

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Plumbers Licensing Code
- 2) Code Citation: 68 Ill. Adm. Code 750
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
750.100	Repeal
750.115	Repeal
750.120	Amend
750.125	New
750.300	Amend
750.310	Amend
750.500	Amend
750.530	Amend
750.550	Amend
750.710	Amend
750.900	Amend
750.1000	Amend
750.1100	Amend
750.1110	Amend
- 4) Statutory Authority: Illinois Plumbing License Law [225 ILCS 320].
- 5) A Complete Description of the Subjects and Issues Involved: Changes to these rules include amendments to the existing plumbers' and apprentice plumbers' examination and licensure fees recommended by the Plumbing Code Advisory Council to reflect the progressive cost increase that the Department has incurred for over a decade and the progressive cost increase that the Department will incur in the near future for the production and administration of examination and licensure. Minor modifications to format are being made to increase uniformity between the Part and the required codification system established by the Secretary of State.

The economic effect on this proposed rulemaking is unknown. Therefore, the Department requests any information that would assist in calculating this effect.

The Department anticipates adoption of this rulemaking approximately six to nine months after publication of the Notice in the *Illinois Register*.

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- 6) Published studies or reports, and sources of underlying data used to compose this rulemaking: Bureau of Labor Statistics Consumer Price Index; CMS Job Titles and Class Specifications Report
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: Plumbing ordinances adopted by local governments must be no less restrictive in their applications than the proposed rules.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Interested persons should present their comments concerning this rulemaking within 45 days after the publication of this issue of the *Illinois Register* to:

Susan Meister
Division of Legal Services
Illinois Department of Public Health
535 W. Jefferson St., 5th floor
Springfield, Illinois 62761

217-782-2043
e-mail: dph.rules@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not for profit corporations affected: Plumbers and entities that provide plumbing instruction and continuing education. It is anticipated that the proposed changes will have a minimum impact on the regulated industry.
 - B) Reporting, bookkeeping or other procedures required for compliance: Non

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- C) Types of professional skills necessary for compliance: Plumbing License
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent Regulatory Agendas because the need for the rulemaking was not apparent when the Regulatory Agendas were prepared.

The full text of the Proposed Amendments begins on the next page:

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TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER IV: DEPARTMENT OF PUBLIC HEALTH

PART 750
PLUMBERS LICENSING CODE

SUBPART A: GENERAL PROVISIONS

Section	
750.100	Applicability (<u>Repealed</u>)
750.110	Definitions
750.115	Statutory Authority (<u>Repealed</u>)
750.120	Administrative Hearings
<u>750.125</u>	<u>Referenced Materials</u>

SUBPART B: STATE BOARD OF PLUMBING EXAMINERS

Section	
750.200	Organization of the State Board of Plumbing Examiners
750.205	Election of Officers (<u>Repealed</u>)
750.210	Duties of the State Board of Plumbing Examiners
750.215	Duties of Chairman (<u>Repealed</u>)
750.220	Records of the State Board of Plumbing Examiners
750.225	Duties of Vice-Chairman (<u>Repealed</u>)
750.235	Quorum (<u>Repealed</u>)
750.245	Meetings (<u>Repealed</u>)

SUBPART C: ADMINISTRATION OF AND REQUIREMENTS FOR
PLUMBING LICENSE EXAMINATION

Section	
750.300	Requirements for Admission to the Plumbing License Examination
750.310	Administration of the Plumbing License Examination
750.320	Plumbing License Examination Results
750.330	Course Credit (<u>Repealed</u>)

SUBPART D: PLUMBING PROGRAM FEES

Section

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- 750.400 Licensing of Plumbers
- 750.410 Licensing of Apprentice Plumbers
- 750.420 Documentation Required for Sponsors of Apprentices
- 750.430 Plumbers' and Apprentice Plumbers' License Records

SUBPART E: PROGRAMS OF INSTRUCTION AND CONTINUING EDUCATION
HEARINGS

- Section
- 750.500 Continuing Education Requirements for Licensed Plumbers
 - 750.510 Department Approval of Continuing Education Sponsors and Courses
 - 750.520 Continuing Education Course Records
 - 750.530 Department Approval and Evaluation of Courses of Instruction in Plumbing
 - 750.540 Topics for Approved Programs of Instruction in Plumbing and Approved Continuing Education Courses
 - 750.550 Programs of Instruction and Practical Training in Plumbing Approved as Equivalent to Illinois Licensed Apprenticeship

