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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

A N A C T

RELATING TO LABOR AND LABOR RELATIONS -- MECHANICAL TRADES

Introduced By: Representatives Amore, Keable, Shekarchi, Maldonado, and Fogarty

Date Introduced: May 04, 2018

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 28-27-1, 28-27-1.0, 28-27-2, 28-27-4, 28-27-4.2, 28-27-4.3, 28-
2 27-5, 28-27-5.1, 28-27-6, 28-27-6.1, 28-27-6.2, 28-27-8, 28-27-9, 28-27-10, 28-27-11, 28-27-14,
3 28-27-15, 28-27-17, 28-27-17.2, 28-27-18, 28-27-19, 28-27-20, 28-27-21 and 28-27-30 of the
4 General Laws in Chapter 28-27 entitled "Mechanical Trades" are hereby amended to read as
5 follows:

6 **28-27-1. Purpose.**

7 This chapter is necessary to protect the life, property, safety, and welfare of the people of
8 Rhode Island; to promote conservation of our natural resources used to generate energy; the
9 proper installation of all piping systems and/or equipment used in fire protection systems; [the](#)
10 [proper installation and maintenance of all thermal system insulation](#); and in the generation and
11 consumption of energy used for the purpose of all heating, cooling and air distribution systems.

12 **28-27-1.0. Mechanical board.**

13 There shall be in the department of labor and training, a mechanical board, responsible
14 for the licensing and regulating of masters, journeypersons, and apprentices in the pipefitting,
15 [thermal system insulation](#), air conditioning/refrigeration, sprinkler fitting and sheet metal trades,
16 hereafter to be referred to as "the mechanical trades". The board, under the direction and
17 supervision of the division of professional regulation, shall advise the division in the proper
18 installation modification and disassembly for reuse of process piping systems used in the
19 conveyance and storage of liquids, solids, and industrial type gases, all heating, cooling, air

1 distribution, fire protection systems and venting systems, and all thermal system insulation
2 products used in heating, ventilating, cooling, plumbing, or refrigeration systems to insulate any
3 hot or cold surface on or in a building. It shall exclude those systems which are self-contained
4 home appliances and all piping systems specified under the plumbing law. The board shall advise
5 the division of the proper license needed for layout, on-site fabrication, installation, alteration,
6 testing, or repair of any automatic or manual sprinkler systems designed for the protection of the
7 interior or exterior of a building or structure from fire, or any piping or tubing and appurtenances
8 and equipment pertaining to such system including overhead and underground water mains, fire
9 hydrants and hydrant mains, standpipes and hose connections to sprinkler systems, sprinkler and
10 tank heaters, air lines and thermal systems used in connection with sprinkler and alarm systems
11 connected to them, foam extinguishing systems or special hazard systems including water spray,
12 foam, carbon dioxide, dry chemical systems, halon liquid, or gas fire suppression systems.

13 **28-27-2. Licensing -- Mechanical board examiners created -- Senior chief**
14 **investigator.**

15 (a) The division of professional regulation with the assistance of the board shall
16 promulgate rules and regulations for the examining and licensing of masters, journeypersons, and
17 apprentices of the mechanical trades.

18 (b) (1) A state mechanical board is created in the department of labor and training whose
19 duty it shall be to advise the division in its area of expertise in promulgating any policy that may
20 be necessary to improve the operations of the division, and to hold license revocation and
21 violations hearings as described in this chapter. The promulgation of policy shall be subject to the
22 approval of the division.

23 (2) The board shall consist of eleven (11) qualified electors of the state appointed by the
24 governor as follows:

25 (i) One member who shall be a master pipefitter at the time of appointment, having at
26 least ten (10) years in business as a master pipefitter.

27 (ii) One member who shall be a refrigeration/air conditioning master at the time of
28 appointment, having at least ten (10) years in business as a refrigeration/air conditioning master.

29 (iii) One member who has been employed as a pipefitter journeyperson for ten (10) years.

30 (iv) One member who has been employed as a refrigeration/air conditioning
31 journeyperson for ten (10) years.

32 (v) One member who shall be a fire protection sprinkler master at the time of
33 appointment, having at least ten (10) years in business as a fire protection sprinkler master.

34 (vi) One member who has been employed as a journeyperson sprinkler fitter for ten (10)

1 years.

2 (vii) One member shall be the state fire marshal or his or her designee.

3 (viii) Two (2) members to be appointed from a list submitted by the Oil Heat Institute,
4 Inc. and who have been doing business as masters for at least ten (10) years.

