

# ARKANSAS REGISTER

## Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

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**For Office**

**Use Only:**

Effective Date \_\_\_\_\_ Code Number \_\_\_\_\_

Name of Agency Arkansas Department of Health

Department Division for Local Public Health, Environmental Health

Contact Laura Shue E-mail Laura.Shue@arkansas.gov Phone 501-661-2297

Statutory Authority for Promulgating Rules Ark. Code §17-38-201

**Rule Title:** Repeal of Rules Pertaining to Plumbing and/or Natural Gas Inspector Certification

**Intended Effective Date**  
(Check One)

☐ Emergency (ACA 25-15-204)

☒ 10 Days After Filing (ACA 25-15-204)

☐ Other \_\_\_\_\_  
(Must be more than 10 days after filing date.)

Legal Notice Published .....

Final Date for Public Comment .....

Reviewed by Legislative Council .....

Adopted by State Agency .....

**Date**

05/03/2024

06/02/2024

08/23/2024

01/25/2024

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Laura Shue

Laura.Shue@arkansas.gov

08/26/2024

Contact Person

E-mail Address

Date

### CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Laura F. Shue  
Signature

501-661-2297

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Phone Number

E-mail Address

General Counsel

Title

August 26, 2024

Date

**~~RULES AND REGULATIONS~~**  
**~~PERTAINING~~**  
**~~TO~~**  
**~~PLUMBING AND/OR NATURAL GAS INSPECTOR~~**  
**~~CERTIFICATION~~**

**~~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 and hospital maintenance licenses providing that the licenses has demonstrated competency for the particular phase of plumbing for which the person is licensed and providing 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~~**

~~To insure that the construction, installation and maintenance of plumbing and/or natural gas has in connection with all buildings in this State be safe, sanitary and such as to safeguard the public health.~~

**~~SECTION III. DEFINITIONS~~**

- ~~(a) The State Board means the Arkansas State Board of Health.~~
- ~~(b) The Department means that the Plumbing and Natural Gas Section of the Arkansas Department of Health.~~
- ~~(c) Plumbing Inspector means a person qualified for testing and inspecting all aspects of sanitary plumbing and gas installation as defined under Act 200 of 1951 as amended.~~
- ~~(d) Gas Inspector means a person qualified for testing and inspection all aspects of gas installation as defined under Act 200 of 1951 as amended.~~
- ~~(e) 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.~~

#### **SECTION IV. ELIGIBILITY FOR CERTIFICATION**

- (a) Any duly appointed plumbing inspector, assistant plumbing inspector, gas inspector, when such appointment is made by state, county, city, town, water district, water association, sewer district, sewer association, or any water, or gas utility, shall be eligible for certification by the Department. Any other persons determined to be eligible for certification by the State Committee of Plumbing Examiners for the State of Arkansas.

#### **SECTION V. QUALIFICATIONS**

- (a) In order to be examined for a Certified Plumbing and/or Natural Gas Inspector an applicant must:

(1) Be able to read and write.

(2) Be currently employed as a Plumbing Inspector by a city, town, county, or other municipality within the State of Arkansas that has adopted or is adopting the State Plumbing Code by regulation or ordinance.

#### **SECTION VI. EXAMINATIONS**

- (a) Examinations will be given on an as needed basis by the Department at various times and places. The examination will cover the Arkansas State Plumbing and Natural Gas Code, as amended. A score of 70% or greater is considered a passing score.

#### **SECTION VII. TERMS OF CERTIFICATION AND RENEWALS**

- (a) All certificates (licenses) for plumbing inspectors shall be renewed each year. Applications for renewal shall be accompanied by the proper fee and a proof of eight (8) hours of refresher training issued by the Department.
- (b) Training obtained other than from the Arkansas Inspector's Training School may be accepted toward original licensing for renewal with approval of the Department.

#### **SECTION VIII. REVOCATION OF LICENSE**

- (a) The State Committee of Plumbing Examiners may on its own motion make investigations and conduct hearing and may on its own motion or upon a complaint in writing and duly signed and verified by the complainant, suspend or revoke any plumbing and/or natural gas inspector's certificate for failing to provide inspections at least equal to the minimum requirements of the Department, any rule or order prescribed by the Board or has demonstrated incompetence to act as an inspector. The licensee shall be duly notified within thirty (30) days of the violation and full hearing under the Administrative Procedures Regulation of the Arkansas Department of Health.
- (b) The Department may suspend any plumbing and/or natural gas inspector certification for non-payment of the prescribed fees, or if the inspector fails to obtain annual training as prescribed by these regulations.

## **~~SECTION IX. 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 X. 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 applications of these Regulations which can give effect without the invalid provisions of applications, and to this end the provision hereto are declared to be severable.~~

## **~~SECTION XI. REPEAL~~**

~~All Regulations and parts of Regulations in conflict herewith are hereby repealed.~~