SUBPART F: REQUIREMENTS FOR PLUMBING FIRMS

- Section
- 750.600 Organization of Plumbing Firms

SUBPART G: CERTIFICATION OF PLUMBING INSPECTORS

- Section
- 750.700 Purpose and Authority for Certification of Plumbing Inspectors
 - 750.710 Certification of Plumbing Inspectors
 - 750.720 Renewal of Plumbing Inspector Certification and Continuing Education Requirements for Certified Plumbing Inspectors
 - 750.730 Responsibilities of Certified Plumbing Inspectors

SUBPART H: APPROVAL OF PLUMBING PROGRAMS ESTABLISHED BY
GOVERNMENTAL UNITS

- Section
- 750.800 Governmental Units Establishing Plumbing Programs

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SUBPART I: VIOLATIONS OF PLUMBER'S LICENSE AND PLUMBING INSPECTOR'S
CERTIFICATION

Section

750.900 Plumber's and Apprentice Plumber's License Violations

750.910 Certified Plumbing Inspector Violations

SUBPART J: CIVIL PENALTIES FOR UNLICENSED PLUMBERS

Section

750.1000 Civil Penalties for Unlicensed Plumbers

SUBPART K: ADMINISTRATIVE FEES

Section

750.1100 Plumbers' and Apprentice Plumbers' Examination and Licensure Fees

750.1110 Other Fees

AUTHORITY: Authorized by and implementing the Illinois Plumbing License Law [225 ILCS 320] and authorized by Sections 16 and 60(7) of the Civil Administrative Code of Illinois.

SOURCE: Adopted at 2 Ill. Reg. 40, p. 1, effective October 1, 1978; codified at 5 Ill. Reg. 10870; Part repealed, new Part adopted at 13 Ill. Reg. 19564, effective December 1, 1989; emergency amendment at 16 Ill. Reg. 12785, effective July 30, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 417, effective December 28, 1992; recodified at 23 Ill. Reg. 14649; amended at 24 Ill. Reg. 12019, effective August 1, 2000; amended at 38 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 750.100 Applicability (Repealed)

~~This Part shall govern the activities of the Department and the Illinois State Board of Plumbing Examiners relating to the licensing of plumbers and apprentice plumbers.~~

(Source: Repealed at 38 Ill. Reg. _____, effective _____)

Section 750.115 Statutory Authority (Repealed)

~~These rules are promulgated under authority of the Illinois Plumbing License Law [225 ILCS~~

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320].

(Source: Repealed at 38 Ill. Reg. _____, effective _____)

Section 750.120 Administrative Hearings

Administrative Hearings for persons under this ~~Part~~ part shall be conducted in accordance with ~~Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100)~~.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

Section 750.125 Referenced Materials

The following materials are referenced in this Part:

- a) Illinois Plumbing License Law [225 ILCS 320]
- b) School Code [105 ILCS 5]
- c) Illinois Plumbing Code (77 Ill. Adm. Code 890)
- d) Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100)

(Source: Added at 38 Ill. Reg. _____, effective _____)

SUBPART C: ADMINISTRATION OF AND REQUIREMENTS FOR
PLUMBING LICENSE EXAMINATION

Section 750.300 Requirements for Admission to the Plumbing License Examination

- a) To apply for admittance to the examination for a plumber's license, a person shall file an application for examination on forms provided by the Department.
 - 1) The application form may be obtained by downloading the application from the Department's website (<http://www.idph.state.il.us/envhealth/plumbing.htm>) ~~writing to the Illinois Department of Public Health, 828 S. Second Street, Springfield, Illinois 62704.~~

