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TITLE 860 INDIANA PLUMBING COMMISSION

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Proposed Rule  
LSA Document #08-538

## DIGEST

Amends [860 IAC 1-1-2.1](#) to revise the fee schedule for examination or reexamination to facilitate the outsourcing of the administration of examinations for journeyman plumbers and plumbing contractors, to establish that the fees for administration and scoring of the examinations be paid directly to the examination services, and to establish the requirements for reinstatement of a delinquent or lapsed license. Amends [860 IAC 1-1-9](#) to revise the requirements for admission to the journeyman plumber and plumbing contractor examination. Amends [860 IAC 1-3-1](#), [860 IAC 1-3-1.1](#), [860 IAC 1-3-2](#), and [860 IAC 2-1-7](#) and adds [860 IAC 2-1-7.1](#) to facilitate the outsourcing of the administration of the examinations for journeyman plumbers and plumbing contractors. Repeals [860 IAC 1-3-3](#). Effective January 1, 2009.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[860 IAC 1-1-2.1](#); [860 IAC 1-1-9](#); [860 IAC 1-3-1](#); [860 IAC 1-3-1.1](#); [860 IAC 1-3-2](#); [860 IAC 1-3-3](#); [860 IAC 2-1-7](#); [860 IAC 2-1-7.1](#)

SECTION 1. [860 IAC 1-1-2.1](#) IS AMENDED TO READ AS FOLLOWS:

**[860 IAC 1-1-2.1](#) Fee schedule**

**Authority:** [IC 25-28.5-1-8](#)

**Affected:** [IC 25-1-8-5](#); [IC 25-1-8-6](#); [IC 25-28.5-1-22](#)

Sec. 2.1. The Indiana plumbing commission shall charge and collect the following fees:

- ~~(1) For an application for examination as an~~ **If the commission administers the** individual plumbing contractor a nonrefundable **examination, the examination or repeat examination** fee of **is** fifty dollars (\$50). ~~and a fee of fifty dollars (\$50) for each reexamination on one (1) of the two (2) exam parts not previously passed upon notice by the commission.~~
- (2) For the issuance of the initial plumbing contractor license, the following:
  - (A) When the license is issued in an odd-numbered year, fifty dollars (\$50).
  - (B) When the license is issued in an even-numbered year, one hundred dollars (\$100).
- (3) For the issuance of an initial license for a corporation, the following:
  - (A) When the license is issued in an odd-numbered year, fifty dollars (\$50).
  - (B) When the license is issued in an even-numbered year, one hundred dollars (\$100).
- ~~(4) For an application for examination as an~~ **If the commission administers the** individual journeyman plumber a nonrefundable **examination, the examination or repeat examination** fee of **is** thirty dollars (\$30). ~~and a fee of thirty dollars (\$30) for each reexamination on one (1) of the two (2) exam parts not previously passed upon notice by the commission.~~
- (5) For issuance of the initial license for a journeyman plumber, the following:
  - (A) When the license is issued in an odd-numbered year, fifteen dollars (\$15).
  - (B) When the license is issued in an even-numbered year, thirty dollars (\$30).
- (6) If the commission elects to use a professional examination service under [IC 25-1-8-5](#), an applicant for licensure by examination as either an individual plumbing contractor or journeyman plumber shall pay the examination or repeat examination fee assessed by the professional examination service that administers the examination directly to the professional examination service.**
- ~~(6)~~ **(7)** For biennial renewal of a plumbing contractor's license, one hundred dollars (\$100) payable prior to December 1 of each odd-numbered year.
- ~~(7)~~ **(8)** For biennial renewal of a license for a corporation, one hundred dollars (\$100) payable prior to December 1 of each odd-numbered year.
- ~~(8)~~ **(9)** For biennial renewal of a journeyman plumber's license, thirty dollars (\$30) payable prior to December 1 of each odd-numbered year.
- ~~(9)~~ **(10)** Application for a renewal received:
  - (A)** after the expiration date of December 31 of each odd-numbered year; and
  - (B)** prior to March 1 of the next even-numbered year;shall be charged a reinstatement fee of fifteen dollars (\$15) in addition to the license renewal fee.

~~(10)~~ **(11)** Applications for renewal received after March 1 of the next even-numbered year following expiration and ~~no~~ **not** later than December 31 of the next odd-numbered year following expiration shall be charged the following reinstatement fees in addition to the applicable license renewal fees:

- (A) Journeyman plumber, one hundred dollars (\$100).
- (B) Plumbing contractor, two hundred dollars (\$200).
- (C) Corporate plumbing contractor, two hundred dollars (\$200).

