

Chapter 693

2005 EDITION

Plumbers

GENERAL PROVISIONS			
693.010	Definitions	693.111	Solar heating and cooling system installers; rules; fees
693.020	Persons and activities not regulated under chapter		
693.025	Insurance required of certain providers of low-flow showerheads or faucet aerators; limitation on services; penalty		
LICENSES		STATE BOARD	
693.030	Journeyman plumber license requirement; prohibited acts by plumbing contractor	693.115	State Plumbing Board; membership; term; compensation and expenses
693.040	Apprentices; authority to work	693.120	Duties of board to examine applicants for journeyman plumber licenses
693.060	Issuance of journeyman's license	693.125	Officers; quorum; meetings
693.070	License number; issue and expiration dates	693.135	Fees; rules
693.095	Supervising plumber license; rules	693.165	Disposition of receipts
693.103	Limited specialty plumbers; rules; scope of license; water heater specialty		
693.105	Procedure for refusal, revocation or suspension of license; procedures for hearings, rules, orders and review		
		RECOVERY FOR SERVICES	
		693.180	Denial of right to court action for unlicensed plumber or unqualified apprentice
		CIVIL PENALTIES	
		693.992	Civil penalty for violations of chapter
		693.994	Civil penalty for violations of ORS 447.065 or 693.111

OCCUPATIONS AND PROFESSIONS

GENERAL PROVISIONS

693.010 Definitions. As used in this chapter, unless the context requires otherwise:

(1) "Apprentice plumber" means any person who is an apprentice under ORS 660.002 to 660.210 and who is employed by a licensed plumbing contractor for the purpose of assisting the journeyman plumber and learning the plumbing trade.

(2) "Board" means the State Plumbing Board.

(3) "Journeyman plumber" means any person holding a valid journeyman plumber license issued under this chapter.

(4) "Licensed plumbing contractor" means a person who has made application and paid a license fee to engage in the business of furnishing labor and material, or labor only, to install, alter and repair plumbing.

(5) "Plumbing" has the meaning given that term in ORS 447.010. [Amended by 1971 c.753 §33; 1981 c.438 §10; 1993 c.744 §151; 2005 c.758 §41]

Note: The amendments to 693.010 by section 41, chapter 758, Oregon Laws 2005, become operative July 1, 2006. See section 57, chapter 758, Oregon Laws 2005, as amended by section 57a, chapter 758, Oregon Laws 2005. The text that is operative until July 1, 2006, is set forth for the user's convenience.

693.010. As used in this chapter, unless the context requires otherwise:

(1) "Apprentice plumber" means any person who is an apprentice under ORS 660.002 to 660.210 and who is employed by a holder of a registration to conduct a plumbing business for the purpose of assisting the journeyman plumber and learning the plumbing trade.

(2) "Board" means the State Plumbing Board.

(3) "Director" means the Director of the Department of Consumer and Business Services.

(4) "Journeyman plumber" means any person holding a valid journeyman plumber's certificate of competency issued under this chapter.

(5) "Plumbing" has the meaning given that term in ORS 447.010.

(6) The holder of a certificate of "registration to conduct a plumbing business" is one who has made application and paid a registration fee to engage in the business of furnishing labor and material, or labor only, to install, alter and repair plumbing. This registration does not entitle the holder to work as a journeyman plumber.

693.020 Persons and activities not regulated under chapter. (1) Except as provided in subsection (2) of this section, this chapter does not apply to:

(a) A person working on a building or premises owned by the person, regardless of whether the person holds a license under this chapter, if the person complies with all the rules adopted under this chapter and ORS 447.010 to 447.156 and ORS chapter 455.

(b) A person testing, repairing, servicing, maintaining, installing or replacing new or

existing potable water pump equipment not exceeding seven and one-half horsepower on residential property and piping between the pumps and storage tanks for the pumps, regardless of whether the person holds any license under this chapter.

(c) A person installing exterior storm drains that are not connected to a sanitary sewer or combination sanitary storm sewer.

(d) An employee or contractor of a utility, energy service provider or water supplier who is installing an approved low-flow showerhead or faucet aerator in existing plumbing fixtures. The devices installed under this paragraph are exempt from the certification, permit and inspection requirements of this chapter and ORS 447.010 to 447.156.

(e) A person who owns, leases or operates residential property and who repairs, or uses regular employees to repair, existing plumbing on property owned, leased or operated by the person, regardless of whether the person or employee holds a license under this chapter. As used in this paragraph:

(A) "Repair" means the act of replacing or putting together plumbing parts that restore the existing plumbing system to a safe and sanitary operating condition.