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- 2) The application shall be submitted to the Illinois Department of Public Health, 525 West Jefferson Street, 3rd Floor, Springfield, Illinois 62761.
 - 2) The Department will accept applications ~~Applications will be accepted if~~ postmarked at least 30 days before the examination date. On each examination date, not more than 50 applicants (not more than 40 during winter months) will be examined. The examination will be scheduled at least once every three months. The Department and the Board may schedule additional examination dates as they deem necessary, based on the number of applicants.
 - 3) The Department and the Board will establish examination ~~Examination~~ dates and locations. This information will ~~shall be established by the Department and the Board and shall~~ be included with the examination application form.
- b) For each application, the following materials must be received by the Department, postmarked at least 30 days before the examination date:
- 1) ~~A~~ A completed application form;
 - 2) ~~A~~ A photograph of the face of the applicant at least 1½ inches by 2½ inches;
 - 3) Proof ~~proof~~ of eligibility as specified in subsection (e); and
 - 4) ~~The~~ The required non-refundable application fee as specified in Section 750.1100.
- c) The applicant shall be a citizen of the United States or shall have declared his or her intent to become a citizen. (Notarized papers, such as "Intent to File for Citizenship", shall be submitted to the Department.)
- d) The applicant shall have completed at least a ~~two-2~~ year course of study in a high school, or an equivalent course of study, equal to 10 credit hours;
- e) To be eligible for the plumbing license examination, an applicant shall possess one of the following combinations of experience and education and shall ~~must~~

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provide proof of ~~such~~ experience and education as follows ~~specified below~~:

- 1) Illinois licensed apprentice plumber: ~~Licensed Apprentice Plumber~~
 - A) Each applicant shall ~~must~~ have served a minimum of four ~~4~~ years as an Illinois licensed apprentice plumber.
 - B) Each applicant who has served an apprenticeship shall ~~must~~ be able to establish that he or she received instruction through practical experience under the supervision of a licensed plumber.
 - C) The term of apprenticeship shall be not less than 1,400 hours per year, for a total of 5,600 ~~5600~~ hours in four ~~4~~ years.

- 2) Illinois licensed apprentice plumber with training or education: ~~Licensed Apprentice Plumber with Training or Education~~
 - A) Each applicant shall ~~must~~ have served at least two ~~2~~ years as an Illinois licensed apprentice plumber and have two ~~2~~ years of approved courses in plumbing (see Section 750.540) for a total of 5,600 ~~5600~~ hours.
 - B) Proof of practical experience shall be provided as specified in subsection (e)(1)(B).
 - C) A person who submits evidence of classroom ~~and/or~~ laboratory training in a vocational or trade school, a branch of the military service, or a college or university shall be given credit hours at the rate of two credit hours for each classroom hour, not to exceed a maximum of 24 months' credit.
 - D) Evidence shall consist of transcripts, degrees, military service records ~~and/or~~ certificates of completion. If the course submitted by an applicant for the plumbing license examination has already been evaluated and approved by the Department, the applicant need only verify participation in the course.

- 3) Licensed apprentice in another state or territory ~~Apprentice in Another~~

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~~State or Territory~~ of the United States:

- A) Each applicant ~~shall~~ ~~must~~ have the equivalent of ~~four~~ ~~4~~ years as a licensed apprentice in another state or territory of the United States.
 - B) Proof of practical experience shall be provided as specified in subsection (e)(1)(B).
 - C) A person who submits evidence of experience in plumbing through an apprentice plumbing program in another ~~state or territory~~ ~~State or Territory~~ of the United States, or a municipality ~~in another state or territory therein~~, other than the State of Illinois shall be given credit on an hour-for-hour basis toward the minimum four years of apprenticeship required.
- 4) A person who has completed a course of study approved by the Department as equivalent to a ~~four~~ ~~4~~-year apprenticeship served by an Illinois licensed apprentice plumber:-
- A) An approved course of instruction in plumbing shall cover the subject areas and provide the number of hours of instruction and practical training specified in Section 750.550. An approved course of instruction shall total ~~2,800~~ ~~2800~~ hours of credit.
 - B) Evidence shall consist of transcripts, degrees, ~~and/or~~ certificates of completion to verify completion of a course that has been evaluated and approved by the Department.
- 5) Licensed ~~plumber in another state, municipality or territory~~ ~~Plumber in Another State or Territory~~ of the United States with ~~no apprentice plumber program~~: ~~No Apprentice Plumber Program~~
- A) Documents verifying licensure and plumbing experience and training will be considered on an hour-for-hour basis toward meeting the apprenticeship requirement of ~~1,400~~ ~~1400~~ hours per year. ~~An applicant shall~~ ~~A plumber would need to~~ obtain documentation from the licensing state, municipality or territory to

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verify to the Department that he/she was tested to obtain his/her license and that the test consisted of at least three areas – knowledge of plumbing design, practical or working skill evaluation, and knowledge of plumbing standards applicable to the licensing entity's jurisdiction (see Section 750.310).