~~(11)~~ **(12)** Applications for renewal received after December 31 of the next odd-numbered year following expiration shall be deemed invalid for renewal. **comply with the requirements of [IC 25-1-8-6](#).**

*(Indiana Plumbing Commission; [860 IAC 1-1-2.1](#); filed Oct 31, 1983, 1:21 p.m.: 7 IR 69; errata, 7 IR 71; filed Oct 29, 1984, 3:07 p.m.: 8 IR 214; filed Jul 30, 1985, 3:13 p.m.: 8 IR 2038; filed Feb 19, 1987, 8:30 a.m.: 10 IR 1390; filed Feb 19, 1990, 11:06 a.m.: 13 IR 1181; filed Jun 14, 1996, 3:00 p.m.: 19 IR 3108; readopted filed May 29, 2001, 10:00 a.m.: 24 IR 3237; filed Jul 17, 2002, 3:34 p.m.: 25 IR 4109, eff Jan 1, 2003; errata filed Nov 15, 2002, 3:40 p.m.: 26 IR 1109; readopted filed Jul 19, 2007, 12:57 p.m.: [20070808-IR-860070061RFA](#))*

SECTION 2. [860 IAC 1-1-9](#) IS AMENDED TO READ AS FOLLOWS:

**[860 IAC 1-1-9](#) Admission to examination**

**Authority:** [IC 25-28.5-1-8](#); [IC 25-28.5-1-38](#)

**Affected:** [IC 25-28.5-1](#)

Sec. 9. (a) This section and section 10 of this rule implement the requirements for admission to the journeyman plumber and plumbing contractor examination found in [IC 25-28.5-1-12\(c\)](#).

(b) "Plumbing trade" means being engaged in the work of plumbing (as that term is defined in [IC 25-28.5-1-2\(1\)](#)). ~~The term includes doing plumbing work under the circumstances described in:~~

- ~~(1) [IC 25-28.5-1-32\(2\)](#); [IC 25-28.5-1-32\(4\)](#);~~
- ~~(2) [IC 25-28.5-1-32\(6\)](#); or~~
- ~~(3) [IC 25-28.5-1-32\(7\)](#) and [IC 25-8-1-32\(8\)](#).~~

(c) "Apprenticeship program approved by the commission" means a program that meets the requirements of [860 IAC 2-1-1](#).

(d) "Four (4) year apprenticeship program" means satisfactory completion of a minimum of five hundred seventy-six (576) hours of classroom instruction and satisfactory completion of six thousand four hundred (6,400) hours of related on-job-training, over at least four (4) years. **Credit for previous education, training, or experience may be counted toward the total required hours for the apprenticeship program if granted by the Bureau of Apprenticeship and Training, a division of the United States Department of Labor, and approved by the commission. Credit must not exceed seventy-five percent (75%) of the total hours of the apprenticeship program requirement. Approved credit must be documented and presented with the original apprenticeship registration application.**

(e) "Four (4) years of experience" means a minimum of six thousand four hundred (6,400) hours in the plumbing trade over at least four (4) years.

(f) ~~No~~ **Not** more than forty (40) hours shall be counted in any given calendar week toward meeting the requirements of either subsection (d) or (e).

*(Indiana Plumbing Commission; [860 IAC 1-1-9](#); filed Jan 16, 1992, 5:00 p.m.: 15 IR 1022; readopted filed May 29, 2001, 10:00 a.m.: 24 IR 3237; readopted filed Jul 19, 2007, 12:57 p.m.: [20070808-IR-860070061RFA](#))*

SECTION 3. [860 IAC 1-3-1](#) IS AMENDED TO READ AS FOLLOWS:

**[860 IAC 1-3-1](#) Examination; journeyman plumber**

**Authority:** [IC 25-28.5-1-8](#); [IC 25-28.5-1-38](#)

**Affected:** [IC 25-28.5-1](#)

Sec. 1. **(a) An applicant for the journeyman plumber license must pass the examination required under this section.**

~~(a) (b) The journeyman plumber examination shall consist of a practical section and of a written section. be multiple choice.~~

~~(b) The practical section of the examination shall include two (2) parts known as the following:~~

~~(1) The copper pipe project.~~

~~(2) The soil pipe project.~~

~~(c) The written section of the examination shall be a multiple-choice test.~~

~~(d) In order to pass the practical section of the examination, an individual must obtain scores of at least seventy percent (70%) on both of the following:~~

~~(1) The copper pipe project.~~

~~(2) The soil pipe project.~~

~~(e) (c) An individual must obtain a passing score of at least seventy percent (70%) on the multiple-choice test in order to pass the written section of the examination.~~

