

CHAPTER 29
PLUMBING AND MECHANICAL SYSTEMS BOARD—
APPLICATION, LICENSURE, AND EXAMINATION

641—29.1(105) Definitions. For purposes of these rules, the following definitions shall apply:

“Applicable” means having relevance; appropriate.

“Apprentice” means any person, other than a helper, journeyman, or master, who, as a principal occupation, is engaged in working as an employee of a plumbing, HVAC, refrigeration, or hydronic systems contractor under the supervision of either a master or a journeyman and is progressing toward completion of an apprenticeship training program registered by the Office of Apprenticeship of the United States Department of Labor while learning and assisting in the design, installation, and repair of plumbing, HVAC, refrigeration, or hydronic systems, as applicable.

“Board” means the plumbing and mechanical systems board.

“Corresponding” means the same discipline.

“Department” means the Iowa department of public health.

“Disconnect/reconnect plumbing technician specialty license” means a sublicense under a plumbing license to perform work from the appliance shutoff valve or fixture shutoff valve to the appliance or fixture and any part or component of the appliance or fixture, including the disconnection and reconnection of the existing appliance or fixture to the water or sewer piping and the installation of a shutoff valve no more than 3 feet from the appliance or fixture.

“Emergency repairs” means the repair of water pipes to prevent imminent damage to property.

“Hearth systems specialty license” means a sublicense under an HVAC license to perform work in the installation of gas burning and solid fuel appliances that offer a decorative view of the flames, from the connector pipe to the shutoff valve located within 3 feet of the appliance. This sublicense is further allowed to perform work in the venting systems, log lighters, gas log sets, fireplace inserts, and freestanding stoves.

“HVAC” means heating, ventilation, air conditioning, ducted systems, or any type of refrigeration used for food processing or preservation. “HVAC” includes all natural, propane, liquid propane, or other gas lines associated with any component of an HVAC system.

“Hydronic” means a heating or cooling system that transfers heating or cooling by circulating fluid through a closed system, including boilers, pressure vessels, refrigerated equipment in connection with chilled water systems, all steam piping, hot or chilled water piping together with all control devices and accessories, installed as part of, or in connection with, any heating or cooling system or appliance using a liquid, water, or steam as the heating or cooling media. “Hydronic” includes all low-pressure and high-pressure systems and all natural, propane, liquid propane, or other gas lines associated with any component of a hydronic system.

“Inactive license” means a license that is available for a plumbing, HVAC, refrigeration, or hydronic professional who is not actively engaged in running a business or working in the business in the corresponding discipline at that license level.

“Journeyman” means any person, other than a master, who, as a principal occupation, is engaged as an employee of, or otherwise working under the direction of, a master in the design, installation, and repair of plumbing, HVAC, refrigeration, or hydronic systems, as applicable.

“Licensee” means a person or entity licensed to operate as a contractor or work in the plumbing, HVAC, refrigeration, or hydronic disciplines or work as a certified medical gas system installer or work in the specialty license disciplines developed by the board.

“Master” means any person who works in the planning or superintending of the design, installation, or repair of plumbing, HVAC, refrigeration, or hydronic systems and is otherwise lawfully qualified to conduct the business of plumbing, HVAC, refrigeration, or hydronic systems, and who is familiar with the laws and rules governing the same.

“Mechanical systems” means HVAC, refrigeration, and hydronic systems.

“Medical gas system installer” means any person who installs or repairs medical gas piping, components, and vacuum systems, including brazers, who has been issued a valid certification from

the National Inspection Testing Certification (NITC) Corporation, or an equivalent authority approved by the board.

“Plumbing” means all potable water building supply and distribution pipes, all plumbing fixtures and traps, all drainage and vent pipes, and all building drains and building sewers, storm sewers, and storm drains, including their respective joints and connections, devices, receptors, and appurtenances within the property lines of the premises, and including the connection to sanitary sewer, storm sewer, and domestic water mains. “Plumbing” includes potable water piping, potable water treating or using equipment, medical gas piping systems, fuel gas piping, water heaters and vents, including all natural, propane, liquid propane, or other gas lines associated with any component of a plumbing system.