- B) A copy of the rules from the licensing entity pertaining to the licensing of plumbers shall ~~must~~ accompany the examination application.
- 6) Licensed plumber in a foreign state: ~~Plumber in A Foreign State~~
 - A) Each applicant shall have at least two ~~2~~ years of experience as an Illinois licensed apprentice plumber or two ~~2~~ years of courses in plumbing, approved in accordance with Section 750.540.
 - B) Documentation of ~~the~~ applicant's license issued by a foreign state shall ~~must~~ be submitted.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

Section 750.310 Administration of the Plumbing License Examination

The examinations administered to applicants for a plumber's license shall be uniform and comprehensive and shall test applicants' knowledge and qualifications in the planning and design of plumbing systems; their knowledge, qualifications, and manual skills in plumbing; and their knowledge of the ~~State's minimum code of standards relating to fixtures, materials, design and installation methods of plumbing systems (the Illinois Plumbing Code, 77 Ill. Adm. Code 890).~~

- a) The examination for a plumber's license shall consist of the following:
 - 1) Written questions (true/false or multiple choice). Questions will be based on the Illinois Plumbing Code. All applicants shall be required to read the examination questions and write the answers unassisted.
 - 2) Drawings ~~and/or~~ charts. The applicant will be required to complete charts that show plumbing fixtures and that require drainage and vent lines to be added.

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- 3) Practical (shop). Projects requiring copper, cast iron, lead and plastic to be assembled as indicated in the assignment will be assigned to each applicant. All three parts of the practical examination shall be completed before any part is eligible for grading.
- b) An applicant who has a physical disability ~~is handicapped~~ will be assisted with unloading, carrying, and reloading of tools or equipment; but the applicant shall ~~must~~ take all parts of the examination unassisted.
- c) Each applicant will be responsible for providing his/her own tools and other required material. Each applicant will be advised in writing as to what to bring to the examination.
- d) No persons other than the Board, Department staff, and those persons directly associated with the examinee for the transport of necessary equipment are permitted in the examination area.
- e) Any examinee wearing a shirt, jacket, cap or any article of clothing bearing pictures, writing, inscriptions or logos of any kind will not be permitted into the examination exam. Safety glasses shall be worn at all times when in the shop.
- f) Upon starting the examination, an examinee will not be permitted to leave the examination exam area without permission.
- g) The maximum grade value of each part of the examination shall be 100 points. An examinee must make an average of 75 or above on the examination and a grade of 61 or above on each part of the examination to pass.
- h) An examinee who fails to pass the examination shall be admitted to a subsequent regularly scheduled examination exam after filing a retake application form and fee. The ~~Such~~ application and fee shall be submitted in accordance with Section 750.300.
- i) An examinee who fails to pass the examination and applies to take the examination again shall retake all parts of the examination, even if the examinee passed one or more parts of the examination the first time it was taken.
- j) An examinee who is observed cheating during the course of an examination shall

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be immediately expelled from the examination in progress and shall appear before the Board of Plumbing Examiners and representatives of the Department on the day that ~~the such~~ offense occurs. The Board shall recommend ~~that~~ the examination be declared void. A written record of the meeting shall be made and become a part of the examinee's file. The Board shall make ~~as a part of the record~~ its recommendations concerning the examinee a part of the record and shall forward ~~the such~~ recommendations to the Department.

- 1) The Department ~~will shall~~ send to the applicant a notice of intent to deny or suspend the applicant's license. The applicant ~~shall must~~ request ~~in writing~~ a hearing, in writing, within the time specified in the notice. If the applicant does not request a hearing in writing within the time specified in the notice, the applicant's right to a hearing shall be waived.
- 2) ~~All hearings shall be conducted in accordance with the Department's Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100).~~
- 2)3) The Department ~~will shall~~ advise the Board of its final decision concerning the examinee.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

SUBPART E: PROGRAMS OF INSTRUCTION AND CONTINUING EDUCATION~~HEARINGS~~

Section 750.500 Continuing Education Requirements for Licensed Plumbers

- a) Each licensed plumber shall, as a condition of each annual license renewal after the first license renewal, provide proof of completion of ~~four~~ 4-hours of continuing education. ~~Continuing Such continuing~~ education hours ~~shall must~~ be completed in one or more courses offered by course sponsors approved by the Department pursuant to Section 750.510.
- b) A licensed plumber is not required to complete continuing education for the year in which the person's plumbing license was initially issued.
- c) A licensed retired plumber is not required to complete continuing education

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unless the licensed retired plumber wishes to restore his or her license to the status of a licensed plumber. The Department will determine the number of continuing education hours required for ~~such~~ a change in licensure, based on the length of time the plumber has been retired.