(B) "Regular employee" means a person who is subject to the provisions of ORS 316.162 to 316.221 and who has completed a withholding exemptions certificate required by the provisions of ORS 316.162 to 316.221.

(f) A person installing plumbing in a prefabricated structure, as defined in ORS 455.010, that is designed for residential use and intended for delivery in another state.

(2) Subsection (1)(a) to (d) of this section does not allow a person other than a journeyman plumber or apprentice plumber to install, remodel or alter plumbing in a commercial or industrial building being constructed or offered for sale, exchange, rent or lease. As used in this subsection, "install, remodel or alter" means activities that involve installations or changes to the plumbing inside a wall, floor, crawl space or ceiling, or a change in the configuration of a plumbing system.

(3) This section applies to any person, including but not limited to individuals, corporations, associations, firms, partnerships, joint stock companies, public and municipal corporations, political subdivisions, this state and any agencies thereof and the federal government and any agencies thereof.

(4) Except as provided in subsection (1)(d) of this section, nothing in this section exempts a person from the plumbing inspection requirements of ORS 447.010 to 447.156. [Amended by 1981 c.438 §11; 1985 c.590 §5; 1987 c.604 §16;

1993 c.293 §3; 2003 c.14 §437; 2005 c.310 §5; 2005 c.758 §42a]

Note: The amendments to 693.020 by section 42a, chapter 758, Oregon Laws 2005, become operative July 1, 2006. See section 57, chapter 758, Oregon Laws 2005, as amended by section 57a, chapter 758, Oregon Laws 2005. The text that is operative until July 1, 2006, including amendments by section 5, chapter 310, Oregon Laws 2005, is set forth for the user's convenience.

693.020. (1) Subject to the following described conditions, this chapter does not apply to:

(a) A person that is doing work, other than repair work on residential property, that is on the person's own building on the person's own premises, whether or not the person holds a certificate of competency under this chapter, if the person complies with all the rules adopted under this chapter and ORS 447.010 to 447.156 and 447.992 and ORS chapter 455.

(b) A person testing, repairing, servicing, maintaining, installing or replacing new or existing potable water pump equipment not exceeding seven and one-half horsepower on residential property and piping between such pumps and storage tanks for such pumps, whether or not the person holds any certificate of competency under this chapter.

(c) A person installing exterior storm drains. This exception does not apply to exterior storm drains that are connected to a sanitary sewer or combination sanitary storm sewer.

(d) An employee or contractor of a utility, energy service provider or water supplier who is installing an approved low-flow showerhead or faucet aerator in existing plumbing fixtures. The devices installed under this paragraph are exempt from the certification, permit and inspection requirements of this chapter and ORS chapter 447.

(e) A person who owns, leases or operates residential property and who repairs or uses regular employees to repair existing plumbing on property owned, leased or operated by the person, whether or not the person or employee holds a certificate of competency under this chapter. As used in this paragraph:

(A) "Repair" means the act of replacing or putting together plumbing parts that restore the existing plumbing system to a safe and sanitary operating condition.

(B) "Regular employee" means a person who is subject to the provisions of ORS 316.162 to 316.221 and who has completed a withholding exemptions certificate required by the provisions of ORS 316.162 to 316.221.

(f) A person installing plumbing in a prefabricated structure, as defined in ORS 455.010, that is designed for residential use and intended for delivery in another state.

(2) This section applies to any person, including but not limited to individuals, corporations, associations, firms, partnerships, joint stock companies, public and municipal corporations, political subdivisions, this state and any agencies thereof and the federal government and any agencies thereof.

(3)(a) Notwithstanding the exceptions in subsection (1) of this section, only an individual certified as provided by ORS 693.060 may install, remodel or alter plumbing in a commercial or industrial building being constructed or being offered for sale, exchange, rent or lease.

(b) For the purpose of this subsection, "install, remodel or alter" means activities which involve installation or changes to the plumbing inside a wall, floor, crawl space or ceiling, or a change in the configuration of a plumbing system.

(4) Except as provided in subsection (1)(d) of this section, nothing in this section exempts a person from

the plumbing inspection requirements of ORS 447.010 to 447.156.

693.025 Insurance required of certain providers of low-flow showerheads or faucet aerators; limitation on services; penalty. (1) A utility company, energy service provider or water supplier whose employees install low-flow showerheads or faucet aerators shall furnish evidence to the Department of Consumer and Business Services, in the form of a public liability policy issued by an insurance company qualified to do business in Oregon, that the company, provider or water supplier and its employees are protected against liability for injury or death to persons and loss of or damage to property resulting from the installation.

