

# TITLE 21 - OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS

## CHAPTER 50 – BOARD EXAMINERS OF PLUMBING, HEATING AND FIRE SPRINKLER CONTRACTORS

*Notice is hereby given in accordance with G.S. 150B-21.2 that the Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors intends to adopt the rule cited as 21 NCAC 50 .0318 and amend the rule cited as 21 NCAC 50 .0301 and .0306*

**Link to agency website pursuant to G.S. 150B-19.1(c):** <https://nclicensing.org>

**Proposed Effective Date:** July 1, 2024

**Public Hearing:**

**Date:** April 12, 2024

**Time:** 8:30 a.m.

**Location:** 1989 Eastwood Road, Wilmington NC 28403

**Reason for Proposed Action:** *The Board proposes to adopt new rule 21 NCAC 50 .0318 to define "license in good standing" for the purposes of implementing G.S. 87-21(b)(3) which states evidence that a license has been continuously maintained for a minimum of 10 years in good standing as a Class II plumbing license shall be accepted as experience for the Class II heating qualifications and that evidence that a license has been continuously maintained for a minimum of 10 years in good standing as a Class II heating license shall be accepted as experience for the Class II plumbing qualifications. This Board believes this language will assist and inform applicants as to the interpretation of "license in good standing" and thereby streamline the application process in this context.*

*The Board proposes to amend 21 NCAC 50 .0301 to add technician language for both Class I and Class II for plumbing and heating group 1 and 3 licenses and also to clarify the experience required for obtaining a restricted plumbing license for applicants who hold a license from either the North Carolina Irrigation Contractor Licensing Board or the North Carolina On-Site Wastewater Contractors and Inspectors Certification Board. The Board believes that existing technician categories in plumbing and heating groups 1 and 3 classifications should be available in both Class I and Class II as members of the licensed profession have indicated this will be useful in carrying out supervision responsibilities. The Board further believes the amendment to clarify the experience required for obtaining a restricted plumbing license for applicants who hold a license from either the North Carolina Irrigation Contractor Licensing Board or the North Carolina On-Site Wastewater Contractors and Inspectors Certification Board will assist and inform applicants and thereby streamline the application process in this context.*

**Comments may be submitted to:** Dale Dawson, 1109 Dresser Court, Raleigh, NC 27609; phone (919) 875-3612; email [ddawson@nclicensing.org](mailto:ddawson@nclicensing.org)

**Comment period ends:** May 14, 2024

**Procedure for Subjecting a Proposed Rule to Legislative Review:** If an objection is not resolved prior to the adoption of the rule, a person may also submit a written objection to the Rules Review Commission. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive letters via U.S. Mail, private courier service, or hand delivery to 1711 New Hope Church Road, Raleigh, North Carolina, or via email to [oah.rules@oah.nc.gov](mailto:oah.rules@oah.nc.gov). If you have any further questions concerning the submission of objections to the Commission, please review 26 NCAC 05 .0110 or call a Commission staff attorney at 984-236-1850.

**Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.**

- State funds affected
- Local funds affected
- Substantial economic impact ( $\geq$  \$1,000,000)
- Approved by OSBM
- No fiscal note required

### SECTION .0300 - EXAMINATIONS

#### 21 NCAC 50 .0301 QUALIFICATIONS DETERMINED BY EXAMINATION

(a) In order to determine the qualifications of an applicant, the Board shall provide a written or computer-based examination in the following categories:

- (1) Plumbing Contracting, Class I
- (2) Plumbing Contracting, Class II
- (3) Heating, Group No. 1 - Contracting, Class I
- (4) Heating, Group No. 1 - Contracting, Class II
- (5) Heating, Group No. 2 - Contracting, Class I
- (6) Heating, Group No. 3 - Contracting, Class I