5 (ix) One member who shall be a sheet metal master at the time of appointment, having at
6 least ten (10) years in business as a sheet metal master.

7 (x) One member who has been employed as a journeyman sheet metal worker for ten
8 (10) years.

9 (xi) One member who has been employed as a thermal systems insulation master at the
10 time of appointment, having at least ten (10) years in business as a thermal systems insulation
11 master.

12 (3) Members shall be appointed to serve for three (3) years and their successors shall be
13 appointed for three (3) years.

14 (4) On the expiration of the term of any master or journeyman member of the board,
15 the governor shall appoint for a term of three (3) years a master or journeyman or member
16 having the qualifications required by this chapter to take the place of the master or journeyman
17 whose term has expired.

18 (5) Any vacancy which occurs for any cause shall be filled by appointment by the
19 governor for the remainder of the unexpired term.

20 (6) The board shall have an advisory role in the preparation and composition of the
21 license examinations to be administered by the division. Subsequent to the administration of the
22 examinations, the board of examiners shall review the examinations to evaluate their
23 effectiveness.

24 (7) A chairperson shall be elected every three (3) years from the members; a majority will
25 constitute a quorum of the full board. The senior chief investigator for the division shall have
26 both a master pipefitter I and master refrigeration I license, with a minimum of five (5) years
27 employment in the state of Rhode Island as a journeyman and five (5) years as a contractor. He
28 or she shall be appointed by the licensing board and the position shall be in the classified service
29 at not less than pay grade 335.

30 (8) There shall be a chief investigator for the division who shall have both a master
31 pipefitter and master refrigeration license, with a minimum of five (5) years employment in the
32 State of Rhode Island as a journeyman and five (5) years as a contractor. He or she shall be
33 appointed by the director of labor and training, upon recommendation from the licensing board,
34 and this position shall be in the classified service.

1 **28-27-4. "~~Master pipefitting contractor," "master refrigeration contractor,"~~**
2 **"~~master sheet metal contractor" and "master fire protection sprinkler contractor" defined~~**
3 **"Master pipefitting contractor," "master refrigeration contractor," "master sheet metal**
4 **contractor" "master thermal system insulation contractor," and "master fire protection**
5 **sprinkler contractor" defined.**

6 (a) "Fire protection sprinkler contractor" means a person having a regular place of
7 business and who, by himself or herself or a journeyman sprinkler fitter in his or her employ,
8 performs fire protection sprinkler systems work.

9 (b) "Master pipefitting contractor" means a person having a regular place of business and
10 who, by him or herself, or a journeyman pipefitter in his or her employ, performs pipefitting
11 work subject to the provisions of this chapter and the rules and regulations and licensing criteria
12 promulgated under this chapter.

13 (c) "Master refrigeration contractor" means a person having a regular place of business
14 and who, by him or herself or a journeyman refrigeration technician in his or her employ,
15 performs refrigeration/air conditioning work.

16 (d) "Master sheet metal contractor" means a person having a regular place of business
17 and who, by him or herself or a journeyman sheet metal worker in his or her employ, performs
18 sheet metal work.

19 (e) "Master thermal system insulation contractor" means a person having a regular place
20 of business and who, by him or herself, or a journeyman thermal system insulation contractor
21 in his or her employ, performs thermal system insulation work.

22 **28-27-4.2. "~~Journeyman pipefitter," "journeyman sprinkler fitter" and~~**
23 **"~~journeyman sheet metal worker" defined "Journeyman pipefitter," "journeyman~~**
24 **sprinkler fitter," "journeyman thermal systems insulation worker," and "journeyman**
25 **sheet metal worker" defined.**

26 (a) "Journeyman pipefitter" means any person who has completed a five (5) year
27 apprentice program and/or has passed a journeyman examination and who by himself or herself
28 does work on pipefitting systems subject to provisions of this chapter. The rules, regulations, and
29 licensing criteria guide promulgated under this chapter referencing Class II limited journeyman
30 licenses shall require completion of an accepted formal technical program approved by the
31 department of labor and training.

32 (b) "Journeyman sheet metal worker" means any person who has completed a four (4)
33 year apprentice program and/or has passed a journeyman sheet metal worker examination and
34 who by himself or herself does sheet metal work subject to provisions of this chapter and the

1 rules, regulations, and licensing criteria promulgated under this chapter.

