

MINNESOTA RULES, CHAPTER 4716

Subp. 4. Renewal and expiration. The renewal and expiration of a medical gas installer certification shall be in accordance with Minnesota Statutes, section 326B.438, subdivisions 2 to 4.

WATER CONDITIONING

4716.0090 AUTHORITY; PURPOSE.

Pursuant to Minnesota Statutes, section 326B.435, subdivision 2, part 4716.0092 establishes licensing requirements for water conditioning contractors, water conditioning masters, water conditioning journeyworkers, and other persons engaged in or working at the business of water conditioning installation or service.

4716.0091 DEFINITIONS.

Subpart 1. Scope. The terms used in parts 4716.0090 to 4716.0092 have the meanings given them in this part, UPC sections 201.0 to 228.0 as incorporated by reference in part 4714.0050, and Minnesota Statutes, section 326B.50.

Subp. 2. Registered unlicensed water conditioner. “Registered unlicensed water conditioner” means an individual who performs water conditioning work for a contractor or employer, does not hold any class of water conditioning license, and is registered with the commissioner under part 4716.0093.

4716.0092 LICENSURE.

Subpart 1. Water conditioning contractor. An applicant for a water conditioning contractor license must designate a responsible licensed master as defined in Minnesota Statutes, section 326B.50. The responsible licensed master must give a minimum 15-day notice to the water conditioning contractor and the department before resigning as the responsible licensed master for the contractor. The contractor and responsible licensed master must immediately notify the department upon the termination or separation of the contractor’s responsible licensed master. The water conditioning contractor shall have 60 days from the last day of employment of its previous responsible licensed master to employ another responsible licensed master. The water conditioning contractor shall submit written notification to the department that it has designated a different responsible licensed master. If the water conditioning contractor is unable to acquire a replacement responsible licensed master, the water conditioning contractor’s license is invalid and the contractor shall cease and desist from performing any water conditioning work and return the contractor’s license for voluntary termination. Upon acquiring a replacement responsible licensed master, the water conditioning contractor may request reinstatement of the terminated license under Minnesota Statutes, section 326B.096.

Subp. 2. Water conditioning master. An applicant for a water conditioning master license must satisfactorily pass an examination given by the commissioner. An applicant for the water conditioning master examination must have had at least 12 months’ experience as a licensed water conditioning jour-

neyworker, or at least 12 months of practical experience as listed in subpart 4, items B and C, subitem (1). The applicant is responsible for verifying practical experience.

Subp. 3. Water conditioning journeyworker. An applicant for a water conditioning journeyworker license must satisfactorily pass an examination given by the commissioner. An applicant for the water conditioning journeyworker examination must have been a registered unlicensed water conditioner at all times while obtaining at least six months of practical experience as listed in subpart 4, item C, subitem (2), except as permitted in subpart 4, item A, subitem (4). The applicant is responsible for verifying practical experience.

Subp. 4. Experience. For the purposes of the experience required under subparts 2 and 3, the following requirements apply.

A. Experience in the planning, superintending, installing, and servicing of water conditioning systems is acceptable in the situations described in the following:

- (1) experience while in the employ of a contractor licensed under Minnesota Statutes, section 326B.46 or 326B.55, and this part;
- (2) experience while working in Minnesota for an employer who is exempt from being licensed as a contractor under Minnesota Statutes, section 326B.46 or 326B.55, subdivision 1, paragraph (d), clause (2), if the water conditioning installation or servicing work is done under the supervision of a properly licensed individual;
- (3) experience while performing the practical installation and servicing of water conditioning systems outside of Minnesota, which the department has determined is substantially equivalent to work performed while in the employ of a licensed contractor in Minnesota. The determination must be based on a certification by the employer for the type of work performed; or
- (4) experience performing the practical installation and servicing of water conditioning systems while in the military of the United States, which the department has determined is substantially equivalent to the work performed while in the employ of a licensed contractor in Minnesota. The determination must be based on a certification by the military for the type of work performed.

B. Twelve months of experience consists of at least 1,750 hours, which may be obtained in more than one 12-month period; however, not more than 1,750 hours shall be credited for one calendar year.

C. The commissioner may require work records, time cards, pay records, or other documentation necessary to evaluate experience. The commissioner shall make the final determination about the adequacy and acceptability of an applicant’s experience.

- (1) An applicant for water conditioning master examination must include at least the following number of hours in the following water conditioning aspects:

- (a) installation, 200 hours;
- (b) servicing, 300 hours;
- (c) planning, 250 hours; and
- (d) supervising, 250 hours.

