

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

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SENATE BILL DRS35075-MQ-29 (01/31)

Short Title: Plumbing & Heating Contractors Changes. (Public)

Sponsors: Senator Tucker (Primary Sponsor).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE TYPES OF ACTIVITY REGULATED BY THE STATE BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE SPRINKLER CONTRACTORS AND TO REAUTHORIZE THE BOARD TO ISSUE LICENSES FOR CERTAIN RESTRICTED CLASSIFICATIONS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 87-21 reads as rewritten:

"§ 87-21. **Definitions; contractors licensed by Board; examination; posting license, etc.**

(a) Definitions. – For the purpose of this Article:

...

(5) Any person, firm or corporation, who for a valuable consideration, (i) verifies, inspects, evaluates, tests, installs, alters or restores, or offers to verify, inspect, evaluate, test, install, alter or restore, either plumbing, heating group number one, or heating group number two, or heating group number three, or (ii) lays out, fabricates, installs, alters or restores, or offers to lay out, fabricate, install, alter or restore fire sprinklers, or any combination thereof, as defined in this Article, shall be deemed and held to be engaged in the business of plumbing, heating, or fire sprinkler contracting; provided, however, that nothing herein shall be deemed to restrict the practice of qualified registered professional engineers. Any person who installs a plumbing, heating, or fire sprinkler system on property which at the time of installation was intended for sale or to be used primarily for rental is deemed to be engaged in the business of plumbing, heating, or fire sprinkler contracting without regard to receipt of consideration, unless exempted elsewhere in this Article.

...

(b) Classes of Licenses; Eligibility and Examination of Applicant; Necessity for License. –

(1) In order to protect the public health, comfort and safety, the Board shall establish two classes of licenses: Class I covering all plumbing, heating, and fire sprinkler systems for all structures, and Class II covering plumbing and heating systems in single-family detached residential dwellings.

(2) Restricted licenses or classifications. –

a. The Board shall establish and issue a fuel piping license for use by persons who do not possess the required Class I or Class II plumbing or heating license, but desire to engage in the contracting or installing of fuel piping extending from an approved fuel source at or near the



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- 1 premises, which piping is used or may be used to supply fuel to any  
2 systems, equipment, or appliances located inside the premises.
- 3 b. The Board shall establish and issue a limited plumbing contractor  
4 license for use by persons who do not possess the required Class I or  
5 Class II plumbing license but desire to engage in the contracting or  
6 installation, repair, or replacement of either of the following:
- 7 1. Exterior potable water service lines or backflow preventers  
8 serving irrigation systems or domestic water service systems of  
9 two inch diameter or smaller.
- 10 2. Exterior building sewer or water service piping of two inch  
11 diameter or smaller.
- 12 c. The Board shall establish and issue:
- 13 1. A State and local government plumbing, heating group number  
14 one, heating group number two, or heating group number three  
15 technician license for use by persons who do not possess the  
16 required plumbing, heating group number one, heating group  
17 number two, or heating group number three contractor license  
18 but desire to engage in the installation, repair, or replacement of  
19 plumbing, heating group number one, heating group number  
20 two, or heating group number three solely as an employee of a  
21 State or local government agency.
- 22 2. A State and local government plumbing, heating group number  
23 one, heating group number two, or heating group number three  
24 technician license for use by persons who do possess the  
25 required plumbing, heating group number one, heating group  
26 number two, or heating group number three contractor license  
27 but also desire to engage in the installation, repair, or  
28 replacement of plumbing, heating group number one, heating  
29 group number two, or heating group number three as an  
30 employee of a State or local government agency without listing  
31 their contractor license in the name of the State or local  
32 government agency. Licensed contractors who obtain the State  
33 and local government technician license shall be allowed to  
34 contract and perform work under their contractor license only  
35 during hours such contractor is not actively employed with the  
36 State or local government as a technician, and is on-site carrying  
37 out the contracting activity personally. No work can be  
38 performed by the State or local government agency in reliance  
39 upon the technician license when the licensee is not present.
- 40 d. The Board may also establish additional restricted classifications to  
41 provide for:
- 42 1. The licensing of any person, partnership, firm, or corporation  
43 desiring to engage in a specific phase of heating, plumbing, or  
44 fire sprinkling contracting.
- 45 2. The licensing of any person, partnership, firm, or corporation  
46 desiring to engage in a specific phase of heating, plumbing, or  
47 fire sprinkling contracting that is an incidental part of their  
48 primary business, which is a lawful business other than heating,  
49 plumbing, or fire sprinkling contracting.

1    3.      The licensing of persons desiring to engage in contracting and  
2    installing fuel piping from an approved fuel source on the  
3    premises to a point inside the residence.

4    ...

5    (l)      The provisions of this Article do not apply to a home inspector licensed under Article  
6 9F of Chapter 143 of the General Statutes who does not claim to be a plumbing or heating  
7 contractor or who is not acting in the capacity of a plumbing or heating contractor in the course of  
8 their duties as a home inspector.

9    (m)      The provisions of this Article do not apply to a certified Code-enforcement official  
10 licensed under Article 9C of Chapter 143 of the General Statutes who does not claim to be a  
11 plumbing or heating contractor or who is not acting in the capacity of a plumbing or heating  
12 contractor in the course of their duties as a Code-enforcement official."

13    **SECTION 2.** This act becomes effective July 1, 2017.