“Refrigeration” means any system of refrigeration regardless of the level of power, if such refrigeration is intended to be used for the purpose of food processing and product preservation and is also intended to be used for comfort systems. “Refrigeration” includes all natural, propane, liquid propane, or other gas lines associated with any component of refrigeration.

“Routine maintenance” means the maintenance, repair, or replacement of existing fixtures or parts of plumbing, HVAC, refrigeration, or hydronic systems in which no changes in original design are made. Fixtures or parts do not include smoke and fire dampers or water, gas or steam piping permanent repairs except for traps or strainers. Routine maintenance shall include emergency repairs. “Routine maintenance” does not include the replacement of furnaces, boilers, cooling appliances, or water heaters more than 100 gallons in size.

“Service technician HVAC specialty license” means a sublicense under an HVAC license to perform work from the appliance shutoff valve to the appliance and any part and component of the appliance, including the disconnection and reconnection of the existing appliance to the gas piping and the installation of a shutoff valve no more than 3 feet away from the appliance.

“Surety bond” means a performance bond written by an entity licensed to do business in this state which guarantees that a contractor will fully perform the contract and which guarantees against breach of that contract.

[ARC 8530B, IAB 2/24/10, effective 1/26/10; ARC 9604B, IAB 7/13/11, effective 6/21/11; ARC 9849B, IAB 11/16/11, effective 12/21/11]

641—29.2(105) Available licenses and general requirements. Effective January 1, 2011, all licenses issued by the board will be for a three-year period. All licenses issued prior to January 1, 2011, will be for a two-year period. Subject to the general requirements set forth herein and the minimum qualifications for licensure set forth in rule 641—29.4(105), the following licenses are available:

29.2(1) Apprentice license. An applicant for an apprentice license shall:

- a. File an application and pay application fees in accordance with 641—29.5(105).
- b. Be enrolled in an applicable apprentice program which is registered with the United States Department of Labor Office of Apprenticeship.
- c. Certify that the applicant will work under the supervision of a licensed journeyman or master in the applicable discipline by providing the department with the United States Department of Labor Office of Apprenticeship identification number and sponsor identification number.

29.2(2) Journeyman license.

- a. An applicant for a journeyman license shall:
 - (1) File an application and pay application fees in accordance with rule 641—29.5(105).
 - (2) Pass the state journeyman licensing examination in the applicable discipline.
 - (3) Provide the board with evidence that the applicant has completed at least four years of practical experience as an apprentice. Commencing January 1, 2010, the four years of practical experience required by this paragraph must be an apprenticeship training program registered by the United States Department of Labor Office of Apprenticeship. Documentation must be submitted on a form provided by the board.

b. Notwithstanding the journeyman licensure requirements set forth in paragraph 29.2(2)“a,” an applicant who possesses a master level license and who seeks a journeyman license in the same discipline shall file an application and pay application fees in accordance with rule 641—29.5(105).

29.2(3) Master license. An applicant for a master license shall:

- a. File an application and pay application fees in accordance with rule 641—29.5(105).
- b. Pass the state master licensing examination for the applicable discipline.
- c. Provide the board with evidence that the applicant:
 - (1) Has previously been licensed as a master in the applicable discipline; or
 - (2) Has previously been licensed as a journeyperson in the applicable discipline and has at least two years of journeyperson experience in the applicable discipline.