*(Indiana Plumbing Commission; [860 IAC 1-3-1](#); filed Oct 29, 1984, 3:11 p.m.: 8 IR 215; filed Feb 15, 1989, 2:36 p.m.: 12 IR 1556; filed Feb 19, 1990, 11:06 a.m.: 13 IR 1182; filed Sep 8, 1992, 5:00 p.m.: 16 IR 62, eff Oct 1, 1992 [[IC 4-22-2-36](#) suspends the effectiveness of a rule document for thirty (30) days after filing with the secretary of state. LSA Document #92-91 was filed Sep 8, 1992.]; readopted filed May 29, 2001, 10:00 a.m.: 24 IR 3237; readopted filed Jul 19, 2007, 12:57 p.m.: [20070808-IR-860070061RFA](#))*

SECTION 4. [860 IAC 1-3-1.1](#) IS AMENDED TO READ AS FOLLOWS:

**[860 IAC 1-3-1.1](#) Examination; plumbing contractor**

**Authority:** [IC 25-28.5-1-8](#); [IC 25-28.5-1-38](#)

**Affected:** [IC 25-28.5-1](#)

Sec. 1.1. **(a) An applicant for the plumbing contractor license must pass the examination required under this section.**

~~(a) (b) The plumbing contractor examination shall consist of a practical section, a written section, and a drawing section. be multiple choice.~~

~~(b) The practical section of the examination shall include two (2) parts known as the following:~~

~~(1) The copper pipe project.~~

~~(2) The soil pipe project.~~

~~(c) The written section of the examination shall be a multiple-choice test.~~

~~(d) The drawing section of the examination shall test the applicant's ability and knowledge concerning sanitary drainage systems and water distribution systems.~~

~~(e) In order to pass the practical section of the examination, an individual must obtain scores of at least seventy percent (70%) on both of the following:~~

~~(1) The copper pipe project.~~

~~(2) The soil pipe project.~~

(f) **(c)** An individual must obtain a **passing** score of at least seventy percent (70%) on the multiple-choice written section in order to pass the written section of the examination.

~~(g) An individual must obtain a score of at least seventy percent (70%) on the drawing section in order to pass the drawing section of the examination.~~

*(Indiana Plumbing Commission; [860 IAC 1-3-1.1](#); filed Sep 8, 1992, 5:00 p.m.: 16 IR 62, eff Oct 1, 1992 [[IC 4-22-2-36](#) suspends the effectiveness of a rule document for thirty (30) days after filing with the secretary of state. LSA Document #92-91 was filed Sep 8, 1992.]; readopted filed May 29, 2001, 10:00 a.m.: 24 IR 3237; readopted filed Jul 19, 2007, 12:57 p.m.: [20070808-IR-860070061RFA](#))*

SECTION 5. [860 IAC 1-3-2](#) IS AMENDED TO READ AS FOLLOWS:

**[860 IAC 1-3-2](#) Retaking of journeyman plumber and plumbing contractor examination upon failure**

**Authority:** [IC 25-28.5-1-8](#); [IC 25-28.5-1-38](#)

**Affected:** [IC 25-28.5-1](#)

Sec. 2. (a) References in this section to the examination apply to both the journeyman plumber examination and the contractor examination unless a particular examination is specifically specified.

~~(b)~~ **(a)** An individual who does not pass the entire examination in the first attempt shall be entitled to take it as many as six (6) additional times. ~~under the exemptions from portions of the examination allowed in subsection (c).~~ However, the last examination attempt may be ~~no~~ **not** later than two (2) years after the date the individual was first scheduled to take the examination.

~~(c) An individual who passes:~~

~~(1) the practical section;~~

~~(2) the written section;~~

~~(3) one (1) part of the practical section; or~~

~~(4) for the plumbing contractor examination, the drawing section;~~

~~in any prior taking of the examination allowed under subsection (b), shall not be required to retake that portion in the remaining examination attempts allowed by subsection (b).~~

~~(d) An individual who does not qualify for any of the exemptions provided for in subsection (c) must retake the entire examination.~~

~~(e)~~ **(b)** Upon the exhaustion of all of the examination attempts allowed by subsection ~~(b)~~, **(a)**, an individual must:

**(1)** file a new application; and

**(2)** retake the entire examination.

~~(f) None of the exemptions contained in this section from retaking a section or part of a section of the journeyman plumber examination or the plumbing contractor examination shall apply to an individual taking the other examination. For example, an applicant for a journeyman plumber license who passes the practical section of the journeyman plumber examination who subsequently applies for a plumbing contractor license shall be required to pass the practical section of the plumbing contractor examination.~~

