

RULES AND REGULATIONS
PERTAINING
TO
RESTRICTED PLUMBERS LICENSE
LIFETIME MASTER PLUMBER

SECTION I. AUTHORITY

The following regulation is duly adopted and promulgated by the Arkansas State Board of Health pursuant to the authority expressly conferred by the laws of the State of Arkansas in Act 200 of 1951, as amended, and Act 96 of 1913, as amended. The Department may exercise such powers as are reasonably necessary to carry out the provisions of Act 200 of 1951, as amended. It may, among other things, issue restricted licenses limited to gas fitter, residential and governmental maintenance, service line installation, solar mechanic, hospital maintenance and Lifetime Master Plumber provided that the licensee has demonstrated competency for the particular phase of plumbing for which the person is licensed and provided that the Board has adopted regulations defining restrictions in the type of work allowed, geographical area served, and term of that type of restricted license.

SECTION II. PURPOSE

(a) No person shall engage in work as a Master Plumber, Journeyman Plumber, Apprentice Plumber or Restricted license holder called for under Act 200 of 1951, as amended, unless first licensed or registered to do so by the Department of Health.

SECTION III. DEFINITIONS

(a) The State Board means the Arkansas State Board of Health.

(b) The Department means the Division of Plumbing and Natural Gas of the Arkansas Department of Health.

(c) Restricted Lifetime Master Plumber means a person that has met the qualifications for such license and does not exceed the limitations or geographical restrictions defined in this regulation.

(d) State Committee of Plumbing Examiners means people designated by the Board of Health to determine the eligibility of applicants for various types of plumbing and gas licenses in accordance with Act 200 of 1951, as amended.

(e) Apprentice Plumber means a person other than a master, Journeyman, or Restricted license holder who is registered and enrolled in the Apprentice Plumber training program outlined in Arkansas Code Ann. 17-31-401 et seq.

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SECTION IV. QUALIFICATIONS

(a) To qualify for the Restricted Lifetime Master Plumber license, an applicant shall have been previously licensed as a Master Plumber by the Department for not less than twelve (12) years, at least sixty five (65) years of age and hold either a current or a deferred master plumber license.

SECTION V. RESTRICTIONS

(a) A person holding a Lifetime Master Plumber license shall not be eligible to perform or contract plumbing installations on any construction or remodeling of supermarkets, shopping

centers, housing projects, apartment complex, industrial buildings, educational institutions, hospitals, nursing homes or any other construction containing more than twenty-three (23) fixture units.

(b) No person holding a Lifetime Master Plumber License may transfer the license to another person.

(c) No person holding a Lifetime Master Plumber license can register an Apprentice Plumber.

SECTION VI. APPLICATIONS

(a) Applicants for a Lifetime Master Plumber license shall complete an application form showing the applicant's background, work experience and address before consideration by the Department.

SECTION VII. TERM OF EXPIRATION

(a) Lifetime Master Plumber licenses are for the lifetime of the holder of such license unless suspended or revoked for non-compliance of the rules, regulations or laws of the Board.

SECTION VIII. REVOCATION OF LICENSE

(a) The Committee of Examiners may on its own motion make investigations and conduct hearings and may on its own motion or upon complaint in writing, duly signed and verified by the complainant, suspend or revoke any Master, Journeyman, Apprentice or Restricted license if it has reason to believe that the holder of such license has violated any provision of these regulations, any rule or order prescribed by the Department or has demonstrated incompetency to act as a Master, Journeyman, Apprentice or Restricted Plumber.

(b) The use of a Restricted Lifetime Master Plumber's license to perform plumbing other than permitted by the license shall be grounds for automatic suspension and/or revocation of such license by the Committee of Examiners, provided the licensee is duly notified within thirty (30) days of the violation and pending a full hearing under the Administrative Procedures Regulation of the Arkansas Department of Health.

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SECTION IX. PROCEDURE FOR SUSPENSION OR REVOCATION

(a) A copy of the complaint with notice of the suspension of license or permit, if ordered by the committee of examiners, shall be served on the person complained against. His answer thereto shall be filed in the time allowed for the filing of answers in legal proceedings by the laws of the State of Arkansas.

(b) No order revoking a license or permit shall be made until after a public hearing set by the committee of examiners not less than sixty (60) days after the serving of a notice of suspension on the person complained against. The hearing shall be held at the place designated by the committee of examiners. The person complained against shall have the right to be represented by counsel and to introduce any evidence in his defense. The conduct of the hearing shall be in accordance with recognized rules of legal procedure.

(c) An appeal may be had from the hearing by filing the appeal with the State Board of Health. All appeals shall be pursuant to the administrative Procedure Act, {25-15-201 et seq.

(d) Any member of the Committee of Examiners or a representative designated by the Committee of Examiners shall have the authority to administer oaths for the taking of testimony.

(e) One (1) year after the date of revocation, an application may be made for a new license.

(f) All procedures shall be reviewed by the agency's legal council prior to any action by the Committee resulting in revocation or suspension.

SECTION X. HEARINGS

In the case of each final order issued by the Department, any affected party may within thirty (30) days of such order submit a written request for a hearing to the Director of the

Department. NOTICE: All hearings will be scheduled within a reasonable time and held after reasonable notice has been provided to all known affected parties.

SECTION XI. SEVERABILITY

If any provision of these Regulations, or the application thereof to any person is held invalid, such invalidity shall not affect other provisions or application of these Regulations which can give effect without the invalid provisions of applications, and to this end the provision hereto is declared to be severable.

SECTION XII. REPEAL

All regulations and parts of regulations in conflict herewith are hereby repealed.