

2010 -- H 8031

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS - MUNICIPAL WATER METER
REPLACEMENT

Introduced By: Representatives Almeida, and Carnevale

Date Introduced: April 13, 2010

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 5-20-12 of the General Laws in Chapter 5-20 entitled "Plumbers
2 and Irrigators" is hereby amended to read as follows:

3 **5-20-12. Corporations and firms engaging in business.** -- (a) No corporation, firm,
4 association, partnership, or other entity shall engage in business, advertise, make application for
5 and take out permits, bid for work, or represent itself as a master plumber or a master irrigator
6 unless:

7 (1) A licensed master plumber, as provided in this chapter, shall be continuously
8 engaged in the supervision of the entity's plumbing installation, irrigation installation,
9 maintenance, and repair work and the licensed master is an officer of the corporation, a partner in
10 the partnership, or a similarly authorized principal of any firm, association, or other entity; or

11 (2) The entity possesses a valid plumbing contractor's or master irrigator's license duly
12 issued by the department of labor and training as described in subsection (b) of this section.

13 (b) Upon application of any of the entities listed in subsection (a) of this section in form
14 and substance prescribed by the department of labor and training, and receipt of the fee for the
15 application and license which shall be equal to the fee for a master plumber's license or master
16 irrigator's license as described in section 5-20-16, the department of labor and training shall issue
17 the applicant entity a license as a plumbing contractor or irrigation contractor. The plumbing
18 contractor's or irrigation contractor's license shall specify the name of the entity holding the

1 license and shall state that the license holder shall: (1) have a licensed contractor master plumber,
2 as that term is defined in section 5-20-12.1, who is continuously engaged in the supervision of the
3 entity's plumbing installation, maintenance, and repair work and who is an officer of the
4 corporation, a partner in the partnership, or a similarly authorized principal of any firm,
5 association, or other entity; or (2) continuously employ at all times while holding the license a
6 duly licensed master plumber, or master irrigator as provided in this chapter, who is continuously
7 engaged in the supervision of the entity's plumbing installation, irrigation installation,
8 maintenance, and repair work. The plumbing contractor's and master irrigator's license shall
9 entitle the entity holding the license to engage in business, advertise, bid for work, or represent
10 itself as a master plumber or master irrigator or a plumbing contractor and shall also entitle the
11 entity to make application for and take out permits through its duly authorized officer or similarly
12 authorized principal as well as through the duly licensed contractor master as described in this
13 section or the duly licensed master plumber continuously employed by the entity as stated in this
14 section, as the case may be. The contractor's license shall not, in and of itself permit a principal,
15 officer, employee, or agent of the entity holding the license to individually engage in installation,
16 maintenance, or repair work as described above unless that principal, officer, employee, or agent
17 is individually licensed so to do.

18 (c) Any work engaged in, advertised for, applied for by permit, bid for, or represented to
19 be permissible shall be solely of the type for which the licensed master plumber who serves as an
20 officer, or similarly authorized principal of the entity or who is continuously employed by the
21 entity holding a plumbing contractor's license, is duly licensed to perform.

22 (d) Any licensed master plumber who serves as an officer or similarly authorized
23 principal of this type of entity or who is continuously employed by an entity holding a plumbing
24 contractor's license shall represent the interests of one such entity and only one such entity at any
25 given time as described in this section.

26 (e) In the event that the licensed master plumber described in this section ceases to be an
27 officer or similarly authorized principal of one of the entities described in this section or ceases to
28 be continuously employed by an entity holding a plumbing contractor's license for any reason
29 whatsoever, the entity shall provide written notice of the cessation to the department of health no
30 more than fourteen (14) days after the effective date of occurrence of the cessation. Any entity so
31 affected shall provide written notice of the cessation to the department of labor and training
32 specifying the licensed master plumber who is replacing the departed licensed master plumber
33 referenced in this section no more than forty-five (45) days after the effective date of occurrence
34 of the cessation.

1 (f) No corporation, firm, association, partnership, or other entity which engages in, offers
2 to engage in, or represents that it engages in plumbing installation, maintenance, or repair work in
3 the state of Rhode Island is permitted to incorporate, form, qualify to do business, or otherwise
4 register with the Rhode Island secretary of state's office until and unless that office has first
5 received a written confirmation from the department of labor and training that all requisite
6 licenses to be issued by the department of labor and training have been so issued and remain in
7 good standing.

8 (g) Provided, however, that municipalities or water districts may hire or contract with
9 qualified workers or companies to replace municipal or district water meters even though they are
10 not properly licensed plumbers.

11 ~~(g)~~ (h) Any willful violation of this section is grounds for revocation of license as further
12 described in section 5-20-27.

13 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 BUSINESSES AND PROFESSIONS - MUNICIPAL WATER METER
REPLACEMENT

- 1 This act would relieve municipalities and water districts from the requirement of hiring
- 2 only licensed plumbers to replace water meters.
- 3 This act would take effect upon passage.

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