(2) A person who contracts with a utility company, energy service provider or water supplier to perform the functions described in subsection (1) of this section shall furnish evidence to the Department of Consumer and Business Services, in the form of a public liability policy issued by an insurance company qualified to do business in Oregon, that the contractor and its employees are protected against liability for injury or death to persons and loss of or damage to property resulting from the installation.

(3) The amount of the liability insurance required under subsections (1) and (2) of this section shall be in the amount of not less than \$25,000 for bodily injury to one or more persons and not less than \$25,000 for property damage.

(4) A person who performs, or who contracts to have performed, a service described in subsection (1) of this section may not perform any additional service for which a license is required under ORS chapter 693 unless the person is licensed under ORS chapter 693 to perform the additional service. A person not licensed under ORS chapter 693 who performs services that are not described in subsection (1) of this section for which a license is required under ORS chapter 693 is subject to civil penalty under ORS 693.992.

(5) Every utility company, energy service provider or water supplier shall include in any contract for the performance of a service described in subsection (1) of this section a statement that, under penalty of ORS 693.992, the contractor may not perform any service for which a license is required under ORS chapter 693, except installation of low-flow showerheads or faucet aerators, unless the contractor is licensed under ORS chapter 693 to perform that service. [1993 c.293 §1; 2001 c.411 §29; 2003 c.14 §438; 2005 c.758 §43]

Note: The amendments to 693.025 by section 43, chapter 758, Oregon Laws 2005, become operative July 1, 2006. See section 57, chapter 758, Oregon Laws 2005, as amended by section 57a, chapter 758, Oregon Laws

2005. The text that is operative until July 1, 2006, is set forth for the user's convenience.

693.025. (1) A utility company, energy service provider or water supplier whose employees install low-flow showerheads or faucet aerators shall furnish evidence to the Department of Consumer and Business Services, in the form of a public liability policy issued by an insurance company qualified to do business in Oregon, that the company, provider or water supplier and its employees are protected against liability for injury or death to persons and loss of or damage to property resulting from the installation.

(2) A person who contracts with a utility company, energy service provider or water supplier to perform the functions described in subsection (1) of this section shall furnish evidence to the Department of Consumer and Business Services, in the form of a public liability policy issued by an insurance company qualified to do business in Oregon, that the contractor and its employees are protected against liability for injury or death to persons and loss of or damage to property resulting from the installation.

(3) The amount of the liability insurance required under subsections (1) and (2) of this section shall be in the amount of not less than \$25,000 for bodily injury to one or more persons and not less than \$25,000 for property damage.

(4) A person who performs, or who contracts to have performed, a service described in subsection (1) of this section may not perform any additional service for which a certificate is required under ORS chapter 693 unless the person is certified under ORS chapter 693 to perform the additional service. A person not certified under ORS chapter 693 who performs services that are not described in subsection (1) of this section for which a certificate is required under ORS chapter 693 is subject to civil penalty under ORS 693.992.

(5) Every utility company, energy service provider or water supplier shall include in any contract for the performance of a service described in subsection (1) of this section a statement that, under penalty of ORS 693.992, the contractor may not perform any service for which a certificate is required under ORS chapter 693, except installation of low-flow showerheads or faucet aerators, unless the contractor is certified under ORS chapter 693 to perform that service.

Note: 693.025 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 693 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

LICENSES

693.030 Journeyman plumber license requirement; prohibited acts by plumbing contractor. (1) A person may not engage in the trade or business of journeyman plumber without a journeyman plumber license issued under this chapter.

(2) A licensed plumbing contractor or a person required under this chapter to be licensed as a plumbing contractor may not:

(a) Permit or suffer any person to work as a journeyman plumber who does not hold a valid journeyman plumber license.

(b) Permit or suffer any person to work as an apprentice plumber who does not meet the requirements of ORS 660.002 to 660.210.

(c) Employ an apprentice plumber on any plumbing work, representing the apprentice plumber to be a journeyman plumber.

(d) Charge a journeyman plumber's wage for services performed by an apprentice plumber. [Amended by 1981 c.438 §12; 1999 c.733 §1; 2005 c.758 §44]

Note: The amendments to 693.030 by section 44, chapter 758, Oregon Laws 2005, become operative July 1, 2006. See section 57, chapter 758, Oregon Laws 2005, as amended by section 57a, chapter 758, Oregon Laws 2005. The text that is operative until July 1, 2006, is set forth for the user's convenience.

693.030. (1) A person shall not engage in the trade or business of journeyman plumber without a certificate of competency as provided by this chapter.