~~(g) Notwithstanding subsection (b), any individual who took the examination one (1) or more times prior to October 1, 1992, and did not pass it in its entirety:~~

~~(1) shall be entitled to six (6) additional examination attempts with the last being no later than September 30, 1994;~~

~~(2) for the first examination attempt after September 30, 1992, shall be entitled to the examination exemptions the individual would have had under this section as it read on September 30, 1992; and~~

~~(3) for the second and subsequent examination attempts after September 30, 1992, shall be entitled to the examination exemptions allowed by subdivision (2) plus those obtained after September 30, 1992, under~~

(c) An applicant who has not passed the written section or drawing section of the journey plumber or plumbing contractor examination before January 1, 2009, shall:

- (1) lose credit for the section passed; and
- (2) be required to retake the multiple-choice examination.

(d) An applicant that has passed the written section and drawing section of the journey plumber or plumbing contractor examination but has failed to pass the practical examination before January 1, 2009, shall qualify for licensure without having to pass the practical examination.

*(Indiana Plumbing Commission; 860 IAC 1-3-2; filed Feb 15, 1989, 2:36 p.m.: 12 IR 1556; filed Feb 19, 1990, 11:06 a.m.: 13 IR 1182; filed Sep 8, 1992, 5:00 p.m.: 16 IR 63, eff Oct 1, 1992 [IC 4-22-2-36 suspends the effectiveness of a rule document for thirty (30) days after filing with the secretary of state. LSA Document #92-91 was filed Sep 8, 1992.]; readopted filed May 29, 2001, 10:00 a.m.: 24 IR 3237; readopted filed Jul 19, 2007, 12:57 p.m.: 20070808-IR-860070061RFA)*

SECTION 6. [860 IAC 2-1-7](#) IS AMENDED TO READ AS FOLLOWS:

**[860 IAC 2-1-7](#) Apprenticeship program; approval**

Authority: [IC 25-28.5-1-8](#); [IC 25-28.5-1-38](#)

Affected: [IC 25-28.5-1-18.1](#)

Sec. 7. (a) To be approved, an apprenticeship program must do the following:

- (1) Submit a written request for approval to the commission.
- (2) Submit in writing the apprenticeship program's curriculum, which must include the:
  - (A) subjects taught; and ~~the~~
  - (B) hours spent teaching each subject.
- (3) Provide:
  - (A) the address of the apprenticeship program facility;
  - (B) its phone number; and
  - (C) the name of a contact person.
- (4) Submit proof of the accreditation required by section 1(2) of this rule.
- (5) Require the taking and passing of a practical examination as required by section 7.1 of this rule.**

(b) Approved apprenticeship programs must notify the commission of any change in the items listed in subsection (a)(2) through (a)(4) within thirty (30) days.

*(Indiana Plumbing Commission; 860 IAC 2-1-7; filed Dec 18, 2000, 9:31 a.m.: 24 IR 1352; readopted filed May 29, 2001, 10:00 a.m.: 24 IR 3237; readopted filed Jul 19, 2007, 12:57 p.m.: 20070808-IR-860070061RFA)*

SECTION 7. [860 IAC 2-1-7.1](#) IS ADDED TO READ AS FOLLOWS:

**[860 IAC 2-1-7.1](#) Apprenticeship school examination**

Authority: [IC 25-28.5-1-8](#); [IC 25-28.5-1-38](#)

Affected: [IC 25-28.5-1](#)

Sec. 7.1. (a) Apprenticeship schools shall give each student within the first four (4) years of apprenticeship program an examination that shall test the student's practical knowledge of the curriculum studied. A student shall not be considered to have completed a four (4) year apprenticeship program without having passed this examination.

- (b) The practical section of the examination shall include three (3) parts known as the following:
- (1) The copper pipe assembly project.
  - (2) The cast iron assembly project.

**(3) The plastic pipe assembly project.**

**(c) In order to pass the practical section of the examination, an individual must obtain scores of at least seventy percent (70%) on all of the following:**

- (1) The copper pipe assembly project.**
- (2) The cast iron assembly project.**
- (3) The plastic pipe assembly project.**

**(d) The apprenticeship school shall allow each student at least seven (7) attempts to pass the practical examination.**

**(e) The commission may monitor the administration of the final practical examination:**

- (1) as a result of a complaint received;**
- (2) for random sampling; or**
- (3) to collect data.**

*(Indiana Plumbing Commission; [860 IAC 2-1-7.1](#))*

SECTION 8. [860 IAC 1-3-3](#) IS REPEALED.

SECTION 9. SECTIONS 1 through 8 of this document take effect January 1, 2009.

[Notice of Public Hearing](#)

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