2 (c) "Journey person sprinkler fitter" means any person who has completed a four (4) year
3 apprentice program and/or has passed a journey person sprinkler fitter examination and who by
4 himself or herself does work in fire protection sprinkler systems subject to provisions of this
5 chapter and the rules, regulations, and licensing criteria promulgated under this chapter.

6 (d) "Journey person thermal systems insulation worker" means any person who has
7 completed a four (4) year apprentice program and/or has passed a journey person thermal systems
8 insulation worker examination and who, by himself or herself, does thermal systems insulation
9 work subject to the provisions of this chapter and the rules, regulations, and licensing criteria
10 promulgated under this chapter.

11 ~~28-27-4.3. "Pipefitter apprentice," "refrigeration/air conditioning apprentice,"~~
12 ~~"journey person sprinkler fitter apprentice" and "journey person sheet metal worker~~
13 ~~apprentice" defined -- Duration of apprentice programs "Pipefitter apprentice,"~~
14 ~~"refrigeration/air conditioning apprentice," "Thermal systems insulation worker~~
15 ~~apprentice," "journey person sprinkler fitter apprentice," and "journey person sheet metal~~
16 ~~worker apprentice" defined – Duration of apprentice programs.~~

17 (a) "Journey person sheet metal worker apprentice" means any person at least eighteen
18 (18) years of age who is learning or working at the businesses of sheet metal work under the
19 direct supervision of a sheet metal contractor or journey person sheet metal worker under a
20 registered state sanctioned apprentice program.

21 (b) "Journey person sprinkler fitter apprentice" means any person at least eighteen (18)
22 years of age who is learning or working at the business of fire protection sprinkler systems under
23 the direct supervision of a master or journey person sprinkler fitter under a registered state
24 sanctioned apprentice program.

25 (c) "Pipefitter apprentice" means any person at least eighteen (18) years of age who is
26 learning or working at the business of pipefitting under the direct supervision of a master
27 pipefitter or journey person pipefitter under a registered state sanctioned apprentice program.

28 (d) Pipefitter, refrigeration, sprinkler fitter and sheet metal worker apprentice programs
29 are of a five (5) year duration, except as detailed in § 28-27-4.2, for all Class II limited licenses.

30 (e) "Refrigeration/air conditioning apprentice" means any person at least eighteen (18)
31 years of age who is learning and working at the business of refrigeration/air conditioning under
32 the direct supervision of a refrigeration/air conditioning master or journey person under a
33 registered state sanctioned apprentice program.

34 (f) "Thermal systems insulation worker apprentice" means any person at least eighteen

1 [\(18\) years of age who is learning and working at the business of thermal systems insulation under](#)
2 [the direct supervision of a thermal systems insulation master or journeyman under a registered](#)
3 [state sanctioned apprentice program.](#)

4 **28-27-5. Practices for which master or contractor license required.**

5 (a) No person shall: (1) engage in this state in the business of the mechanical trades as a
6 master or as an employer of the mechanical trades, (2) enter into contracts or agreements for the
7 installation, maintenance, repair, or servicing in the mechanical trades, (3) advertise or represent
8 in any form or matter that they are masters or that they will install pipefitting or refrigeration/air
9 conditioning, or air distribution systems or perform fire protection sprinkler work, [or install](#)
10 [thermal system insulation](#), unless those persons possess a valid license issued by the department
11 of labor and training under this chapter. All masters shall carry this license on their person at all
12 times while so engaged, and shall affix their master's license number to any advertisement and/or
13 contract they execute and/or bid they file with any consumer for their professional services and to
14 any applicable permit required for the performance of those services.

15 (b) A person holding a valid master license under this chapter shall not be required to
16 obtain an additional license under this chapter to perform sheet metal work when AC air handling
17 equipment is ten (10) tons or less or when heating equipment does not exceed 250,000 BTUs. A
18 person holding a valid master license under this chapter can bid or quote or solicit bids for the
19 installation, maintenance, repair and perform all work and the servicing of sheet metal work, but
20 must subcontract the aforementioned work to a properly licensed sheet metal contractor to
21 perform the work only when AC air handling equipment is in excess of ten (10) tons or when
22 heating equipment exceeds 250,000 BTUs. The subcontractor must secure the proper state or
23 municipal permits for the work subcontracted to be performed.