(2) A person registered to conduct a plumbing business, or who is required to be registered under this chapter, shall not:

(a) Permit or suffer any person to work as a journeyman plumber who does not hold a valid journeyman plumber's certificate of competency.

(b) Permit or suffer any person to work as an apprentice plumber who does not meet the requirements of ORS 660.002 to 660.210.

(c) Employ an apprentice plumber on any plumbing work, representing the apprentice plumber to be a journeyman plumber.

(d) Charge a journeyman plumber's wage for services performed by an apprentice plumber.

693.040 Apprentices; authority to work. An apprentice plumber may work at the trade of plumbing if the apprentice works under the supervision of a licensed journeyman plumber. [Amended by 1981 c.438 §13; 1993 c.397 §2; 2005 c.758 §45]

Note: The amendments to 693.040 by section 45, chapter 758, Oregon Laws 2005, become operative July 1, 2006. See section 57, chapter 758, Oregon Laws 2005, as amended by section 57a, chapter 758, Oregon Laws 2005. The text that is operative until July 1, 2006, is set forth for the user's convenience.

693.040. A plumbing apprentice who meets the requirements of ORS 660.002 to 660.210 may work at the trade of plumbing so long as the apprentice works under the supervision of a certified journeyman plumber.

693.050 [Amended by 1969 c.540 §3; 1975 c.429 §14; 1977 c.873 §13; 1981 c.438 §14; 1987 c.414 §50a; 1993 c.744 §152; repealed by 2005 c.758 §56]

Note: 693.050 is repealed July 1, 2006. See sections 56, 57 and 57a, chapter 758, Oregon Laws 2005. 693.050 (2003 Edition) is set forth for the user's convenience.

693.050. Application for certificate; examination. (1) Applications for examination for a journeyman plumber's certificate of competency shall be made on forms furnished by the Department of Consumer and Business Services. The form shall state the applicant's full name, address and plumbing experience.

(2) Application for examination for a journeyman plumber's certificate of competency shall be accompanied by:

(a) Proof satisfactory to the State Plumbing Board that the applicant has had at least four years of general experience as an apprentice plumber or equivalent experience, as determined by the board by rule, in installing, altering or repairing plumbing; and

(b) The examination fee provided in ORS 693.135.

693.060 Issuance of journeyman's license. The State Plumbing Board shall issue a license to a person who:

(1) By the examination provided for by this chapter is shown to be fit, competent and qualified to engage in the business, trade or calling of a journeyman plumber;

(2) Complies with board rules adopted under ORS 455.117; and

(3) Pays the applicable fees established by the board under ORS 693.135. [Amended by 1973 c.734 §5; 1981 c.438 §15; 2005 c.758 §46]

Note: The amendments to 693.060 by section 46, chapter 758, Oregon Laws 2005, become operative July 1, 2006. See section 57, chapter 758, Oregon Laws 2005, as amended by section 57a, chapter 758, Oregon Laws 2005. The text that is operative until July 1, 2006, is set forth for the user's convenience.

693.060. (1) The State Plumbing Board shall issue a certificate of competency to persons as have by the examination provided for by this chapter shown themselves fit, competent and qualified to engage in the business, trade or calling of a journeyman plumber.

(2) No certificate of competency under this section shall be issued to any journeyman until the applicant therefor has complied with the rules and requirements of the board and has paid to the board the certificate fee provided in ORS 693.135.

693.070 License number; issue and expiration dates. All licenses shall bear:

(1) The date of issue and date of expiration; and

(2) An identification number assigned by the State Plumbing Board. [Amended by 1975 c.429 §15; 1981 c.438 §16; 2005 c.758 §47]

Note: The amendments to 693.070 by section 47, chapter 758, Oregon Laws 2005, become operative July 1, 2006. See section 57, chapter 758, Oregon Laws 2005, as amended by section 57a, chapter 758, Oregon Laws 2005. The text that is operative until July 1, 2006, is set forth for the user's convenience.

693.070. All certificates of competency shall bear:

(1) The date of issue and date of expiration; and

(2) An identification number assigned by the State Plumbing Board.

693.075 [1981 c.438 §23; repealed by 2005 c.758 §56]

Note: 693.075 is repealed July 1, 2006. See sections 56, 57 and 57a, chapter 758, Oregon Laws 2005. 693.075 (2003 Edition) is set forth for the user's convenience.

693.075 Renewal of certificate. (1) The holder of a journeyman plumber's certificate of competency is entitled to renewal of the certificate upon its expiration if the person pays the renewal fee provided in ORS 693.135 within 90 days after expiration of the certificate.