- d) Licensed plumbers who have been found to have committed repeated violations of the Illinois Plumbing Code shall complete a minimum of two ~~2~~ hours of additional continuing education conducted by the Department, at a time and location to be determined by the Department.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

Section 750.530 Department Approval and Evaluation of Courses of Instruction in Plumbing

- a) A college, university, trade school or vocational school that has established a program providing a course of instruction in plumbing may submit a letter to the Department requesting approval of its program or course of instruction.
- 1) The request for approval shall include information on the curriculum offered by the program, qualifications of the instructors, and information indicating that the teaching facility to be used for the program provides both shop and classroom facilities.
 - 2) For a program to be approved, it ~~shall~~ must provide instruction in plumbing courses.
- b) The Department ~~will~~ shall evaluate a training program before making a determination to approve or deny a request for approval. Approval will be granted based on the information included in the request letter, including confirmation of the qualifications of the instructors, evidence that the program's courses provide instruction in the subject areas specified in Section 750.540, and determination that the teaching facility provides both shop and classroom facilities.
- c) Each instructor participating in a program of instruction in plumbing shall be considered qualified by meeting one of the criteria specified in subsections (c)(1) through (3) ~~below~~. The instructor shall provide verification ~~Verification of the~~ such license or certificate ~~shall be required by the Department~~. A copy of the

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instructor's teaching license will establish ~~such~~ verification.

- 1) ~~An an~~ Illinois licensed plumber;
 - 2) ~~An an~~ individual who possesses a provisional vocational certificate, issued by the State Board of Education pursuant to Section 21-10 of the ~~Illinois~~ School Code [~~105 ILCS 5/21-10~~], in a field related to plumbing (such as hydraulics, pneumatics, or water chemistry); ~~or-~~
 - 3) ~~A a~~ representative of an industry or a manufacturing business related to plumbing, including, but not limited to, the copper industry, plastic pipe industry or cast iron industry. Courses that are taught by industry representatives shall be educational and shall not be sales oriented. Industry representatives shall be assisted by an Illinois licensed plumber during the presentation of a course of instruction.
- d) The Department may evaluate an approved program to determine the ongoing effectiveness of the training program. An evaluation will ~~shall~~ be conducted:
- 1) ~~As as~~ the result of a complaint to the Department;
 - 2) ~~Upon upon~~ the failure of 25% of students from the program who complete the plumbing license examination; or
 - 3) ~~As as~~ a result of changes in the curriculum.
- e) The program's curriculum will be evaluated for compliance with the list of topics for courses of instruction in plumbing in Section 750.540.
- f) The program's facilities will be evaluated for the type of tools, condition of tools, safety devices, and ventilation for the discharge of heat, smoke, and fumes.
- g) The Department will ~~shall~~ notify the training program sponsor of all deficiencies determined in the evaluation.
- 1) The program sponsor shall contact the Department within 15 days after receiving the notice of deficiencies to arrange a plan of correction for the deficiencies. The program sponsor shall have 90 days from the date of the

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notice of deficiencies to remedy the deficiencies.

- 2) If the deficiencies are not remedied within the time frame specified in subsection (a) ~~above~~, the Department will withdraw its approval ~~Department's approval shall be withdrawn~~ in writing. Upon withdrawal of approval ~~such action~~, the training program sponsor shall have the right to request a hearing. (See Section 750.120.)

(Source: Amended at 38 Ill. Reg. _____, effective _____)

Section 750.550 Programs of Instruction and Practical Training in Plumbing Approved as Equivalent to Illinois Licensed Apprenticeship

A program of instruction and practical training in plumbing that is approved as equivalent to four 4-years of an Illinois licensed apprenticeship shall cover the following subject areas and provide the number of hours of instruction and practical training specified in this Section. An approved course of instruction shall total 2,800 ~~2800~~ hours of credit.

