

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

SESSION LAW 2017-15
SENATE BILL 156

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) verifies, inspects, evaluates, tests, lays out, fabricates, installs, alters or restores, or offers to verify, inspect, evaluate, test, 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 premises, which piping is used or may be used to supply fuel to any systems, equipment, or appliances located inside the premises.



- b. The Board shall establish and issue a limited plumbing contractor license for use by persons who do not possess the required Class I or Class II plumbing license but desire to engage in the contracting or installation, repair, or replacement of either of the following:
 - 1. Exterior potable water service lines or backflow preventers serving irrigation systems or domestic water service systems of two inch diameter or smaller.
 - 2. Exterior building sewer or water service piping of two inch diameter or smaller.
- c. The Board shall establish and issue:
 - 1. A State and local government plumbing, heating group number one, heating group number two, or heating group number three technician license for use by persons who do not possess the required plumbing, heating group number one, heating group number two, or heating group number three contractor license but desire to engage in the installation, repair, or replacement of plumbing, heating group number one, heating group number two, or heating group number three solely as an employee of a State or local government agency.
 - 2. A State and local government plumbing, heating group number one, heating group number two, or heating group number three technician license for use by persons who do possess the required plumbing, heating group number one, heating group number two, or heating group number three contractor license but also desire to engage in the installation, repair, or replacement of plumbing, heating group number one, heating group number two, or heating group number three as an employee of a State or local government agency without listing their contractor license in the name of the State or local government agency. Licensed contractors who obtain the State and local government technician license shall be allowed to contract and perform work under their contractor license only during hours such contractor is not actively employed with the State or local government as a technician, and is on-site carrying out the contracting activity personally. No work can be performed by the State or local government agency in reliance upon the technician license when the licensee is not present.
- d. The Board may also establish additional restricted classifications to provide for:
 - 1. The licensing of any person, partnership, firm, or corporation desiring to engage in a specific phase of heating, plumbing, or fire sprinkling contracting.
 - 2. The licensing of any person, partnership, firm, or corporation desiring to engage in a specific phase of heating, plumbing, or fire sprinkling contracting that is an incidental part of their primary business, which is a lawful business other than heating, plumbing, or fire sprinkling contracting.

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

...
(l) The provisions of this Article do not apply to any of the following persons to the extent the person does not claim to be a plumbing or heating contractor or is not acting in the capacity of a plumbing or heating contractor in the course of the person's duties:

- (1) A home inspector licensed under Article 9F of Chapter 143 of the General Statutes.
- (2) A certified Code-enforcement official licensed under Article 9C of Chapter 143 of the General Statutes.
- (3) A residential energy services network (RESNET) certified home energy rater."

SECTION 2. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 16th day of May,

2017.

s/ Philip E. Berger
President Pro Tempore of the Senate

s/ Sarah Stevens
Speaker Pro Tempore of the House of Representatives

s/ Roy Cooper
Governor

Approved 8:28 a.m. this 23rd day of May, 2017