24 **28-27-5.1. Practices for which a journeyman or apprentice license required.**

25 (a) No person shall engage to work as a pipefitter, [thermal systems insulation worker](#),
26 refrigeration/air conditioning, or sprinkler fitter journeyman or apprentice, or journeyman
27 sheet metal worker or apprentice, or shall advertise or represent in any form or matter that he or
28 she is a journeyman or apprentice, unless that person possesses and carries on his or her person
29 at all times while so engaged a valid license issued by the department of labor and training
30 qualifying that person as a journeyman or apprentice.

31 (b) A person holding a valid license under this chapter shall not be required to obtain an
32 additional license under this chapter to perform sheet metal work when AC air handling
33 equipment is ten (10) tons or less or when heating equipment does not exceed 250,000 BTUs.

34 (c) A holder of a journeyman license shall only be entitled to work as an employee of

1 the properly licensed master permit holder in accordance with this chapter.

2 **28-27-6. Corporations and firms engaged in business.**

3 (a) No corporation, firm, association or partnership shall engage in business, advertise,
4 make application for and take out permits, bid for work, or represent itself as a mechanical
5 contractor, pipefitter, [thermal systems insulation](#), refrigeration/air conditioning, fire protection
6 sprinkler systems master or contractor or sheet metal contractor unless:

7 (1) A licensed mechanical contractor, pipefitter, [thermal systems insulation worker](#),
8 refrigeration/air conditioning, fire protection sprinkler systems master, or sheet metal contractor
9 as applicable, as provided in this chapter is continuously engaged in the supervision of that
10 entity's installation, maintenance, and repair work and the licensed master is an officer of the
11 corporation, a partner in the partnership, or a similarly authorized principal of any such firm,
12 association, or other entity; or

13 (2) That entity possesses a valid mechanical contractor, pipefitter, [thermal systems](#)
14 [insulation](#), refrigeration-air conditioning, fire protection sprinkler systems contractor's or sheet
15 metal contractor license, as applicable, duly issued by the department of labor and training as
16 further described in subsection (b) of this section.

17 (b) Upon application of any of the above entities in form and substance prescribed by the
18 department of labor and training, and receipt of the fee for the application and license which shall
19 be equal to the fee for a mechanical contractor, pipefitter, [thermal systems insulation](#),
20 refrigeration-air conditioning, sheet metal, fire protection sprinkler systems master, or sheet metal
21 contractor license as described in § 28-27-17, as the same may be amended from time to time, the
22 department of labor and training shall issue the applicant entity a license as a mechanical
23 contractor, as applicable. The contractor's license shall specify the name of the entity holding the
24 license and shall state that the license holder: (1) has a masters license in the mechanical trades,
25 as defined in § 28-27-1.0, and who is continuously engaged in the supervision of the entity's
26 installation, maintenance, and repair work, and who is an officer of the corporation, a partner in
27 the partnership, or a similarly authorized principal of any such firm, association, or other entity;
28 or (2) continuously employs at all times while holding this license a person with a masters license
29 in the applicable mechanical trade, as provided in this chapter, who shall be continuously engaged
30 in the supervision of the entity's installation, maintenance, and repair work. The contractor's
31 license shall entitle the entity holding the license to engage in business, advertise, bid for work, or
32 represent itself as a mechanical contractor, and also entitles the entity to make application for and
33 take out permits through its duly authorized officer or similarly authorized principal as well as
34 through the duly licensed contractor master as described in this section or the duly licensed

1 master continuously employed by the entity as stated in this section, as the case may be. The
2 contractor's license shall not, however, in and of itself permit a principal, officer, employee, or
3 agent of the entity holding the license to individually engage in installation, maintenance, or
4 repair work as described in this section unless the principal, officer, employee, or agent is
5 individually licensed to do so.

6 (c) Any work engaged in, advertised for, applied for by permit, bid for, or represented to
7 be permissible, shall be solely of the type for which the licensed master or contract master who
8 serves as an officer or similarly authorized principal of the entity or who, in the case of a licensed
9 master, is continuously employed by the entity holding a contractor's licenses, is duly licensed to
10 perform.

11 (d) Any licensed master or contractor master who serves as an officer or similarly
12 authorized principal of such an entity or who, in the case of a licensed master, is continuously
13 employed by an entity holding a contractor's license, shall represent the interests of one such
14 entity and only one such entity at any given time as described in this section.