29.2(4) Contractor license. An applicant for a contractor license shall:

- a. File an application and pay application fees in accordance with rule 641—29.5(105).
- b. Provide the applicant's Iowa workforce development contractor registration number.
- c. Provide the board with evidence that the applicant maintains a permanent place of business.
- d. Provide the board with evidence of a public liability insurance policy issued by an entity licensed to do business in this state with a minimum coverage amount of \$500,000 and:
 - (1) If the applicant operates the contractor business as a sole proprietorship, provide the board with evidence that the applicant personally obtained the policy, or
 - (2) If the applicant operates the contractor business as an employee or owner of a legal entity, provide the board with evidence that the insurance policy is obtained by the entity and that the insurance covers all plumbing or mechanical work performed by the entity.
- e. Provide the board with evidence of a surety bond issued by an entity licensed to do business in this state in a minimum amount of \$5,000 and:
 - (1) If the applicant operates the contractor business as a sole proprietorship, provide the board with evidence that the applicant personally obtained the surety bond, or
 - (2) If the applicant operates the contractor business as an employee or owner of a legal entity, provide the board with evidence that the surety bond was obtained by the entity and that the surety bond covers all plumbing or mechanical work performed by the entity.
- f. Provide a certificate to the board that the public liability insurance policy required under paragraph 29.2(4)“d” and the surety bond required under paragraph 29.2(4)“e” shall not be canceled without the entity first giving 15 days' written notice to the board.
- g. Provide the board with evidence that the applicant holds an active master license or employs at least one person who holds an active master license issued under Iowa Code chapter 105 for each discipline in which the applicant performs chapter 105-covered work.

29.2(5) Active journeyperson license/inactive master license combination. An applicant for an active journeyperson license and an inactive master license in the same discipline shall:

- a. File an application and pay application fees for both an active journeyperson license and an inactive master license in accordance with rule 641—29.5(105).
- b. Provide the board with evidence that the applicant meets the requirements for master licensure under subrule 29.2(3).
- c. Provide evidence that the applicant is not performing plumbing, HVAC, refrigeration, or hydronic work for which a master license is required.
- d. Acknowledge awareness that the applicant is unable to perform any plumbing, HVAC, refrigeration, or hydronic work for which a master license is required so long as the applicant's master license is held in inactive status.

29.2(6) Inactive license. An applicant for an inactive license that does not fall within subrule 29.2(5) shall:

- a. File an application and pay application fees in accordance with rule 641—29.5(105).
- b. Provide the board with evidence that the applicant meets the requirements for licensure under rule 641—29.2(105) at the applicable licensure level.
- c. Provide the board with evidence that the applicant is not actively engaged working in the plumbing, HVAC, refrigeration, or hydronic disciplines for which licensure is required.
- d. Acknowledge awareness that the applicant is unable to perform any plumbing, HVAC, refrigeration, or hydronic work for which licensure is required so long as the applicant's license is held in inactive status.

29.2(7) Service technician HVAC specialty license. An applicant for a service technician HVAC specialty license shall:

- a. File an application and pay application fees in accordance with rule 641—29.5(105).
- b. Provide the board with evidence that:

(1) The applicant possesses a valid certification from North American Technician Excellence, Inc. or an equivalent authority approved by the board, or

(2) The applicant completed a Service Technician Associate degree or equivalent educational or similar training approved by the board.

29.2(8) Disconnect/reconnect plumbing technician specialty license. An applicant for a disconnect/reconnect plumbing technician specialty license shall:

- a. File an application and pay application fees in accordance with rule 641—29.5(105).
- b. Provide the board with evidence that:

(1) The applicant is receiving or has previously received industry training to perform work covered under this specialty license, or

(2) The applicant completed a Service Technician Associate degree or equivalent educational or similar training approved by the board.

29.2(9) Private school or college routine maintenance specialty license. An applicant for a private school or college routine maintenance specialty license shall:

- a. File an application and pay application fees in accordance with rule 641—29.5(105).
- b. Provide the board with evidence that the applicant is currently employed by a private school or college.

c. Provide the board with evidence that the applicant is performing routine maintenance within the scope of employment with the private school or college.

29.2(10) Hearth systems specialty license. An applicant for a hearth systems specialty license shall:

- a. File an application and pay application fees in accordance with rule 641—29.5(105).
- b. Provide the board with evidence that the applicant possesses a valid certification issued by the

National Fireplace Institute or equivalent authority approved by the board.