(2) If a person fails to qualify for renewal of a certificate under this section, the person only may receive a certificate if the person applies for, qualifies for and is issued a certificate in the same manner as a person who has not previously held a certificate.

693.080 [Repealed by 1981 c.438 §46]

693.090 [Amended by 1971 c.734 §152; 1981 c.438 §17; 1999 c.597 §2; repealed by 2005 c.758 §56]

Note: 693.090 is repealed July 1, 2006. See sections 56, 57 and 57a, chapter 758, Oregon Laws 2005. 693.090 (2003 Edition) is set forth for the user's convenience.

693.090. Grounds for discipline; hearing; application for new certificate after revocation. (1) The

State Plumbing Board may revoke or suspend any journeyman plumber's certificate of competency if it is obtained through error or fraud or if the holder of a certificate of competency has failed to comply with ORS 447.010 to 447.156 and 447.992 or the rules adopted thereunder or with ORS chapter 455 or the rules adopted thereunder or with this chapter or the rules adopted thereunder.

(2) The board shall not deny any application for a certificate or revoke or suspend a certificate without first giving the applicant or certificate holder an opportunity for a hearing on the denial, suspension or revocation. Notice of a hearing shall be given in writing by receipted certificated mail or by personal service at least 10 days before the date of the hearing and shall state the place, date and hour of the hearing along with the grounds for the denial, suspension or revocation.

(3) Any person whose certificate of competency has been revoked may, after the expiration of one year from the date of revocation, but not before, apply for a new certificate of competency.

693.095 Supervising plumber license; rules. The State Plumbing Board, by rule, may provide for issuing supervising plumber licenses to journeyman plumbers who:

(1) Demonstrate to the satisfaction of the board competency in the supervision of plumbing work and in the laws, rules, ordinances and practices relating to plumbing;

(2) Comply with board rules adopted under ORS 455.117; and

(3) Pay the applicable fees established by the board under ORS 693.135. [1981 c.438 §22; 2005 c.758 §48]

Note: The amendments to 693.095 by section 48, chapter 758, Oregon Laws 2005, become operative July 1, 2006. See section 57, chapter 758, Oregon Laws 2005, as amended by section 57a, chapter 758, Oregon Laws 2005. The text that is operative until July 1, 2006, is set forth for the user's convenience.

693.095 Certification program for plumbers as supervisors; rules. The State Plumbing Board, by rule, may provide a program for the certification of journeyman plumbers who demonstrate to the satisfaction of the board competency in the supervision of plumbing work and in the laws, rules, ordinances and practices relating to plumbing. Any program established under this section may include the following:

(1) Issuance of a certificate of competency as a supervising plumber.

(2) Requirements that journeyman plumber applicants have experience, pass an examination or otherwise demonstrate skill as determined appropriate by the board.

(3) A requirement for the payment of fees established by the board consistent with ORS 693.135.

(4) Circumstances under which the board may revoke or suspend the supervising plumber's certificate of competency as the board determines necessary to protect the public health and safety.

(5) Annual or other renewal as the board determines necessary.

693.100 [Amended by 1981 c.438 §18; repealed by 2005 c.758 §56]

Note: 693.100 is repealed July 1, 2006. See sections 56, 57 and 57a, chapter 758, Oregon Laws 2005. 693.100 (2003 Edition) is set forth for the user's convenience.

693.100 Board power to issue certificates; rules.

(1) The State Plumbing Board is empowered to grant and issue certificates of competency to persons desiring

or intending to engage in the trade or calling of journeyman plumber, in the manner and upon the terms and conditions provided in this chapter.

(2) The board shall prescribe, amend and enforce rules consistent with this chapter for the examination and certification of journeymen plumbers.

693.103 Limited specialty plumbers; rules; scope of license; water heater specialty. (1) The State Plumbing Board, by rule, may license limited specialty plumbers who:

(a) Demonstrate to the satisfaction of the board competency in the laws, rules, ordinances and practices relating to a plumbing specialty; and

(b) Pay the applicable fee established by the board under ORS 693.135.

(2) A limited specialty plumber license authorizes a person to perform work in the specific branch of the plumbing trade for which the license is issued.

(3)(a) The board shall establish a limited specialty plumber license for persons licensed under ORS 479.630 (12) to install and replace residential water heaters in existing plumbing designed for that purpose if the installation or replacement does not require an alteration of the existing plumbing.

(b) Qualification for a limited specialty plumber license under this subsection shall include testing and a requirement for training.

