

# 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 Restricted Plumbers License Water and Sewer Line Installation

**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 K. Shue  
Signature

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General Counsel

Title

August 26, 2024

Date

**~~RULES AND REGULATIONS~~**

**~~PERTAINING~~**

**~~TO~~**

**~~RESTRICTED PLUMBERS LICENSE~~**

**~~WATER AND SEWER SERVICE LINE INSTALLATION~~**

**~~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 license providing that the licensee 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 type of work allowed, geographical area served, and term of that type of restricted license.~~

**~~SECTION II. PURPOSE~~**

~~No person shall engage in work as a Master Plumber, Journeyman 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 Plumbing and Natural Gas Section of the Arkansas Department of Health.~~
- ~~(c) Administrative Authority means the individual official, board, department or agency established and authorized by the state, county, city or other political subdivision to administer and enforce the provisions of Act 200 of 1951 as adopted or amended.~~
- ~~(d) Restricted Water and Sewer Service Line Installation Plumber means a person that has met the qualification for a plumbing license to install potable water and/or sanitary sewer lines and has successfully passed the examination for such license in this State.~~
- ~~(e) Restricted phase of plumbing means potable water and/or sewer service lines installation from the point of public connection or meter and point of public disposal respectively to a point within (3) three to (5) five feet of the building.~~

- ~~(f) Administrative Authority means the individual official, board, department or agency established and authorized by the state, county, city or political subdivision to administer and enforce the provisions of Act 200 as adopted or amended.~~
- ~~(g) Restricted area means a Restricted water and/ or sewer utility system in the State currently extending or renovating service into a major service area.~~

#### **SECTION IV. RESTRICTIONS**

- ~~(a) Persons holding a Restricted Water and Sewer Service Line Installation Plumbers License for the particular phase of potable water and sanitary sewer service lines shall not perform any plumbing service other than the restricted phase for which he is licensed.~~
- ~~(b) Persons holding a Restricted Water and Sewer Line Installation Plumber's License shall not be eligible to use experience gained under such license to obtain credit toward other forms of licenses issued by the Department.~~
- ~~(c) Persons holding a Restricted Water and Sewer Line Installation Plumber's License shall not transfer a license from one phase of plumbing to any other phase or move from one restricted area to another without first resubmitting a new application to the Department.~~

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

- ~~(a) The applicant for Restricted Water and Sewer Service Line Installation Plumber's shall produce evidence of his training and experience in the phase of plumbing for which he is requesting a license.~~
- ~~(b) Applicant for a Restricted Water and Sewer Service Line Installation Plumber's License, shall be responsible for providing documentation to the Department, substantiating the insufficient amount of licensed Master Plumbers to perform service line installation in a reasonable and timely manner.~~

#### **SECTION VI. APPLICATIONS AND EXAMINATIONS**

- ~~(a) Information for a Restricted Water and Sewer Service Line Installation Plumber's License shall be on an application form showing the educational experience and background of the applicant.~~
- ~~(b) The application form for a Restricted Water and Sewer Service Line Installation Plumber's License shall have a space to show the restrictions requested and the restrictions shall be indicated before consideration by the Committee of Examiners.~~
- ~~(c) All applicants shall be examined by the Department to determine competency to perform as a Restricted Water and Sewer Line Installation Plumber and on the regulations that may affect his operation.~~

## **SECTION VII. ~~TERMS OF LICENSE AND RENEWALS~~**

- ~~(a) Holders of Restricted Water and Sewer Line Installation Plumber's License issued under the provisions of this regulations may apply for renewal annually within thirty (30) days after the expiration date of the license. The Department may renew a license after the thirty (30) day period providing there is a sufficient reason for not renewing such license in the time specified and upon payment of penalties as prescribed by regulation.~~
- ~~(b) All Restricted Water and Sewer Line Installation Plumber's License shall be reviewed annually by the Department to determine if all restrictions have met all of the provisions of these regulations. It shall be the responsibility of the license holder to provide supporting documentation to assist the Committee of Examiners in approving renewals. All documentation shall be submitted to the Department no later than thirty (30) days prior to annual renewal.~~

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

- ~~(a) The Committee of Examiners may on its own or upon a complaint in writing duly signed and verified by the complainant, suspend or revoke any Restricted Water and Sewer Service Line Installation Plumber's 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 Board or has demonstrated incompetency to act as a Restricted Water and Sewer Service Line Installation Plumber.~~

~~The use of a Restricted Water and Sewer Service Line Installation Plumber's License to do plumbing other than permitted by the license shall be grounds for automatic suspension and/or revocation of such license by the Committee of Examiners providing the licensee is duly notified within thirty (30) days of violation and pending a full hearing in accordance with the Administrative Procedures Regulation of the Arkansas Department of Health.~~

## **SECTION IX. ~~HEARINGS~~**

~~In the case of each final order issued by the Department, any affected party may within 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 or applications, and to this end the provisions hereto are declared to be severable.~~

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

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