

## NOTICE OF ADOPTION OF RULE

NOTICE IS HEREBY GIVEN, pursuant to the authority vested in the Commissioner of Buildings by Section 643 of the New York City Charter (the "Charter"), and pursuant to Section 1043 of the Charter, that the Department of Buildings hereby adopts the amendment to Chapter 19 of Title 1 of the Rules of the City of New York by creating Section 19-04 regarding the Master Plumber and Master Fire Suppression Piping Contractor License Board.

This rule was first published on March 20, 2007 and a public hearing thereon was held on April 20, 2007. This rule shall take effect 30 days from the date hereof.

Dated 5 June, 2007  
New York, New York

  
Patricia J. Lancaster, F.A.I.A.  
Commissioner

*M/S*

Section 1. Chapter 19 of Title 1 of the Rules of the City of New York is amended by creating Section 19-04, to read as follows:

**§19-04 Master Plumber and Master Fire Suppression Piping Contractor License Board – Qualification Recommendations**

(a) In accordance with section 26-134 and 26-144 of the Administrative Code, the commissioner authorizes the Master Plumber and Master Fire Suppression Piping Contractor License Board (“Board”), as part of its investigation of unlicensed practitioners, to examine the qualifications of applicants for Master Plumber and Master Fire Suppression Piping Contractor Licenses.

(b) The Board may investigate the nature and quality of the supervision Master Plumber and Master Fire Suppression Piping Contractors provided to license applicants and report to the commissioner regarding whether licensees and the people they supervised were performing lawful work in accordance with Sections 26-142 and 26-146 of the Administrative Code:

(1) in the design and installation of plumbing systems in the United States, under the direct and continuing supervision of a licensed Master Plumber as defined by Section 26-141(c) of the Administrative Code; and

(2) in the design and installation of fire suppression piping systems in the United States, under the direct and continuing supervision of a licensed Master Fire Suppression Piping Contractor as defined by Section 26-141(c) of the Administrative Code.

(c) The Board is authorized to require the applicant to provide the Board with any information pertaining to the plumbing and fire suppression trades in furtherance of the Board’s investigation into improper or illegal practices.

(d) The Board is authorized to require an applicant to provide the Board with documentation in support of his or her application including, but not limited to, the following:

(1) payroll records, time cards, sign-in sheets, work orders, and assignment or route logs;

(2) notarized letters or sworn statements from supervising licensees stating the time period during which he or she supervised the applicant, the number of hours per week he or she supervised the applicant, the work the applicant performed for the licensee, and jobs where such work was performed; and

(3) such other documentation the Board deems appropriate.

(e) Based on the review of the documentation, and any testimony before the Board, the Board shall make its recommendation to the commissioner as to whether:

(1) license applicants designed and installed plumbing work under the supervision of a licensed Master Plumber or Master Fire Suppression Piping Contractor;

(2) the licensees who supervised each applicant did so in a lawful manner; and

(3) license applicants obtained sufficient experience as set forth in section 26-146 of the Administrative Code to qualify for a Master Plumber or Master Fire Suppression Piping Contractor license.

(f) Based on the documentation, and any testimony before the Board, the Board may refer improper or illegal activities to the Department's investigative units for further investigation and/or disciplinary action.

### **STATEMENT OF BASIS AND PURPOSE**

Section 26-144 authorizes the Master Plumber and Master Fire Suppression Piping Contractor License Board ("Board"), upon appointment by the Commissioner, to investigate unlicensed activities. The purpose of the rule is to allow the Commissioner to more effectively exercise his or her power under Section 26-134, to grant and deny applications for Master Plumber and Master Fire Suppression Piping Contractor licenses by enabling the Board, a body of industry professionals with specific knowledge of these trades, to assist the commissioner in his or her investigation of the qualifications of license applicants as part of the application review process, as well as further the Board's investigations of illegal practices.