15 (e) If the licensed master or contractor master described in this section ceases to be an
16 officer or similarly authorized principal of one of the entities described in this section or, in the
17 case of a licensed master, ceases to be continuously employed by an entity holding a contractor's
18 license for any reason whatsoever, the entity shall provide written notice of the cessation of
19 continuous employment to the department of labor and training no more than fourteen (14) days
20 after the effective date of occurrence of the cessation. Any entity so affected shall provide written
21 notice to the department of labor and training specifying the licensed master or contractor master
22 who shall replace the departed licensed master or contractor master, as applicable, referenced in
23 this section no more than forty-five (45) days after the effective date of occurrence of the
24 cessation.

25 (f) No corporation, firm, association, partnership, or other entity which engages in, offers
26 to engage in, or represents that it engages in the mechanical trades for the purpose of
27 maintenance, or repair work in the state of Rhode Island shall be permitted to incorporate, form,
28 qualify to do business, or otherwise register with the Rhode Island secretary of state's office until
29 and unless that office has first received a written confirmation from the department of labor and
30 training that all requisite licenses to be issued by the department of labor and training have been
31 issued and remain in good standing.

32 (g) Any willful violation of this section shall be grounds for revocation of license as
33 further described in § 28-27-21.

34 **28-27-6.1. Owners' right to install.**

1 An owner of a single family domestic dwelling who intends to occupy the premises
2 himself or herself may, after approval by local municipal and/or state authorities and upon receipt
3 of a permit, install pipefitting, [thermal systems insulation](#), refrigeration, sheet metal, or fire
4 protection sprinkler systems work in Rhode Island without being licensed by the division of
5 professional regulation. The work must conform to the best installation practices of the trade and
6 all applicable portions of the B.O.A.C.A. code and procedures adopted by the division of
7 professional regulation.

8 **28-27-6.2. Issuance of contractor master license.**

9 (a) There is created a class of license which shall be known, respectively, as a pipefitter,
10 [thermal systems insulation](#), refrigeration-air conditioning, sheet metal, fire protection sprinkler
11 systems contractor master. This license shall not, in and of itself, permit any holder of it to
12 individually engage in installation, maintenance, or repair as described in this chapter, but may
13 instead only be used in conjunction with a contractor's license as described in § 28-27-6.

14 (b) No application for a license of pipefitter, [thermal systems insulation](#), refrigeration-air
15 conditioning, sheet metal, fire protection sprinkler contractor master shall be filed with the
16 department of labor and training, nor shall any applicant be permitted to take the examination for
17 such a license, unless:

18 (1) The applicant possesses the requisite skill, expertise, education, experience, training,
19 and other qualities or qualifications to take the examination that the department of labor and
20 training, by the promulgation of regulations, may require;

21 (2) The application is accompanied by a test fee which shall equal the fee for a Pipefitter
22 Master I as outlined in § 28-27-17.

23 (c) Upon passage of the contractor master examination as prepared and administered by
24 the department of labor and training upon recommendation and advice of the board, payment of a
25 license fee which shall equal the fee for a Pipefitter Master I as outlined in § 28-27-17 shall be
26 required and the contractor master license shall be issued as provided in § 28-27-15.

27 (d) Applications must be filed with the department of labor and training at least fifteen
28 (15) days prior to the examination date.

29 **28-27-8. Duties of director.**

30 The director of the department of labor and training shall:

31 (1) Prepare license certificates and issue them in conformity with this chapter;

32 (2) Maintain an up-to-date record specifying the name and address of licensed pipefitters
33 [or thermal systems insulation](#) or refrigeration/air conditioning or fire protection sprinkler
34 contractors and sprinkler fitters masters, journeypersons and sheet metal contractors and

1 journeypersons sheet metal workers of this state. These records shall show dates of issuance of
2 licenses and be open to public inspection. These records shall also show dates of filing of
3 complaints and the nature of the complaints for revocation of license and the date of, as well as
4 the final order upon, those complaints;

5 (3) Prescribe standards for what constitutes a recognized college or university, and to
6 determine the conformance to the standards;

7 (4) Prepare a full and complete monthly statement of all receipts derived under this
8 chapter and turn over to the general treasurer all money in possession in the department.

9 **28-27-9. Application for license.**

10 Any applicant for a license as pipefitter, [thermal systems insulation](#) or refrigeration/air
11 conditioning or fire protection sprinkler contractor or sheet metal contractor or journeyperson
12 sheet metal worker or sprinkler fitter master or journeyperson in the state shall present his or her
13 application to the department on the printed form provided for the application.