Subject	Hours of Instruction
Public health and its relationship to plumbing	140
State of Illinois Plumbing License Law	24
Administration and enforcement	40
Licensing of apprentice plumbers and plumbers	16
<u>Illinois</u> Plumbing Code requirements	20
Plumbing inspection	30
Basic principles of plumbing	40
Job safety	52
Sciences of pneumatics and hydraulics as they apply to plumbing	60

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Use and care of tools and equipment	16
Plumbing materials, fixtures, and equipment	100
Joints and connections	81
Water supply and distribution system	120
Indirect waste piping and special wastes	90
Hangers and separators	20
Interceptors and separators	40
Traps and cleanouts	42
Drainage system	110
Vents and venting systems	134
Soldering, welding, caulking and wiping	128
Cast iron plumbing system, including Durham system	155
Copper material plumbing system	150
Glass material plumbing system	40
Plastics and thermoplastics material plumbing system	60
Alternate plumbing system	55
Solar plumbing systems	40
Hot water systems and water heaters	90
Safety devices allied with a plumbing system	50

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Pumping of waste	63
Handling and disposition of wastes that would damage a plumbing pluming system and waste disposal facilities	120
Inspection and testing of a plumbing system	120
Private sewage disposal systems, municipal or public sewage disposal systems, and or sanitary districts	120
Public and private water supply systems	134
Planning and designing a plumbing system including estimating, installation, repair, maintenance, alteration, extension, and dismantling	300

(Source: Amended at 38 Ill. Reg. _____, effective _____)

SUBPART G: CERTIFICATION OF PLUMBING INSPECTORS

Section 750.710 Certification of Plumbing Inspectors

~~The Department will issue a plumbing inspector's certification to any~~ ~~Any~~ licensed plumber who meets the qualifications for a plumbing inspector specified in this Section and who pays to the Department the required fees specified in Section 750.1100 ~~shall be issued a plumbing inspector's certification by the Department. The application form may be obtained by writing to the Illinois Department of Public Health, 828 S. Second Street, Springfield, Illinois 62704. Nothing in this Section shall prohibit a licensed plumber who does not apply for Department certification from working as a plumbing inspector. To qualify for certification as a plumbing inspector an applicant shall:~~

- a) The application form may be obtained by downloading the application from the Department's website: (<http://www.idph.state.il.us/envhealth/plumbing.htm>).
- b) The application shall be submitted to the Illinois Department of Public Health, 525 West Jefferson Street, 3rd Floor, Springfield, Illinois 62761.

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- c) Nothing in this Section shall prohibit a licensed plumber who does not apply for Department certification from working as a plumbing inspector. To qualify for certification as a plumbing inspector an applicant shall:
- 1)a) Be currently licensed by the Department as a plumber. An apprentice plumber's license or retired plumber's license cannot be used to fulfill this requirement.
 - 2)b) Have held an Illinois plumbing license for at least seven ~~7~~ years. An apprentice plumber's license or retired plumber's license cannot be used to fulfill this requirement.
 - 3)e) Have passed the examination administered by the Department for certification of plumbing inspectors.
 - A)4) Applications for the examination will be accepted if postmarked at least 30 days before the examination date.
 - B)2) Examinations will ~~shall~~ be scheduled for May and November of each year. The Department and the Board will establish examination Examination ~~Examination~~ dates and locations. shall be established by the Department and the Board and shall ~~by the Department and the Board and shall~~ The date and location of the examination will be included with the examination application form.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

SUBPART I: VIOLATIONS OF PLUMBER'S LICENSE AND PLUMBING INSPECTOR'S CERTIFICATION

Section 750.900 Plumber's and Apprentice Plumber's License Violations

- a) The Department may take disciplinary action against a licensed plumber, licensed apprentice plumber, or plumbing inspector who is not certified by the Department for violations of the Act, this Part or the Illinois Plumbing Code. Pursuant to Section 20 of the Act, disciplinary such ~~such~~ action may include the revocation, suspension, or denial of a license issued by the Department; and under Section 5(b.10) of the Act may include an Order of Correction to a telecommunications

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carrier for improper advertising.