- (7) Heating, Group No. 3 - Contracting, Class II
- (8) Fuel Piping Contractor
- (9) Fire Sprinkler Installation Contractor
- (10) Fire Sprinkler Inspection Contractor
- (11) Residential Fire Sprinkler Installation Contractor
- (12) Restricted Limited Plumbing Contractor
- (13) Fire Sprinkler Inspection Technician
- (14) Limited Fire Sprinkler Maintenance Technician
- (15) ~~Plumbing Technician Technician, Class I~~
- (16) Plumbing Technician, Class II
- ~~(16)~~(17) Heating Group No. 1 ~~Technician Technician, Class I~~
- (18) Heating Group No. 1 Technician, Class II
- ~~(17)~~(19) Heating Group No. 2 Technician
- ~~(18)~~(20) Heating Group No. 3 ~~Technician Technician, Class I~~
- (21) Heating Group No. 3 Technician, Class II
- ~~(19)~~(22) Fuel Piping Technician
- ~~(20)~~(23) Private Educational Institution Plumbing Technician
- ~~(21)~~(24) Private Educational Institution Heating Group 1 Technician
- ~~(22)~~(25) Private Educational Institution Heating Group 2 Technician
- ~~(23)~~(26) Private Educational Institution Heating Group 3 Technician
- ~~(24)~~(27) Residential Fire Sprinkler Design Contractor

(b) Each person being examined by the Board for a contractor license other than a Fire Sprinkler Installation or Fire Sprinkler Inspection Contractor license shall be required to pass both the business and law part and the technical part of the examination required by G.S. 87-21(b).

(c) Applicants for licensure as a Fire Sprinkler Installation Contractor shall submit evidence of current certification by the National Institute for Certification of Engineering Technologies (NICET) for Automated Sprinkler System Layout as the prerequisite for licensure. Applicants for licensure as a Fire Sprinkler Installation Contractor shall pass the business and law part of the exam administered by the Board. Persons licensed based upon NICET certification shall maintain such certification as a condition of license renewal.

(d) Applicants for licensure in the Fire Sprinkler Inspection Technician classification shall pass the technical examination offered by the Board. The Board shall accept the results of NICET examination resulting in Level II Certification in "Inspection and Testing of Water-based Systems" by NICET. Persons who obtain license as a Fire Sprinkler Inspection Technician based on NICET certification shall maintain such certification as a condition of license renewal.

(e) Applicants for licensure as a Fire Sprinkler Inspection Contractor shall submit evidence of Level III certification in "Inspection and Testing of Water-based Fire Systems" by NICET in lieu of the technical part of the Board-administered examination. Applicants for licensure as a Fire Sprinkler Inspection Contractor shall also pass the business and law part of the examination administered by the Board. Contractors who obtain license by NICET certification shall maintain such certification thereafter as a condition of license renewal.

(f) Applicants for a license in the Limited Fire Sprinkler Maintenance Technician classification shall obtain a license based on maintenance experience, education, and job classification set forth in Rule .0306 and pass a test administered by the Board.

(g) Applicants for a license as a Residential Fire Sprinkler Installation Contractor shall obtain a license based on experience set forth in Rule .0306 and shall pass the technical part of the Residential Fire Sprinkler Installation Contractor examination.

(h) Applicants for a license as a Plumbing, Heating, or Fuel Piping Technician shall obtain a license based on experience set forth in Rule .0306 of this Section and shall pass the Class I or the Class II technical and Board laws and rules parts of the Board-administered examination related to the category for which a technician license is sought.

(i) Applicants who hold an active Plumbing, Heating, or Fuel Piping Technician license obtained by examination may obtain the Plumbing, Heating or Fuel Piping Contractor license in the same category and class by meeting the experience requirement listed in Rule .0306 of this Section for the specific contractor license sought and passage of only the business portion of the examination.

(j) Applicants for a license as a Restricted Limited Plumbing Contractor shall obtain a license based on experience set forth in Rule .0306 of this Section and shall be required to pass both the business and law part and the technical parts of the Restricted Limited Plumbing Contractor examination.

(k) In lieu of the requirements of Paragraph (j) of this Rule, applicants for a Restricted Limited Plumbing Contractor License who present a current active License from the North Carolina Irrigation Contractor Licensing Board may take the examination, provided the applicant demonstrates that he or she holds certification as a Backflow Inspector from one of the municipalities in North Carolina, or demonstrates 500 hours of experience in the maintenance, service, or repair of components of plumbing systems.