14 ~~**28-27-10. License of pipefitter or refrigeration/air conditioning or fire protection**~~
15 ~~**sprinkler contractor or sheet metal contractor or sprinkler fitter master -- Test fee --**~~
16 ~~**License fee -- Qualifications -- Filing deadline**~~ **License of pipefitter or thermal systems**
17 **insulation or refrigeration/air conditioning or fire protection sprinkler contractor or sheet**
18 **metal contractor or sprinkler fitter master – Test fee – License fee – Qualifications – Filing**
19 **deadline.**

20 (a) No application for a license of a pipefitter [or thermal systems insulation](#) or
21 refrigeration/air conditioning or fire protection sprinkler contractor or sheet metal contractor or
22 sprinkler fitter master shall be filed by the department nor shall any applicant be permitted to take
23 the examination for a license as a pipefitter [or thermal systems insulation](#) or refrigeration/air
24 conditioning or fire protection sprinkler contractor or sheet metal contractor or sprinkler fitter
25 master unless:

26 (1) The test application is accompanied by a test fee as outlined in § 28-27-17.

27 (2) Upon passing of a master test, or contractor test for sheet metal contractor applicants,
28 payment of a license fee as outlined in § 28-27-17 is required and the master license will be
29 issued as provided in § 28-27-15.

30 (3) The applicant possesses a certificate of license in full force and effect from the
31 department of labor and training specifying that person as a journeyperson licensed as such for a
32 minimum of one year or the application is accompanied by an affidavit or other reasonably
33 satisfactory evidence showing that the laws of another state specifying that person as a pipefitter
34 [or thermal systems insulation](#) or refrigeration/air conditioning or fire protection sprinkler

1 contractor or sprinkler fitter master. (b) Applications must be filed with the department at least
2 fifteen (15) days prior to the examination date.

3 **28-27-11. Journeyperson license -- Test fees -- License fees and qualifications --**

4 **Filing deadline for journeyperson.**

5 (a) No application for a journeyperson's test shall be filed by the department nor shall any
6 applicant be permitted to take the examination for a license as a journeyperson unless:

7 (1) The test application is accompanied by a test fee as outlined in § 28-27-17.

8 (2) Upon passing of a journeyperson test, payment of a license fee as outlined in § 28-27-
9 17 is required and the journeyperson license will be issued as provided in § 28-27-15.

10 (3) The applicant has possessed for at least five (5) years prior to the filing of the
11 application a certificate of registration in full force and effect from the department of labor and
12 training specifying the person as a registered apprentice, and the application of an applicant:

13 (i) Is accompanied by an affidavit or affidavits of his or her employer or former
14 employers or other reasonably satisfactory evidence showing that the applicant has been actually
15 engaged in pipefitting [or thermal systems insulation](#) or refrigeration/air conditioning, sheet metal
16 or fire protection sprinkler systems work as an apprentice in the state of Rhode Island during
17 those five (5) years;

18 (ii) Is accompanied by an affidavit or other reasonably satisfactory evidence showing that
19 the applicant has been registered as a student in a recognized college, university, or trade school
20 and has pursued a course of pipefitting [or thermal systems insulation](#) or refrigeration/air
21 conditioning, sheet metal or fire protection sprinkler systems for at least two (2) academic years
22 or is the recipient of an associate degree in pipefitting [or thermal systems insulation](#) or
23 refrigeration/air conditioning or fire protection sprinkler systems, and has thereafter been
24 registered by the department of labor and training as an apprentice for at least three (3) years and
25 employed as a registered apprentice by a duly licensed pipefitter [or thermal systems insulation](#) or
26 refrigeration/air conditioning or fire protection sprinkler systems master or sheet metal
27 contractors in this state for a period of three (3) years; or

28 (iii) Is accompanied by an affidavit or other reasonably satisfactory evidence showing
29 that the applicant possesses a certificate of license issued under the laws of another state
30 specifying that person as a journeyperson.

31 (4) The licensing authority may grant an exemption to the requirements of subdivision
32 (a)(3) on the basis of past experience.

33 (b) The test application is to be filed with the department at least fifteen (15) days prior to
34 the examination date.

1 **28-27-14. Examination of applications.**

2 The department shall provide and conduct examinations three (3) times each year of
3 applicants who have had their application for a pipefitter [or thermal systems insulation](#) or
4 refrigeration/air conditioning or fire protection sprinkler contractor/sprinkler fitter master or
5 journeyman or sheet metal contractor or journeyman sheet metal worker placed on file with
6 the department. All examinations shall be conducted by the division of professional regulation of
7 the department of labor and training with the aid and cooperation of the board of examiners and
8 shall be conducted at places designated by the department within the state consistent with the
9 reasonable convenience of the applicant. All test materials shall be preserved for three (3) months
10 after the date of the test.