- b) A violation, for the purposes of this Section, shall be considered to mean a finding of violation of a Section of the Act, this Part, or the Illinois Plumbing Code by the Director in a final order issued pursuant to the Act, and may include any one of the following acts:
- 1) Any licensed plumber who permits his/her name or plumbing license number to be used to imply that he/she is a member of a sole proprietorship, association, partnership or corporation, and evidence indicates that he/she is not participating in the plumbing activities of the sole proprietorship, association, partnership or corporation. Evidence used by the Department in making this ~~such~~ a determination may include payroll, records, time sheets, W-2 forms and documents on file with the Secretary of State;
 - 2) Any licensed plumber who refuses to correct Illinois Plumbing Code violations as requested by the Department, continues to install plumbing in violation of Illinois Plumbing Code requirements, or is found guilty of negligence or incompetence in the performance of plumbing;
 - 3) Any licensed plumber who employs individuals to install plumbing and fails or refuses to license them as Illinois apprentice plumbers;
 - 4) Any licensed plumber who fails to adequately train apprentices under his employment or supervision in a manner qualifying them to pass the plumbing license examination. In reaching a finding of adequacy, the Department shall consider ~~such~~ factors such as number of hours worked by the apprentice, types and varieties of plumbing work performed and inspections of finished work;
 - 5) Any licensed plumber or approved apprenticeship program that sponsors an apprentice and does not directly supervise or employ the apprentice in the plumbing trade a minimum of 1,400 ~~1400~~ hours a year;
 - 6) Any licensed plumber who does not complete continuing education as required by Section 750.500 for license renewal;

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- 7) Any licensed plumber or approved apprenticeship program that fails to submit to the Department, within 15 days after an apprentice is no longer employed and supervised by that plumber or program, a letter stating that sponsorship of the apprentice has been canceled;
- 8) Any licensed plumber or licensed apprentice plumber who advertises his or her services as a certified plumbing inspector without obtaining certification from the Department or who uses or attempts to use the certificate of a certified plumbing inspector;
- 9) Any licensed apprentice plumber who performs plumbing work without the supervision of the sponsor/agent or approved apprenticeship program sponsoring the apprentice; or
- 10) Any licensed apprentice plumber who does not work in the plumbing trade for a minimum of 1,400 ~~1400~~ hours a year or who does not fulfill all requirements of an approved apprenticeship program.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

SUBPART J: CIVIL PENALTIES FOR UNLICENSED PLUMBERS

Section 750.1000 Civil Penalties for Unlicensed Plumbers

- a) A person who practices, offers to practice, or holds himself or herself out to practice as a plumber without being licensed under the provisions of the Act may be subject to an Order of Correction to a telecommunications carrier for improper advertising under Section 5(b.10) of the Act and shall be issued a civil penalty under the following criteria:
 - 1) First Offense
 - A) Where no violations of the Illinois Plumbing Code (~~77 Ill. Adm. Code 890~~) are found, the person:
 - i) Shall pay a civil penalty of \$1,000 ~~1000~~;
 - ii) May be referred to the State's Attorney of the county or to

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the Attorney General for prosecution under Section 29 of the Act.

- B) Where violations of the Illinois Plumbing Code are found, the person:
 - i) Shall pay a civil penalty of \$3,000 ~~3000~~. The Department may reduce this amount to \$1,000 upon the condition that the unlicensed person pays for a licensed plumber to correct the violations of the Illinois Plumbing Code. The licensed plumber correcting the violations shall ~~must~~ be acceptable to the other party to the original contract or agreement;
 - ii) May be referred to the State's Attorney of the county or to the Attorney General for prosecution under Section 29 of the Act.

- 2) Second Offense
 - A) Where no violations of the Illinois Plumbing Code are found, the person:
 - i) Shall pay a civil penalty of \$3,000 ~~3000~~;
 - ii) May be referred to the State's Attorney of the county or to the Attorney General for prosecution under Section 29 of the Act.

 - B) Where provisions of the Illinois Plumbing Code are found, the person:
 - i) Shall pay a civil penalty of \$5,000. The Department may reduce this amount to \$3,000 ~~3000~~ upon the condition that the unlicensed person pays for a licensed plumber to correct the violations of the Illinois Plumbing Code. The licensed plumber correcting the violations shall ~~must~~ be acceptable to the other party to the original contract or

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agreement;

- ii) May be referred to the State's Attorney of the county or to the Attorney General for prosecution under Section 29 of the this Act.

3) Third and Subsequent Offenses

- A) The person shall pay a civil penalty of \$5,000 ~~5000~~;
- B) The person shall be referred to the State's Attorney of the county or to the Attorney General for prosecution under Section 29 of the Act.