[ARC 8530B, IAB 2/24/10, effective 1/26/10; ARC 9604B, IAB 7/13/11, effective 6/21/11; ARC 9849B, IAB 11/16/11, effective 12/21/11]

641—29.3(105) Medical gas piping certification. The following certification is required for a person who performs work as a medical gas system installer. An applicant for a medical gas certificate shall:

29.3(1) File an application and pay applicable fees.

29.3(2) Possess valid certification from the National Inspection Testing Certification (NITC) Corporation, or an equivalent authority approved by the board. Documentation must be submitted on a form provided by the board.

[ARC 8530B, IAB 2/24/10, effective 1/26/10]

641—29.4(105) Minimum qualifications for licensure. The following minimum requirements shall apply to all licenses issued after July 1, 2008.

29.4(1) An applicant for any type of license must be at least 18 years old.

29.4(2) Effective January 1, 2010, all apprentice applicants must have completed a high school education or attained GED equivalent.

29.4(3) An applicant shall have no record of felony conviction relating to the profession as determined by the board.

29.4(4) Rescinded IAB 2/24/10, effective 1/26/10.

[ARC 8530B, IAB 2/24/10, effective 1/26/10]

641—29.5(105) General requirements for application for licensure. The following criteria shall apply to application for licensure.

29.5(1) On-line or paper application.

a. An applicant shall complete a board-approved application either on-line or on a paper application according to instructions contained in the application.

b. Applications can be completed on-line or on a paper application. Paper applications are available to download at <http://www.idph.state.ia.us/eh/plumbing.asp> or from the board office by writing to: Plumbing and Mechanical Systems Board, Iowa Department of Public Health, 312 E. 12th Street, 5th Floor, Des Moines, Iowa 50319-0075, or by calling 1-866-280-1521.

29.5(2) Fees. In order to be processed, each application must be accompanied by the appropriate fees as determined by the board. All fees are nonrefundable.

a. On-line application fees shall be paid by credit card only.

b. A paper application shall be accompanied by the appropriate fees payable by check or money order to the Iowa Plumbing and Mechanical Systems Board.

29.5(3) If the applicant is notified that the application is incomplete, the applicant must contact the board office within 90 days. The board may be contacted at: Plumbing and Mechanical Systems Board, Iowa Department of Public Health, 312 E. 12th Street, 5th Floor, Des Moines, Iowa 50319, or by calling 1-866-280-1521.

29.5(4) No application will be considered by the board without the appropriate verifiable documentation. An applicant must submit the following verifiable documentation:

a. A passing score for a discipline-appropriate examination provided by the testing vendor under contract with the board, when testing is required for a license.

b. Verification that the applicant has met the minimum requirements as defined in 641—29.4(105) and the established employment experience criteria for each type of license.

29.5(5) Complete applications shall be filed with the plumbing and mechanical systems board. Incomplete applications shall be considered invalid and after 90 days shall be destroyed.

[ARC 8530B, IAB 2/24/10, effective 1/26/10]

641—29.6(105) Examination.

29.6(1) An applicant for licensure as a plumbing or mechanical system professional that requires a state licensing examination must successfully pass the licensing examination for the discipline.

a. The examination will be administered by the board-approved vendor.

b. The board shall approve the specific examination to be used for each license type.

c. Rescinded IAB 2/24/10, effective 1/26/10.

29.6(2) Examination requirements.

a. The examination will be written and proctored by a nationally recognized testing agency selected by the board through a competitive bid process.

b. The examination will be offered periodically during the year. The time and location will rotate between multiple sites in the state of Iowa, as determined by the department, with approval of the board.

c. The examination will not be subject to review by applicants. The testing vendor shall, upon request from an applicant, provide information about the sections that the applicant failed, but shall not provide an applicant access to actual examination questions or answers. Any fees associated with the review process will be assessed by and payable to the testing vendor. The applicant is responsible for paying all associated examination fees.

d. A score of 75 percent or better will be considered passing.