11 **28-27-15. Issuance of licensing following examination.**

12 The director of labor and training shall allow or deny applications for master or
13 contractors' or journeyman's license upon the recommendation of the division as soon after the
14 examination as practicable. Each applicant who has successfully passed the examination and has
15 had his or her application allowed shall be issued a certificate of license in the category tested for
16 as a pipefitter [or thermal systems insulation](#) or refrigeration/air conditioning or fire protection
17 sprinkler contractor/sprinkler fitter master or journeyman or sheet metal contractor or
18 journeyman sheet metal worker by the division on payment of the proper fee.

19 **28-27-17. Test fees -- License fees -- Expiration and renewal of licenses.**

20 (a) All licenses issued to the pipefitters/refrigeration technicians and fire protection
21 sprinkler contractor/sprinkler fitters and sheet metal contractor or journeyman sheet metal
22 worker detailed in this section shall be paid for as follows:

	TEST	LICENSE	RENEWAL
23 Master Mechanical Contractor	--	480.00	480.00
24 Contractor Master	75.00	240.00	240.00
25 Pipefitter Master I	75.00	240.00	240.00
26 Pipefitter Master II	75.00	96.00	96.00
27 Refrigeration Master I	75.00	240.00	240.00
28 Refrigeration Master II	75.00	96.00	96.00
29 Pipefitter Journeyman I	75.00	72.00	72.00
30 Pipefitter Journeyman II	75.00	60.00	60.00
31 Refrigeration Journeyman I	75.00	72.00	72.00
32 Refrigeration Journeyman II	75.00	60.00	60.00
33 Apprentices (annual fee)	--	24.00	24.00

1	Fire Protection Sprinkler			
2	Fitters Master I	75.00	240.00	240.00
3	Fire Protection Sprinkler			
4	Fitters Journeyperson I	75.00	72.00	72.00
5	Sheet Metal Contractor	75.00	240.00	240.00
6	Sheet Metal Worker			
7	Journeyperson	75.00	72.00	72.00
8	<u>Thermal System Insulation Contractor</u>	<u>75.00</u>	<u>240.00</u>	<u>240.00</u>
9	<u>Thermal Insulation Worker</u>			
10	<u>Master</u>	<u>75.00</u>	<u>240.00</u>	<u>240.00</u>
11	<u>Journeyperson</u>	<u>75.00</u>	<u>72.00</u>	<u>72.00</u>
12	<u>Apprentice</u>	<u>--</u>	<u>24.00</u>	<u>24.00</u>

13 (b) Apprenticeship renewal fees shall be paid on an annual basis.

14 (c) Every license issued by the division of professional regulation to license holders born
15 in odd years shall expire on the birthday of the individual qualifying for the license in odd years
16 and all licenses issued by the division of professional regulation to license holders born in even
17 years shall expire on the birthday of the individual qualifying for the license in even years and all
18 licenses may be renewed on or before their expiration date, upon payment of the appropriate fee.
19 If any credit is due in the initial changeover year the amount of credit is determined by the chief
20 administrator of the division.

21 **28-27-17.2. Certificates expiring while licensee is in federal service.**

22 Any pipefitter, [thermal systems insulation](#), refrigeration, sprinkler fitter or sheet metal
23 worker license expiring while the holder thereof is in the military, naval, or air service of the
24 United States shall be renewed without further examination, upon payment of the prescribed fee,
25 at any time within four (4) months after that person's discharge from the service.

26 **28-27-18. Registration of apprentices.**

27 (a) Any person who has agreed to work under the supervision of a licensed pipefitter,
28 [thermal systems insulation](#), refrigeration/air conditioning, sprinkler fitter or sheet metal master
29 under a state sanctioned apprenticeship program shall be registered by the director of labor and
30 training and be issued a certificate of apprenticeship.

31 (b) The minimum formal training period for a P.J.F. limited class II license shall be one
32 hundred sixty (160) hours of classroom and/or laboratory technical training, approved by the
33 department of labor and training. The fee schedules for the P.J.F. limited license are detailed in §
34 28-27-5.2. All other sections of this chapter shall remain in full force and effect.