(c) This subsection does not otherwise affect the ability of persons licensed under subsection (1) of this section to make connections to water systems. [1985 c.590 §4; 1993 c.477 §1; 1995 c.715 §6; 2005 c.758 §49]

Note: The amendments to 693.103 by section 49, chapter 758, Oregon Laws 2005, become operative July 1, 2006. See section 57, chapter 758, Oregon Laws 2005, as amended by section 57a, chapter 758, Oregon Laws 2005. The text that is operative until July 1, 2006, is set forth for the user's convenience.

693.103. (1) The State Plumbing Board, by rule, may provide a program for the certification of limited specialty plumbers who demonstrate to the satisfaction of the board competency in the laws, rules, ordinances and practices relating to their plumbing specialty. A person certified under this section is authorized to perform the class of plumbing work included in the branch of the plumbing trade for which the person has been certified. Any program established under this section may include the following:

(a) Issuance of a certificate of competency as a limited specialty plumber.

(b) Requirements that limited plumbing specialty applicants have experience, pass an examination or otherwise demonstrate competency as determined appropriate by the board.

(c) A requirement for the payment of fees established by the board consistent with ORS 693.135.

(d) Circumstances under which the board may revoke or suspend the limited specialty plumber's certificate of competency as the board determines necessary to protect the public health and safety.

(e) Annual or other renewal as the board determines necessary.

(2)(a) Under the provisions of this section the board shall provide for the installation and replacement of residential water heaters to existing plumbing designed for that purpose if the installation or replacement does not require an alteration of the existing plumbing.

(b) Qualification for certification for a plumbing specialty under this subsection shall include testing and a requirement for training.

(c) For purposes of this subsection, "plumbing specialty" is limited to installation of water heaters by persons licensed under ORS 479.630 (12).

(d) The provisions of this subsection do not otherwise affect the ability of persons certified under subsection (1) of this section to make connections to water systems.

693.105 Procedure for refusal, revocation or suspension of license; procedures for hearings, rules, orders and review. (1) Where the State Plumbing Board proposes to refuse to issue or renew any license under this chapter, or proposes to revoke or suspend any license, opportunity for hearing shall be accorded as provided in ORS chapter 183.

(2) Promulgation of rules, conduct of hearings, issuance of orders and judicial review of rules and orders shall be in accordance with ORS chapter 183.

(3) Hearings under this section must be conducted by an administrative law judge assigned from the Office of Administrative Hearings established by ORS 183.605. [1971 c.734 §154; 1999 c.849 §§169,170; 2003 c.75 §60; 2005 c.758 §50]

Note: The amendments to 693.105 by section 50, chapter 758, Oregon Laws 2005, become operative July 1, 2006. See section 57, chapter 758, Oregon Laws 2005, as amended by section 57a, chapter 758, Oregon Laws 2005. The text that is operative until July 1, 2006, is set forth for the user's convenience.

693.105. (1) Where the State Plumbing Board proposes to refuse to issue or renew any certificate under this chapter, or proposes to revoke or suspend any such certificate, opportunity for hearing shall be accorded as provided in ORS chapter 183.

(2) Promulgation of rules, conduct of hearings, issuance of orders and judicial review of rules and orders shall be in accordance with ORS chapter 183.

(3) Hearings under this section must be conducted by an administrative law judge assigned from the Office of Administrative Hearings established by ORS 183.605.

693.108 [1991 c.555 §2; repealed by 2005 c.758 §56]

Note: 693.108 is repealed July 1, 2006. See sections 56, 57 and 57a, chapter 758, Oregon Laws 2005. 693.108 (2003 Edition) is set forth for the user's convenience.

693.108. Continuing education requirement; rules. The State Plumbing Board, by rule, may require evidence of completion of continuing education in areas that impact plumbers as a requirement for renewing a certificate of competency.

693.110 [Amended by 1971 c.753 §34; repealed by 1981 c.438 §46]

693.111 Solar heating and cooling system installers; rules; fees. The State Plumbing Board, by rule, shall establish a

solar heating and cooling system installer license. The board may impose appropriate fees for applications, examinations and issuance or renewal of an installer license. [2001 c.683 §23; 2005 c.758 §51]

Note: The amendments to 693.111 by section 51, chapter 758, Oregon Laws 2005, become operative July 1, 2006. See section 57, chapter 758, Oregon Laws 2005, as amended by section 57a, chapter 758, Oregon Laws 2005. The text that is operative until July 1, 2006, is set forth for the user's convenience.

693.111. The State Plumbing Board shall:

(1) Establish education, training and other standards for persons seeking a specialty registration as a solar heating and cooling system installer. The board may administer or approve examinations designed to demonstrate the qualifications and competency of a person to work as a solar heating and cooling system installer.