(l) In lieu of the requirements of Paragraph (j) of this Rule, applicants for a Restricted Limited Plumbing Contractor License who present a current active certification as an On-site Wastewater Contractor issued through the North Carolina On-Site Wastewater Contractors and Inspectors Certification board may take the examination, provided the applicant demonstrates that he or she has attended a minimum of 8 semester hours of education in a plumbing program through a North Carolina Community College program or demonstrates 500 hours of experience in the maintenance, service, or repair of components of plumbing systems.

*History Note: Authority G.S. 87-18; 87-21(a); 87-21(b);  
Eff. February 1, 1976;  
Readopted Eff. September 29, 1977;  
Amended Eff. July 1, 1991; May 1, 1989; August 1, 1982;*

*Temporary Amendment Eff. September 15, 1997;*  
*Amended Eff. March 1, 2005; January 1, 2004; July 1, 2003; August 1, 2002; July 1, 1998;*  
*Emergency Amendment Eff. December 5, 2005;*  
*Emergency Amendment Expired February 13, 2006;*  
*Amended Eff. April 1, 2014; July 3, 2012; January 1, 2010; May 1, 2006;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015;*  
*Amended Eff. July 1, 2020.*

**21 NCAC 50 .0306 APPLICATIONS: ISSUANCE OF LICENSE**

- (a) All applicants for licensure or examination shall file an application setting forth the information required in G.S. 87-21 and the rules of this Chapter on a form available on the Board website or at the Board office.
- (b) Applicants for a plumbing or heating examination shall present evidence at the time of application to establish two years of full-time experience in the installation, maintenance, service, or repair of plumbing or heating systems related to the category for which a license is sought, whether or not a license was required for the work performed. Applicants for a fuel piping examination shall present evidence at the time of application to establish one year of experience in the installation, maintenance, service, or repair of fuel piping, whether or not a license was required for the work performed. Up to one-half of the experience may be in academic or technical training related to the field of endeavor for which examination is requested. The Board shall prorate part-time work of less than 40 hours per week or part-time academic work of less than 15 semester or quarter hours.
- (c) The Board shall issue a license certificate bearing the license number assigned to the qualifying individual.
- (d) Fire Sprinkler Installation Contractors shall meet experience requirements in accordance with NICET examination criteria.
- (e) Applicants for examination or licensure in the Fire Sprinkler Inspection Technician classification shall submit evidence adequate to establish that the applicant has either:
- (1) 4000 hours of experience involved in inspection and testing of previously installed fire sprinkler systems, consistent with NFPA-25, Standard for the Inspection Testing as Maintenance of Water-Based Fire Protection Systems of the National Fire Protection Association, adopted by the North Carolina Building Code, which is hereby incorporated by reference including all subsequent editions and amendments to the document as a full-time employee of a Fire Sprinkler Inspection Contractor or fire insurance underwriting organization;
  - (2) 4000 hours of experience as a full-time employee of a hospital, manufacturing, government, or university facility under direct supervision of Fire Sprinkler Inspection Contractor or a Fire Sprinkler Inspection Technician involved in inspection and testing of previously installed fire sprinkler systems, consistent with NFPA 25: Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems, which is hereby incorporated by reference including all subsequent editions and amendments. The document may be accessed free of charge at <http://www.nfpa.org/codes-and-standards/>;
  - (3) 4000 hours of experience involved in installation of fire sprinkler systems as a full-time employee of a Fire Sprinkler Installation Contractor; or
  - (4) a combination of 4000 hours of experience in any of the categories listed in this Paragraph.
- (f) Applicants for licensure in the Fire Sprinkler Inspection Contractor classification shall meet experience requirements in accordance with NICET certification criteria.
- (g) Applicants for initial licensure in the Limited Fire Sprinkler Maintenance Technician classification shall submit evidence of 2000 hours experience at the place for which license is sought as a full-time maintenance employee in facility maintenance with exposure to periodic maintenance of fire protection systems as described in Rule .0515 of this Chapter. Applicants who have held Limited Fire Sprinkler Maintenance Technician license previously are not required to demonstrate experience in addition to the experience at the time of initial licensure, but shall submit a new application if relocating to a new location.
- (h) Applicants for licensure in the Residential Fire Sprinkler Installation Contractor classification shall hold an active Plumbing Class I or Class II Contractor license issued by this Board for a minimum of two years and shall document attendance at a 16 hour course approved by the Board pursuant to the Rules in this Chapter covering NFPA 13D: Standard for the Installation of Sprinkler Systems in One-and Two-Family Dwellings and Manufactured Homes, which is hereby incorporated by reference including all subsequent editions and amendments. The document may be accessed free of charge at <http://www.nfpa.org/codes-and-standards/>. Residential Fire Sprinkler Installation Contractors shall maintain a Plumbing Contractor license as a condition of renewal of the Residential Fire sprinkler Installation Contractor license.
- (i) Applicants for a license as a plumbing or heating Class I technician shall present evidence adequate to establish 3000 hours of full-time experience in the installation, maintenance, service, or repair of plumbing or heating systems related to the category for which a technician license is sought, whether or not a license was required for the work performed. Applicants for a license as a plumbing or heating Class II technician shall present evidence adequate to establish 2500 hours of full-time experience in the installation, maintenance, service, or repair of plumbing or heating systems related to the category for which a technician license is sought, whether or not a license was required for the work performed. Applicants for a license as a fuel piping Class I technician shall present evidence adequate to establish 1500 hours of experience in the installation, maintenance, service, or repair of fuel piping, whether or not a license was required for the work performed. Applicants for a license as a fuel piping Class II technician shall present evidence adequate to establish 1500 hours of experience in the installation, maintenance, service, or repair of fuel piping, whether or not a license was required for the work performed. Up to one-half of the experience may be in academic or technical training related to the field of endeavor for which the examination is requested.
- (j) Applicants for a Restricted Limited Plumbing Contractor license shall present evidence at the time of application to establish 1500 hours of full-time experience in the installation, maintenance, service, or repair of plumbing systems, whether or not a license was required for the work performed. Up to one-half of the experience may be in academic or technical training related to the field of

