

PUBLIC HEALTH DEPARTMENT[641]

Notice of Intended Action

Proposing rulemaking related to plumbing and mechanical systems licensure fees and providing an opportunity for public comment

The Department of Inspection, Appeals, and Licensing hereby proposes to rescind Chapter 28, “Plumbing and Mechanical Systems Board—Licensure Fees,” Iowa Administrative Code, and to adopt a new chapter with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code sections 105.4 and 105.9.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 105.

Purpose and Summary

This rulemaking proposes repromulgation of Chapter 28 and implements Iowa Code chapter 105 in accordance with the goals of Executive Order 10 (January 10, 2023). The rulemaking establishes the fee schedule for all the various licenses, examinations, and other miscellaneous fees related to licensing. The rulemaking outlines when the licensing fees are prorated and establishes when the fees can be waived. This rulemaking is required by Iowa Code section 105.9 and is important to the industry because it ensures that the costs of obtaining and maintaining licensure are transparent.

No public comments were received on the published Regulatory Analysis for this chapter (IAB 11/1/23). Accordingly, only nonsubstantive changes have been made to the proposed chapter from the Regulatory Analysis.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa in an amount requiring a fiscal impact statement pursuant to Iowa Code section 17A.4(4).

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 481—Chapter 6.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking. Written comments in response to this rulemaking must be received by the Department no later than 4:30 p.m. on January 31, 2024. Comments should be directed to:

Ashleigh Hackel
Iowa Department of Inspections, Appeals, and Licensing
6200 Park Avenue
Des Moines, Iowa 50321
Email: ashleigh.hackel@dia.iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

January 30, 2024 9:20 a.m.	6200 Park Avenue Des Moines, Iowa
January 31, 2024 9:20 a.m.	6200 Park Avenue Des Moines, Iowa

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind 641—Chapter 28 and adopt the following **new** chapter in lieu thereof:

CHAPTER 28

PLUMBING AND MECHANICAL SYSTEMS BOARD—LICENSURE FEES

641—28.1(105) Fees. All fees are nonrefundable.

28.1(1) Fees for three-year initial licenses are as follows:

- a. An apprentice license as defined in 641—subrule 29.2(1) is \$50.
- b. A journey license as defined in 641—subrule 29.2(2) is \$180.
- c. A master license as defined in 641—subrule 29.2(3) is \$240.
- d. A medical gas pipe certificate as defined in rule 641—29.3(105) is \$75.
- e. An inactive license as defined in 641—subrules 29.2(5) and 29.2(6) is \$50.
- f. A contractor license as defined in 641—subrule 29.2(4) is \$250.
- g. A special restricted license as defined in 641—subrules 29.2(8), 29.2(9), and 29.2(10) is \$50.
- h. Fees for all initial licenses issued for a period of less than three years will be prorated using a one-sixth deduction for each six-month period.

28.1(2) Fees for three-year reciprocal licenses or three-year licenses obtained by verification in accordance with 641—Chapter 35 are as follows:

- a. An apprentice license as defined in 641—subrule 29.2(1) is \$50.
- b. A journey license as defined in 641—subrule 29.2(2) is \$180.
- c. A master license as defined in 641—subrule 29.2(3) is \$240.
- d. Fees for all reciprocal licenses or three-year licenses obtained by verification in accordance with 641—Chapter 35 issued for a period of less than three years will be prorated using a one-sixth deduction for each six-month period.

28.1(3) Fees for renewal of licenses are as follows:

- a. An apprentice license as defined in 641—subrule 29.2(1) is \$50.
- b. A journey license as defined in 641—subrule 29.2(2) is \$180.
- c. A master license as defined in 641—subrule 29.2(3) is \$240.
- d. A medical gas pipe certificate as defined in rule 641—29.3(105) is \$75.

e. An inactive license as defined in 641—subrules 29.2(5) and 29.2(6) is \$50. However, no fee is necessary for an inactive specialty license as defined in 641—subrule 23.8(3) so long as the person possessing the inactive specialty license remains actively licensed as an apprentice.

f. A contractor license as defined in 641—subrule 29.2(4) is \$250.

g. A special restricted license as defined in 641—subrules 29.2(8), 29.2(9), and 29.2(10) is \$50. However, no fee is necessary for an inactive specialty license as defined in 641—subrule 23.8(3) so long as the person possessing the inactive specialty license remains actively licensed as an apprentice.

28.1(4) The examination application fee is \$35.

28.1(5) A late fee for failure to renew before expiration is determined as follows:

a. A licensee who does not timely renew but renews a license on or before the following July 31 may reinstate and renew the license upon payment of the appropriate renewal fee and without payment of a late fee.

b. A licensee who does not timely renew but renews a license between the following August 1 and August 31 may reinstate and renew the license without examination upon payment of a \$60 late fee and the appropriate renewal of license fee.

c. A licensee who does not timely renew but renews a license after the following August 31 and on or before the following June 30 may reinstate and renew the license without examination upon payment of a \$100 late fee and the appropriate renewal of license fee.

28.1(6) Reserved.

28.1(7) The fee for written verification of licensee status is \$20.

28.1(8) The returned check fee is \$25.

28.1(9) The disciplinary hearing fee is a maximum of \$75.

28.1(10) The paper application fee is \$25 plus the appropriate license fee.

28.1(11) Combined license.

a. For purposes of this subrule, “combined license” means more than one active master, contractor, or journeyman license in one or multiple disciplines held by the same individual.

b. A license fee for a combined license is the sum total of each of the separate license fees as set forth in subrules 28.1(1) through 28.1(3) reduced by 30 percent.

c. Only individual licenses purchased in a single transaction are eligible for the combined licensee fee reduction.

28.1(12) The fee for combining an HVAC-refrigeration or hydronics license to a mechanical license is \$50. This fee does not apply at the time of reissue.

28.1(13) The fee for submitting a petition for eligibility determination as defined in 641—subrule 29.13(2) is \$25.

641—28.2(105) Annual review of fee schedule. Within 60 days following the end of each fiscal year, the board will submit a report to the general assembly in accordance with Iowa Code section 105.9(5) “*a.*”

641—28.3(105) Waiver of fees. Fee waivers are available under the following circumstances:

28.3(1) The board will waive any fee charged to an applicant for a license if the applicant’s household income does not exceed 200 percent of the federal poverty income guidelines and the applicant is applying for the license for the first time in this state.

28.3(2) For an applicant who has been honorably or generally discharged from federal active duty or national guard duty, the board will waive an initial application fee and one renewal fee if those fees would otherwise be charged within five years of the discharge.

These rules are intended to implement Iowa Code section 105.9.