- b) A licensed plumber, firm, corporation, partnership, or association; who directs, authorizes or allows a person to practice, offer to practice, attempt to practice, or hold himself or herself out to practice as a plumber without being licensed under the provisions of the Act:

1) First Offense

- A) Shall pay a civil penalty of \$5,000 ~~5000~~;
- B) Shall be required to pay for a licensed plumber to correct any violations of the Illinois Plumbing Code. The licensed plumber correcting the violations shall ~~must~~ be acceptable to the other party to the original contract or agreement;
- C) Shall have his or her plumbing license suspended;
- D) May be referred to the State's Attorney of the county or to the Attorney General for prosecution under Section 29 of the Act.

2) Second Offense

- A) Shall pay a civil penalty of \$5,000 ~~5000~~;
- B) Shall be required to pay for a licensed plumber to correct any

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violations of the Illinois Plumbing Code. The licensed plumber correcting the violations ~~shall~~ must be acceptable to the other party to the original contract or agreement;

- C) Shall have his or her plumbing license revoked;
- D) Shall be referred to the State's Attorney of the county or to the Attorney General for prosecution under Section 29 of the Act.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

SUBPART K: ADMINISTRATIVE FEES

Section 750.1100 Plumbers' and Apprentice Plumbers' Examination and Licensure Fees

The applicable fee shall be submitted to the Department with each application for examination, licensure or certification as follows:

- a) Plumber's Examination Fees
 - 1) Plumber's License Examination Fee when applicant is licensed as ~~an~~ an Apprentice Plumber in Illinois \$~~175~~ 400
 - 2) Plumber's License Examination Fee when applicant is registered or licensed in a state other than Illinois \$~~225~~ 425
 - 3) Plumber's License Re-Examination Fee \$~~175~~ 400
 - 4) Plumber's License Re-Examination Fee when applicant is registered or licensed in a state other than Illinois \$~~175~~ 400
- b) Plumber's License Fees
 - 1) Plumber's License Fee (Initial or Renewal) \$~~150~~ 400
 - 2) Apprentice Plumber's License Fee (Initial or Renewal) \$~~100~~ 50
 - 3) Late Fee or Reinstatement Fee for any License Renewal \$~~100~~ 25

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(in addition to all lapsed renewal fees)

4)	Restoration of a Plumber's Expired License Fee (includes the fee for the first examination only)	\$ <u>175</u> 400
5)	Duplicate License Fee	\$ <u>50</u> 25
6)	Retired Plumber's Annual License	\$25
7)	Reinstatement of a <u>Plumber's License from a Retired Plumber's License with fewer than five years (per year out)</u>	\$100
8)	Restoration of a <u>Plumber's License from a Retired Plumber's License of more than five years (includes fee for first examination only)</u>	\$ <u>175</u> 400
9)	Retired Plumber's License Fee after Passing Examination	\$100
c)	Certified Plumbing Inspector's Examination and Certification Fees	
1)	Plumbing Inspector's Examination	\$ <u>175</u> 400
2)	Plumbing Inspector's Certification Late Fee	\$ <u>100</u> 25
3)	<u>Chicago Licensed Certified Plumbing Inspector</u>	<u>\$150</u>

(Source: Amended at 38 Ill. Reg. _____, effective _____)

Section 750.1110 Other Fees

- a) Copies of the Illinois Plumbing Code may be obtained from the Department's Department website. ~~The applicable fee shall be submitted with requests for copies as follows~~
- 1) ~~One copy of the current Illinois Plumbing Code will be provided free of charge to each newly licensed apprentice plumber. The fee for additional copies shall be \$40 per copy.~~

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- 2) ~~One copy of amendments to the Illinois Plumbing Code (not including binder) will be provided free of charge to each Illinois licensed plumber and licensed apprentice plumber. The fee for additional copies shall be \$20.~~
 - 3) ~~The fee for copies of the current Illinois Plumbing Code provided to persons other than licensed apprentice plumbers shall be \$40.~~
 - 4) ~~The fee for copies of amendments to the Illinois Plumbing Code (not including binder) provided to persons other than Illinois licensed plumbers and licensed apprentice plumbers shall be \$20.~~
 - 5) ~~The fee for the current Illinois Plumbing Code on CD Rom shall be \$100.~~
- b) The fee for a dishonored, negotiable instrument including, but not limited to, returned checks or insufficient payment shall be ~~\$100~~ \$20.

(Source: Amended at 38 Ill. Reg. _____, effective _____)