Office, located at 1109 Dresser Court, Raleigh, North Carolina.

If you wish to speak at the hearing, please notify us in advance by submitting your full name to [information@nclicensing.org](mailto:information@nclicensing.org) with "Request to Speak at Public Hearing" in the subject line of your message.

If you do not wish to speak at the public hearing but wish to submit comments to be read into the official record of the hearing, you may submit your name and comments for inclusion to [information@nclicensing.org](mailto:information@nclicensing.org) with "Public Hearing Comments" in the subject line of your message. It must be received no later than 5:00 pm on Wednesday, September 14, 2022.

The public comment period will remain open until October 31, 2022, and comments may be submitted to [information@nclicensing.org](mailto:information@nclicensing.org) through that date.

21 NCAC 50 .0403 is proposed for amendment as follows:

### **21 NCAC 50 .0403      USE OF LICENSE**

(a) A licensed contractor or technician shall not permit the use of his license by any other person.

(b) A contractor licensed by the Board shall not bid or contract installations requiring license of a type or classification issued by this Board which the licensee does not have except as a part of a documented joint venture with a licensee holding the necessary qualification or in accordance with the provisions set out in 21 NCAC 50 .0415. Bidding without qualification and with an intention to subcontract the unauthorized work does not satisfy this requirement; provided however that, in a contract administered pursuant to G.S. 143-129 and in which more than one classification administered by this Board has been combined in the separate contract specifications, a licensee of this Board holding either of such qualifications may bid both of such classifications of work administered by this Board in addition to the classification for which he holds license if the successful bidder obtains an executed written contract with a qualified licensee prior to the award of the contract by the awarding authority.

(c) A technician licensed by this Board shall not contract work based on the Technician license.

*History Note: Authority G.S. 87-18; 87-23; 87-26; 87-1.1; Eff. February 1, 1976; Readopted September 29, 1977; Amended Eff. December 31, 2011; November 1, 1993; May 1, 1989; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015.*

21 NCAC 50 .0415 is proposed for adoption as follows:

**21 NCAC 50.0415 PROPOSAL, BID, ESTIMATE, PERFORMANCE UNDER G.S. 87-1.1**

If a building project is bid or performed pursuant to G.S. 87-1.1,

(1) the total amount of work to be performed by all licensed general contractors shall not exceed 25% of the total bid price;

(2) the total amount of work to be performed by all licensed contractors issued a license by the State Board of Examiners of Electrical Contractors under Article 4 of Chapter 87 of the North Carolina General Statutes shall not exceed 25% of the total bid price.

Authority S.L.2022-6; 2021-122; G.S. 87-1.1; 87-18.

21 NCAC 50 .0519 is proposed for amendment as follows:

**21 NCAC 50 .0519 RESIDENTIAL FIRE SPRINKLER DESIGN CONTRACTOR LICENSE**

(a) A licensed Residential Fire Sprinkler Design Contractor is authorized to design residential fire sprinkler Systems consistent with NFPA 13D Residential Multipurpose Fire Sprinkler Systems.

(b) An individual who holds an active license as a Plumbing Contractor and as a Residential Fire Sprinkler Installation Contractor may obtain license as a Residential Fire Sprinkler Design Contractor upon meeting the requirements of Rule .0316 of this Chapter.

(c) A licensed Fire Sprinkler Installation Contractor may design residential fire sprinkler systems consistent with NFPA 13D Residential Multipurpose Fire Sprinkler Systems without meeting the requirements of Paragraph (a) and (b) of this Rule.

(d) Residential Fire Sprinkler Design Contractors shall place their Residential Fire Sprinkler Design Contractor license number and their dated signature on all design drawings and documents.

(e) Residential Fire Sprinkler Design Contractors shall submit all NFPA 13D multipurpose fire sprinkler design drawings and documents to the Residential Fire Sprinkler Installation Contractors prior to the commencement of the multipurpose fire sprinkler installation and upon request from the local inspection department.

*History Note: Authority G.S. 87-18; 87-21(b); Eff. July 1, 2020.*

21 NCAC 50 .0520 is proposed for adoption as follows:

**21 NCAC 50 .0520      ONSITE SUPERVISION AND STANDARD OF COMPETENCE**

General supervision requires that a licensee of the firm who holds the proper licensing qualification shall personally perform on-site in-person supervision and review on all work, prior to work being covered or placed into service, to assure that all installations meet or exceed the minimum standard of the North Carolina State Building Code prior to all inspection requests.

Authority G.S. 87-21; 87-18; 87-26.

21 NCAC 50 .1101 is proposed for amendment as follows:

**21 NCAC 50 .1101      EXAMINATION FEES**

- (a) An application to reissue or transfer a license to a different corporation, partnership or individual name requires a fee of twenty-five dollars (\$25.00).
- (b) An application to issue or transfer a license to the license of an existing licensee requires a fee of twenty-five dollars (\$25.00).
- (c) An application for a license by examination requires a fee of one hundred dollars (\$100.00), consisting of an application fee of twenty-five dollars (\$25.00) and an examination fee of seventy-five dollars (\$75.00), which is nonrefundable. Upon passage of the examination, the license fee set forth in 21 NCAC 50.1102 or this Rule must be paid to obtain the license within 45 days of notification of the result of the examination, except that anyone passing the examination on or after ~~November~~ October 1 of any year may elect to obtain a license for the following year rather than the year in which the exam was passed.

*History Note: Authority G.S. 87 18; 87 22.1; 87-22; 87-26; Eff. May 1, 1989; Temporary Amendment Eff. November 17, 1989 for a period of 77 days to expire on February 1, 1990; Amended Eff. August 1, 2000; November 1, 1993; March 1, 1990; Temporary Amendment Eff. August 31, 2001; Amended Eff. March 1, 2005; December 1, 2003; April 1, 2003; December 4, 2002; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015.*