(2) Impose appropriate fees for applications, examinations and issuance or renewal of registrations.

(3) Impose continuing education requirements for persons registered as solar heating and cooling system installers.

(4) Suspend, revoke or refuse to issue or renew a registration for a person found by the board to have violated a provision of this section or ORS 447.065 or rules adopted thereunder.

(5) Make all rules necessary and proper for carrying out the duties of the board relating to solar heating and cooling system installers.

Note: 693.111 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 693 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

STATE BOARD

693.115 State Plumbing Board; membership; term; compensation and expenses. (1) The State Plumbing Board is established in the Department of Consumer and Business Services, consisting of seven members appointed by the Governor. The appointment of a member of the board is subject to confirmation by the Senate pursuant to section 4, Article III of the Oregon Constitution.

(2) The members of the board shall be as follows:

(a) One journeyman plumber with 10 or more years' experience in the trade or calling of journeyman plumber;

(b) One licensed plumbing contractor;

(c) One local plumbing inspector who is a journeyman plumber;

(d) One registered professional mechanical engineer;

(e) One officer or employee of the Department of Human Services;

(f) One plumbing equipment supplier who otherwise qualifies by experience in the industry or one building official; and

(g) One member of the general public.

(3) The term of office of each member is four years, but a member serves at the pleasure of the Governor. Before the expiration of the term of a member, the Governor shall appoint a successor. A member is not eligible for appointment to more than two full terms of office. If there is a vacancy for any cause, the Governor shall make an appointment to become immediately effective for the unexpired term.

(4) A member of the board shall receive compensation and expenses as provided in ORS 292.495. [1981 c.438 §§4,5,9; 1987 c.414 §51; 1993 c.744 §153; 2003 c.14 §439; 2005 c.758 §52]

Note: The amendments to 693.115 by section 52, chapter 758, Oregon Laws 2005, become operative July 1, 2006. See section 57, chapter 758, Oregon Laws 2005, as amended by section 57a, chapter 758, Oregon Laws 2005. The text that is operative until July 1, 2006, is set forth for the user's convenience.

693.115. (1) The State Plumbing Board is established in the Department of Consumer and Business Services, consisting of seven members appointed by the Governor. The appointment of a member of the board is subject to confirmation by the Senate pursuant to section 4, Article III of the Oregon Constitution.

(2) The members of the board shall be as follows:

(a) One journeyman plumber with 10 or more years' experience in the trade or calling of journeyman plumber;

(b) One person who is registered to conduct a plumbing business;

(c) One local plumbing inspector who is a journeyman plumber;

(d) One registered professional mechanical engineer;

(e) One officer or employee of the Department of Human Services;

(f) One plumbing equipment supplier who otherwise qualifies by experience in the industry or one building official; and

(g) One member of the general public.

(3) The term of office of each member is four years, but a member serves at the pleasure of the Governor. Before the expiration of the term of a member, the Governor shall appoint a successor. A member is not eligible for appointment to more than two full terms of office. If there is a vacancy for any cause, the Governor shall make an appointment to become immediately effective for the unexpired term.

(4) A member of the board shall receive compensation and expenses as provided in ORS 292.495.

693.120 Duties of board to examine applicants for journeyman plumber licenses. (1) The State Plumbing Board shall examine for fitness and qualifications all persons applying for journeyman plumber licenses.

(2) The examination for a journeyman plumber license shall consist of the following two parts:

(a) A written examination; and

(b) A practical examination requiring the demonstration of mechanical plumbing skills. [Amended by 1971 c.753 §35; 1981 c.438 §19; 2005 c.758 §53]

Note: The amendments to 693.120 by section 53, chapter 758, Oregon Laws 2005, become operative July 1, 2006. See section 57, chapter 758, Oregon Laws 2005, as amended by section 57a, chapter 758, Oregon Laws 2005. The text that is operative until July 1, 2006, is set forth for the user's convenience.

693.120. (1) The State Plumbing Board shall examine for fitness and qualifications all persons applying for certificates to engage in the business, trade or calling of a journeyman plumber.

(2) The examination for a certificate as a journeyman plumber shall consist of the following two parts:

(a) A written examination; and

(b) A practical examination requiring the demonstration of mechanical plumbing skills.

693.125 Officers; quorum; meetings. (1) The State Plumbing Board shall select one of its members as chairperson and another as vice chairperson, for terms and with duties and powers necessary for the performance of the functions of such offices as the board determines.

(2) A majority of the members of the board constitutes a quorum for the transaction of business.