The remaining required hours of practical experience may be in any aspect of water conditioning work. An applicant may not include any hours of experience obtained prior to attaining the age of 17.

- (2) An applicant for water conditioning journeyworker examination must include at least the following number of hours in the following water conditioning aspects:
 - (a) installation, 100 hours; and
 - (b) servicing, 200 hours.

The remaining required hours of practical experience may be in any aspect of water conditioning work. An applicant may not include any hours of experience obtained prior to attaining the age of 17.

- D. If the applicant is a registered unlicensed water conditioner:
 - (1) the applicant must have been a registered unlicensed water conditioner at all times while obtaining the practical water conditioning experience, except as allowed under Minnesota Statutes, section 326B.555, subdivision 2; and
 - (2) all practical water conditioning experience must be certified by the licensed water conditioning master who is responsible for the work performed. Practical water conditioning experience includes installation, servicing, and training hours. The commissioner may require work records, time cards, pay records, or other documentation necessary to evaluate experience. The commissioner shall make the final determination about the adequacy and acceptability of an applicant's experience.
- E. The employer of a water conditioning journeyworker or registered unlicensed water conditioner is responsible for:
 - (1) recording the practical water conditioning experience worked by each employee; and
 - (2) maintaining the records of practical water conditioning experience for at least six years after the employee's last recorded experience.

Subp. 5. Examinations.

- A. Applications to take the water conditioning master or water conditioning journeyworker examination must be submitted on a form approved by the commissioner. Each application must include the fee under Minnesota Statutes, chapter 326B.
- B. The commissioner shall give a written examination for the licensing of water conditioning contractors and installers at least once per year. The written licensing examination for contractors and installers shall include questions covering one or more of the following subject areas: relevant plumbing and installation provisions, materials and tools of the trade, general principles of

water conditioning processes, and operation of water conditioning equipment. Additionally, the contractor's licensing examination shall include questions covering one or more of the following subjects: calculations to determine appropriate equipment size, and specific functions and processes involved in different types of water conditioning.

- C. A score of 70 percent shall be considered passing. The examinee shall be notified of the results of the examination.

Subp. 6. Renewal and expiration. The renewal and expiration of a water conditioning contractor, water conditioning master, or water conditioning journeyworker license shall be in accordance with Minnesota Statutes, sections 326B.092 to 326B.097, and 326B.50 to 326B.59.

4716.0093 UNLICENSED WATER CONDITIONER REGISTRATION.

No person shall work as a registered unlicensed water conditioner until that person has submitted an application and fee for registration to the commissioner. Registration must be renewed annually and shall be for the period from July 1 of each year to June 30 of the following year. Applications for initial and renewal registration must be submitted to the commissioner before July 1 of each registration period on forms provided by the commissioner, and must be accompanied by the required fee. A registered unlicensed water conditioner who submits a registration application after July 1 in any year must pay the renewal fee plus the required late fee.

- A. A registered unlicensed water conditioner must be at least 18 years of age or a high school graduate, except that a registered unlicensed water conditioner employed and supervised by the registered unlicensed water conditioner's parent must be at least 16 years of age.
- B. An applicant for registration under this part must provide a name, address, date of birth, Social Security number, and information about education and practical water conditioning experience on a form provided by the commissioner.

4716.0095 AUTHORITY; PURPOSE.

Parts 4716.0096 and 4716.0097 establish certification requirements for persons performing or offering to perform the installation, maintenance, repair, replacement, testing, or rebuilding of reduced pressure zone backflow prevention assemblies under Minnesota Statutes, section 326B.437.

4716.0096 LICENSURE; CERTIFICATION.

Subpart 1. Backflow prevention rebuilder. An applicant for backflow prevention rebuilder certification must be a licensed master plumber, journeyworker plumber, or restricted master or restricted journeyworker plumber and possess current American Society of Sanitary Engineering (ASSE) Standard 5110 Backflow Prevention Assembly Tester and ASSE Standard 5130 Backflow Prevention Assembly Repairer certifications.

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Subp. 2. Backflow prevention tester. An applicant for backflow prevention tester certification shall possess a current ASSE Standard 5110 Backflow Prevention Assembly Tester certification.

Subp. 3. Application. All applications submitted pursuant to this part must be submitted on a form approved by the commissioner and include the fees required by Minnesota Statutes, sections 326B.092 and 326B.437.

Subp. 4. Renewal and expiration. The renewal and expiration of a backflow prevention rebuilder certification or backflow prevention tester certification shall be in accordance with Minnesota Statutes, section 326B.437, paragraph (c).