endeavor for which examination is requested. The Board shall prorate part-time work of fewer than 40 hours per week or part-time academic work of less than 15 semester or quarter hours.

(k) In lieu of the requirements of Paragraph (j) of this Rule, applicants for a Restricted Limited Plumbing Contractor License who present a current active License from the North Carolina Irrigation Contractor Licensing Board may take the examination, provided the applicant demonstrates that he or she holds certification as a Backflow Inspector from one of the municipalities in North Carolina, or demonstrates 500 hours of experience in the maintenance, service, or repair of components of plumbing systems.

(l) Applicants for license based on completion of an apprenticeship program as described in G.S. 93B-8.6(b) shall meet the same experience and training requirements for the category of license sought as is set forth in this Rule.

*History Note: Authority G.S. 87-18; 87-21(b);  
Eff. February 1, 1976;  
Readopted Eff. September 29, 1977;  
Amended Eff. January 1, 2004; July 1, 2003; August 1, 2002; July 1, 1998; September 1, 1994;  
November 1, 1993; April 1, 1991; May 1, 1990;  
Temporary Amendment Eff. August 31, 2004;  
Amended Eff. April 1, 2014; July 3, 2012; January 1, 2010; June 1, 2006; March 1, 2005;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 22, 2015;  
Amended Eff. July 1, 2020; April 1, 2018.*

**21 NCAC 50. 0318            LICENSE IN GOOD STANDING**

A license has been maintained in good standing for the purposes of G.S. 87-21(b)(3) if the license:

- (1) has remained continuously active for 10 years as of the date of the application request;
- (2) is current as to all fees payable to the Board as of the date of the application request; and
- (3) has not been the subject of a disciplinary order that imposed a sanction that included supervised probation, suspension, revocation or restoration of a revoked license during the 10-year period preceding the date of the application request for a Class II plumbing or heating license.

*Authority: G.S. 87-18; 87-21(b)(3).*