29.6(3) Examination application requirements.

a. An applicant shall complete and submit a board-approved examination application either on-line or on a paper application a minimum of 15 business days prior to taking an examination. An applicant shall complete the application form according to instructions contained in the application.

b. Examination applications can be completed on-line or on a paper application. Paper applications are available to download at <http://www.idph.state.ia.us/eh/plumbing.asp> or from the board office by writing to: Plumbing and Mechanical Systems Board, Iowa Department of Public Health, 312 E. 12th Street, 5th Floor, Des Moines, Iowa 50319-0075, or by calling 1-866-280-1521.

c. Fees. In order to be processed, each application must be accompanied by the appropriate fees as determined by the board. All fees are nonrefundable.

(1) On-line examination application fees shall be paid by credit card only.

(2) A paper examination application shall be accompanied by the appropriate fees payable by check or money order to the Iowa Plumbing and Mechanical Systems Board.

d. No application will be considered by the board without the appropriate verifiable documentation.

e. The applicant will be notified and issued an examination entrance letter upon approval of the examination application.

f. If the applicant is notified that the application is incomplete, the applicant must contact the board office within 90 days. The board may be contacted at: Plumbing and Mechanical Systems Board, Iowa Department of Public Health, 312 E. 12th Street, 5th Floor, Des Moines, Iowa 50319, or by calling 1-866-280-1521.

g. Incomplete applications shall be considered invalid and after 90 days shall be destroyed.

h. Examination fees shall be payable directly to the board-approved testing vendor.

(1) All transactions shall be the responsibility of the applicant and testing vendor.

(2) The board shall not be held responsible for refunds from the testing vendor.

i. An applicant shall present current photo identification in order to sit for the examination.

j. An applicant for licensure by examination who does not pass the examination within one year from the original application date will be required to submit a new application.

k. A master examination applicant shall not receive permission to sit for a master examination unless the applicant establishes that the applicant:

(1) Has previously been licensed as a master in the applicable discipline; or

(2) Has previously been licensed as a journeyman in the applicable discipline and has at least two years of journeyman experience in the applicable discipline.

l. A journeyman examination applicant may apply to sit for the examination up to 6 months prior to completion of the 48 months of required apprentice credit, which shall include the granting of advanced standing or credit for previously acquired experience, training, or skills.

29.6(4) Expiration of passing examination score. An applicant who successfully passes an examination must apply for licensure in the applicable discipline at the applicable discipline level within two years of notification that the applicant successfully passed the examination. A passing examination score shall expire if the applicant fails to apply for licensure within the two-year period as set forth herein, and the applicant shall be required to successfully retake said examination to become licensed in the applicable discipline at the applicable discipline level.

[**ARC 8530B**, IAB 2/24/10, effective 1/26/10; **ARC 9604B**, IAB 7/13/11, effective 6/21/11; **ARC 9849B**, IAB 11/16/11, effective 12/21/11]

641—29.7(105) License renewal.

29.7(1) The period of licensure to operate as a contractor or work as a master, journeyman or apprentice in the plumbing, HVAC, refrigeration, or hydronic disciplines or work as a certified medical gas system installer or work in the specialty license disciplines developed by the board shall be for a period of three years.

a. The board shall send a renewal notice by regular mail to each licensee at the address on record at least 60 days prior to the expiration of the license.

b. The licensee is responsible for renewing the license prior to its expiration.

c. Failure of the licensee to receive the notice does not relieve the licensee of the responsibility for renewing the license.

29.7(2) Specific renewal requirements.

a. A licensee seeking renewal shall:

(1) Meet the continuing education requirements as set forth in rule 641—30.2(105). A licensee whose license was reactivated during the current renewal compliance period may use continuing education credit earned during the compliance period for the first renewal following reactivation; and

(2) Submit the completed renewal application and renewal fee before the license expiration date.

(3) Provide evidence that the licensee continues to meet the general requirements for licensure under rule 641—29.2(105).

b. Failure to renew a license within two months after the expiration of the license shall not invalidate the license, but a reasonable penalty may be assessed as adopted by rule, in addition to the license renewal fee, to allow reinstatement of the license.