4716.0097 REQUIREMENTS FOR RENEWAL OF CERTIFICATION.

Subpart 1. Generally. The commissioner must not renew the license of an applicant for renewal who has held the license for at least 24 months unless the applicant provides proof of current ASSE certification.

Subp. 2. Backflow prevention rebuilder.

A. A backflow prevention rebuilder shall maintain current ASSE Standard 5110 Backflow Prevention Assembly Tester and ASSE Standard 5130 Backflow Prevention Assembly Repairer certifications.

Exception: An individual possessing a current backflow prevention rebuilder certification issued by the commissioner prior to January 1, 2013, is exempt from the requirements in Subpart 1. This exemption expires December 31, 2014. Renewal applications submitted after January 1, 2015, shall include documentation of the applicant's current ASSE Standard 5110 Backflow Prevention Assembly Tester and ASSE Standard 5130 Backflow Prevention Assembly Repairer certifications as a condition of renewal.

B. The following standards are incorporated by reference, are not subject to frequent change, are made part of this chapter, and are available in the office of the commissioner: ASSE Standard 5110 Backflow Prevention Assembly Testers and ASSE Standard 5130 Backflow Prevention Assembly Repairers. These standards are published by ASSE International, 18927 Hickory Creek Drive, Suite 220, Mokena, IL 60448, and are copyright 2009 by ASSE International.

Subp. 3. Backflow prevention tester. A backflow prevention tester shall maintain a current ASSE 5110 Backflow Prevention Assembly Tester certification.

Exception: An individual possessing a current backflow prevention tester certification issued by the commissioner prior to January 1, 2013, shall be exempt from the requirements in Subpart 1. This exemption expires December 31, 2014. Renewal applications submitted after January 1, 2015, shall include documentation of the applicant's current ASSE Standard 5110 Backflow Prevention Assembly Tester certification as a condition of renewal.

CONTINUING EDUCATION

4716.0200 DEFINITIONS.

Subpart 1. Scope. The definitions in this part apply to parts 4716.0205 and 4716.0210.

Subp. 2. Continuing education program. "Continuing education program" means a course, seminar, workshop, or other educational offering approved by the department.

Subp. 3. Hours of instruction. "Hours of instruction" means the number of classroom hours approved by the department in advance for the attendance of a continuing education program.

Subp. 4. Plumbing license. "Plumbing license" means a master plumber or journeyworker plumber license issued by the department. Plumbing license does not include a water conditioning journeyworker or a water conditioning master as defined by Minnesota Statutes, section 326B.50, subdivisions 3a and 3b.

Subp. 5. Restricted plumber. "Restricted plumber" means an individual who meets the qualifications of Minnesota Statutes, section 326B.475, and is licensed by the department.

Subp. 6. Sponsor. "Sponsor" means a person that provides a continuing education program approved in advance by the department.

4716.0205 REQUIREMENTS.

Subpart 1. Continuing education; content.

A. In addition to satisfying the requirements of Minnesota Statutes, chapter 326B, individuals who hold the following license types are required to obtain 16 hours of continuing education instruction during the license period before the license may be renewed:

- (1) master plumber;
- (2) journeyworker plumber; and
- (3) restricted plumber.

At least eight hours of instruction must pertain to the Plumbing Code, and the remainder must pertain to the Plumbing Code, technical topics related to plumbing installations and equipment, this chapter, the Minnesota State Building Code, or Minnesota Statutes, sections 326B.41 to 326B.59. Continuing education hours obtained by any electronic media must comply with Minnesota Statutes, sections 326B.098 to 326B.099.

B. In addition to satisfying the requirements of Minnesota Statutes, chapter 326B, individuals who hold the following license types are required to obtain four hours of continuing education instruction during the license period before the license may be renewed:

- (1) water conditioning master; and
- (2) water conditioning journeyworker.

At least two hours must pertain to the Plumbing Code and the remainder must pertain to the Plumbing Code, technical topics related to water conditioning installation and servicing, this chapter, or Minnesota Statutes, sec-

tions 326B.50 to 326B.59. Continuing education hours obtained by any electronic media must comply with Minnesota Statutes, sections 326B.098 to 326B.099.

- C. In addition to satisfying the requirements of Minnesota Statutes, chapter 326B, individuals who hold the following registration types are required to obtain continuing education instruction during the registration period before the registration can be renewed:

- (1) registered unlicensed plumbers; and
- (2) registered unlicensed water conditioners.

The registered unlicensed plumber must obtain at least two hours of continuing education instruction that must pertain to the Plumbing Code.