(3) The board shall meet as the board determines necessary, but not less than once every other month, at a place, day and hour determined by the board. The board also may meet at other times and places specified by the call of the chairperson or of a majority of the members of the board. [1981 c.438 §7,8]

693.130 [Amended by 1971 c.753 §36; repealed by 1981 c.438 §46]

693.135 Fees; rules. The State Plumbing Board, by rule, shall establish fees to be charged by and paid to the board under this chapter. The following fees shall be the maximum fees established under this section:

(1) For an examination for a journeyman plumber license, \$100.

(2) For a journeyman plumber license, original and annual renewal, \$50.

(3) For a plumbing contractor license, original and annual renewal, \$150.

(4) For examination for a supervising plumber license, \$50.

(5) For a supervising plumber license, original and annual renewal, \$50.

(6) For continuing education for renewing a license, \$25. [1981 c.438 §24; 1991 c.555 §3; 1993 c.397 §3; 2005 c.758 §54]

Note: The amendments to 693.135 by section 54, chapter 758, Oregon Laws 2005, become operative July 1, 2006. See section 57, chapter 758, Oregon Laws 2005, as amended by section 57a, chapter 758, Oregon Laws 2005. The text that is operative until July 1, 2006, is set forth for the user's convenience.

693.135. The State Plumbing Board, by rule, shall establish fees to be charged by and paid to the board under this chapter. The following fees shall be the maximum fees established under this section:

(1) For an examination for a journeyman plumber's certificate of competency, \$100.

(2) For a journeyman plumber's certificate of competency, original and annual renewal, \$50.

(3) For registration to conduct a plumbing business, original and annual renewal, \$150.

(4) For examination for supervising plumber's certificate of competency, \$50.

(5) For registration as a supervising plumber, original and annual renewal, \$50.

(6) For continuing education for renewing a certificate of competency, \$25.

693.140 [Amended by 1969 c.314 §94; repealed by 1971 c.753 §74]

693.150 [Repealed by 1971 c.753 §74]

693.160 [1973 c.834 §44; repealed by 1981 c.438 §46]

693.165 Disposition of receipts. All moneys received by the Department of Consumer and Business Services or the State Plumbing Board under ORS 447.010 to 447.156, 447.992 and 455.895 (1)(a) and this chapter shall be paid into the Consumer and Business Services Fund created by ORS 705.145. Such moneys shall be used only for the administration and enforcement of ORS 447.010 to 447.156 and 447.992 and this chapter. [1981 c.438 §26; 1993 c.744 §161; 2001 c.411 §30]

RECOVERY FOR SERVICES

693.180 Denial of right to court action for unlicensed plumber or unqualified apprentice. A person who provides services connected with plumbing, as defined in ORS 447.010, may not bring or maintain an action in the courts of this state to recover for those services unless the person alleges and proves that, at the time the services were performed, the person performing the services either:

(1) Held a valid journeyman plumber license; or

(2) Was an apprentice plumber. [1981 c.438 §25; 1993 c.397 §4; 2005 c.758 §55]

Note: The amendments to 693.180 by section 55, chapter 758, Oregon Laws 2005, become operative July 1, 2006. See section 57, chapter 758, Oregon Laws 2005, as amended by section 57a, chapter 758, Oregon Laws 2005. The text that is operative until July 1, 2006, is set forth for the user's convenience.

693.180. No person who provides services connected with plumbing, as defined in ORS 447.010, may bring or maintain an action in the courts of this state to recover for such services unless the person alleges and proves that, at the time the services were performed, the person performing them either:

(1) Held a valid journeyman plumber's certificate of competency; or

(2) Met the requirements of a plumbing apprentice under ORS 660.002 to 660.210.

693.190 [1981 c.438 §27; 1991 c.734 §83; 1999 c.846 §4; repealed by 2001 c.411 §31]

693.990 [Repealed by 1981 c.438 §46]

CIVIL PENALTIES

693.992 Civil penalty for violations of chapter. The State Plumbing Board may impose a civil penalty for a violation of this chapter or rules adopted for the administration and enforcement of this chapter. The board shall impose a civil penalty authorized by this section as provided in ORS 455.895. [2001 c.411 §12]

693.994 Civil penalty for violations of ORS 447.065 or 693.111. The State Plumbing Board may impose a civil penalty on a person who violates ORS 447.065 or 693.111 or a

board rule adopted thereunder. A civil penalty may not exceed \$5,000. The imposition of civil penalties under this section is subject to ORS chapter 183. [2001 c.683 §24]

Note: 693.994 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 693 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.