1 **28-27-19. License displayed in place of business.**

2 In every place in this state within and from which a pipefitter or [thermal systems](#)
3 [insulation, or](#) refrigeration/air conditioning or fire protection sprinkler systems or air distribution
4 business is conducted as specified for a pipefitter or [thermal systems insulation, or](#)
5 refrigeration/air conditioning or fire protection sprinkler contractor/sprinkler fitter master or sheet
6 metal contractor there shall be at all times a certificate of license as provided in this chapter. The
7 certificate shall contain the name, address, social security number, state license number,
8 classification, and limitations, if any, on the license. All vehicles used in those businesses shall be
9 identified as being regulated by the bureau and will display with no less than three (3) inch
10 lettering, the contractors category, license number, and company name.

11 **28-27-20. State and municipal inspections and installation permits.**

12 Nothing in this chapter shall prohibit any city, town or the state from providing for a
13 pipefitter or [thermal systems insulation, or](#) refrigeration/air conditioning or fire protection
14 sprinkler systems or air distribution systems inspection or from requiring permits for the
15 installation, maintenance, repair and servicing of pipefitting or [thermal systems insulation, or](#)
16 refrigeration/air conditioning or fire protection sprinkler systems or air distribution systems and
17 collecting fees thereof. Whenever a permit is required under the provisions of this section, a
18 condition of its issuance shall be that the contractor's license number and a copy of the
19 contractor's license first be affixed on the permit which must be signed by the contractor. The
20 permit must be obtained from the state, city or town prior to the installation. Where equipment
21 and appliance replacements or repairs must be performed in an emergency situation, the permit
22 application shall be submitted within the next business day to the office of mechanical inspection.

23 **28-27-21. Grounds for revocation of license.**

24 The director of labor and training shall revoke or suspend the license or impose a fine on
25 any pipefitter or [thermal systems insulation, or](#) refrigeration/air conditioning or fire protection
26 sprinkler contractor/sprinkler fitter master or journeyman or sheet metal contractor or
27 journeyman sheet metal worker after hearing before and recommendation of the board, when
28 the weight of the evidence establishes any one or more of the following specific violations:

29 (1) Obtaining or conspiring with others to obtain a license by inducing the issuance of
30 that license in consideration of the payment of money, or any other thing of value, or by and
31 through a willful or fraudulent misrepresentation of facts or the procurement thereof.

32 (2) Willfully violating any ordinances or rules of any cities or towns or of any laws in this
33 state regulating the conduct of pipefitting or [thermal systems insulation, or](#) refrigeration/air
34 conditioning or fire protection sprinkler systems or air distribution systems work.

1 (3) Knowingly hiring, directly aiding or assisting any person to engage in the work
2 specified for a pipefitter or [thermal systems insulation, or](#) refrigeration/air conditioning or fire
3 protection sprinkler contractor/sprinkler fitter master or journeyperson or sheet metal contractor
4 or journeyperson sheet metal worker when that person does not have a license as provided in this
5 chapter.

6 (4) Any pipefitter or [thermal systems insulation, or](#) refrigeration/air conditioning or fire
7 protection sprinkler contractor/sprinkler fitter master or journeyperson or sheet metal contractor
8 or journeyperson sheet metal worker willfully and fraudulently loaning his or her license to any
9 other person for the purpose of permitting that person to engage in any work in violation of this
10 chapter.

11 (5) Being convicted of a felony.

12 (6) Willfully violating any of the provisions of this chapter including the rules,
13 regulations, and licensing criteria guide promulgated under this chapter.

14 **28-27-30. Enforcement procedures.**

15 Violations of this chapter may be enjoined upon bill of complaint being filed in the
16 superior court for the county in which those violations have been committed by the department of
17 labor and training or by any association of pipefitter or [thermal systems insulation, or](#)
18 refrigeration/air conditioning masters or journeypersons, licensed pipefitter or [thermal systems](#)
19 [insulation, or](#) refrigeration/air condition masters or journeypersons, or association of sheet metal
20 contractors or journeyperson sheet metal workers, licensed sheet metal contractor or
21 journeyperson sheet metal worker or by any inspector. Injunctions may be granted by the superior
22 court after hearing in open court against any person, firm, corporation, or association which has
23 violated any of the provisions of this chapter, without regard to whether proceedings have been or
24 may have been instituted before the department. No ex parte restraining orders shall be issued in
25 suits brought pursuant to this section. Violators may also be ordered to pay the complaint's
26 reasonable attorney's fees.

27 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO LABOR AND LABOR RELATIONS -- MECHANICAL TRADES

1 This act would add thermal systems insulation to the regulation and licensing of
2 mechanical trades.

3 This act would take effect upon passage.

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LC005552
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