(1) A licensee who allows a license to lapse for 30 days or less may reinstate and renew the license without examination upon payment of the appropriate renewal of license fee as defined in 641—subrule 28.1(5).

(2) A licensee who allows a license to lapse for more than 30 days but less than 60 days may reinstate and renew the license without examination upon payment of a \$60 late fee and the appropriate renewal of license fee as defined in 641—subrule 28.1(5).

c. A licensee who allows a license to lapse for more than 60 days is required to retake and pass the applicable licensing examination and pay the appropriate renewal of license fee as defined in 641—subrule 28.1(5) in order to obtain reinstatement and renewal of that person's license.

(1) A licensee who fails to renew the license by the end of the two-month period has a lapsed license.

(2) A licensee whose license is lapsed may not operate as a contractor or work in the plumbing, HVAC, refrigeration, or hydronic disciplines or work as a certified medical gas system installer or work in the specialty license disciplines developed by the board until the license is reinstated and renewed.

(3) A licensee who operates as a contractor or works in the plumbing, HVAC, refrigeration, or hydronic disciplines or works as a certified medical gas system installer or works in the specialty license disciplines developed by the board in the state of Iowa with a lapsed license may be subject to disciplinary action by the board, injunctive action pursuant to Iowa Code chapter 105, criminal sanctions pursuant to Iowa Code chapter 105, and other available legal remedies.

[ARC 8530B, IAB 2/24/10, effective 1/26/10; ARC 9604B, IAB 7/13/11, effective 6/21/11; ARC 9849B, IAB 11/16/11, effective 12/21/11]

641—29.8(83GA, HF2531) Master license—exception through September 30, 2010.

29.8(1) Notwithstanding paragraph 29.6(3) “*k*,” through September 30, 2010, the board may grant permission to sit for a master examination in one or more applicable discipline to an applicant who has not previously been licensed as a master or journeyman in the applicable discipline and who possesses at least 48 months of work experience equivalent to that of a licensed master in the applicable discipline between September 30, 2004, and September 30, 2010. For purposes of this subrule, an applicant shall demonstrate the requisite work experience by providing a notarized employer verification statement on a form provided by the board, notarized client verification statements on a form provided by the board, or tax documents such as a Schedule C, Form 1099, Form W-2, or other tax forms establishing such requisite work experience. Upon board verification of work experience, the board shall return any submitted tax documents to the applicant via certified mail.

29.8(2) Notwithstanding subrule 29.2(3), through November 15, 2010, an applicant for a master license may be eligible to receive a master license if:

a. The applicant files an application and pays all applicable fees in accordance with rule 641—29.5(105); and

b. The applicant passes the state master licensing examination for the applicable discipline.

This rule is intended to implement 2010 Iowa Acts, House File 2531, section 100.

[ARC 8783B, IAB 6/2/10, effective 5/10/10]

641—29.9(105) Waiver from examination for military service. The written examination requirements and prior experience requirements set forth in Iowa Code sections 105.18(2) “*b*”(1) and 105.18(2) “*c*” shall be waived for a journeyman license or master license if the applicant meets all of the following requirements:

29.9(1) Is an active or retired member of the United States military.

29.9(2) Provides documentation that the applicant was deployed on active duty during any portion of the time period of July 1, 2008, through December 31, 2009.

29.9(3) Provides documentation that shows the applicant has previously passed an examination which the board deems substantially similar to the examination for a journeyman license or a master

license, as applicable, issued by the board, or provides documentation that shows the applicant has previously been licensed by a state or local government jurisdiction in the same trade and trade level.
[ARC 9604B, IAB 7/13/11, effective 6/21/11; ARC 9849B, IAB 11/16/11, effective 12/21/11]

These rules are intended to implement Iowa Code chapter 105 as amended by 2011 Iowa Acts, House File 392.

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[Filed Emergency ARC 9604B, IAB 7/13/11, effective 6/21/11]

[Filed ARC 9849B (Notice ARC 9612B, IAB 7/13/11), IAB 11/16/11, effective 12/21/11]