The registered unlicensed water conditioner must obtain at least two hours of continuing education instruction. At least one hour of instruction must pertain to the Plumbing Code, and the remainder must pertain to the Plumbing Code, technical topics related to water conditioning installation and servicing, this chapter, or Minnesota Statutes, sections 326B.50 to 326B.59. Continuing education hours obtained by any electronic media must comply with Minnesota Statutes, sections 326B.098 to 326B.099.

- D. In addition to satisfying the requirements of Minnesota Statutes, chapter 326B, an applicant for renewal of a medical gas installer certification is required to obtain four hours of continuing education instruction during the certification period before the certification may be renewed. The required hours of instruction must pertain to the technical topics related to the installation, repair, or maintenance of medical gas systems, this chapter, NFPA 99, or Minnesota Statutes, section 326B.438.

- E. In addition to satisfying the requirements of part 4716.0097 and Minnesota Statutes, chapter 326B, individuals who hold the following certifications are required to obtain the following continuing education during the certification period before the certificate may be renewed:

- (1) a backflow prevention rebuilder shall meet the minimum requirements to recertify in ASSE Standards 5110 and 5130; and
- (2) a backflow prevention tester shall meet the minimum requirements to recertify in ASSE Standard 5110.

Subp. 2. Application.

- A. Each applicant for the renewal of a license, registration, or certification specified in subpart 1 must obtain during the term of the license, registration, or certification period and before a renewal application is submitted to the department, the required number of credits of approved continuing education. No individual may transfer continuing education hours of instruction to another individual. Hours may only be applied to the renewal period in which they are obtained and may not be carried over to the next renewal period.

- B. Where an individual holds more than one type of plumbing license, registration, or certification credits for hours of instruction may be applied to each license, registration, or certification during the same renewal period so long as the specific requirements for the license, registration, or certification are met.

4716.0210 CREDIT FOR HOURS OF INSTRUCTION.

Subpart 1. Approval of continuing education programs. To qualify as a continuing education hour of instruction under part 4716.0205, subpart 1, a continuing education program shall be approved in advance by the department. The subject matter must pertain to the plumbing code or the topics specified in part 4716.0205, Subpart 1. The sponsor shall submit an application for approval according to Minnesota Statutes, section 326B.0981. An interactive educational program may also be approved for presentation through electronic media. Any program presented through electronic media that does not include real-time interaction between the presenter and the licensee or registrant must include an examination process that ensures a licensee or registrant has successfully completed the program.

Subp. 2. Notification of presentations. Not less than 30 days prior to a presentation of a continuing education program, the sponsor shall notify the department in writing of the date, time, and location of the program.

Subp. 3. Instruction in another state. Notwithstanding subparts 1 and 2, continuing education programs that are offered in another state and have not been preapproved by the department, shall be approved for credit if the department is provided with evidence that the educational program meets the requirements of this part, part 4716.0205, and Minnesota Statutes, sections 326B.098 to 326B.099, and the course has been approved for continuing education hours of instruction or credit by a public authority licensing plumbers or restricted plumbers in the other state.

Subp. 4. Qualifications of instructors. All educational programs shall be conducted by instructors who meet the requirements of Minnesota Statutes, section 326B.099, subdivision 3, and have the qualifications described in at least one of the following items:

- A. an individual plumber license issued by the department and at least four years' experience in plumbing inspection, plumbing installations, or teaching subjects within the scope of plumbing work permitted by the instructor's license;
- B. at least five years' practical experience in the subject being taught. An instructor in this category may only be approved for instruction on technical topics related to plumbing installations and equipment; or
- C. an instructor certified by a national plumbing-related training program.

Subp. 5. Credit for teaching. Instructors of educational programs approved under this part shall receive instruction credit for each hour of instruction allowable under Subpart 1.

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Subp. 6. Report of credits earned. Within 14 days after presentation of an educational program for credit under part 4716.0205, the sponsor shall provide a certificate of completion to each licensee or registrant in attendance and shall forward an attendance list and original attendance sign-in document to the department on a form supplied by the department, or in a format approved by the department. Each certificate of completion and attendance list shall include the name of the sponsor, date and location of the presentation, educational program identification that was provided to the department, hours of instruction or continuing education units, and the licensee's or registrant's name and license or registration number or the last four digits of the applicant's Social Security number. The attendance list must be typewritten and provide a summary of each attendee's hours for each course attended.

Subp. 7. Credit for completing an educational program. Participants in an educational program must complete the entire program to receive credit. Partial credit must not be granted.