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RULE PROPOSALS

**LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY BOARD OF EXAMINERS OF MASTER PLUMBERS**

41 N.J.R. 94(a)

Proposed Amendment: *N.J.A.C. 13:32-1.4*

[Click here to view Interested Persons Statement](#)

Scope of Practice

Authorized By: New Jersey Board of Examiners of Master Plumbers, Lawrence DeMarzo, Director of Constituent Services, Division of Consumer Affairs.

Authority: *N.J.S.A. 45:14C-7*.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2009-14.

Submit written comments by March 6, 2009 to:
Barbara Cook, Executive Director
New Jersey Board of Examiners of Master Plumbers
Post Office Box 45008
124 Halsey Street
Newark, New Jersey 07101

The agency proposal follows:

Summary

N.J.S.A. 56:8-136 et seq., the Contractors' Registration Act (the Act), requires that home improvement contractors register with the Division of Consumer Affairs (the Division). *N.J.S.A. 56:8-140* exempts any person regulated by the State as a master plumber, amongst others, from the requirements of the Act, as long as the master plumber is acting within the scope of practice of the plumbing profession. *N.J.A.C. 13:32-1.4* sets forth the scope of practice of a licensed master plumber. This rule does not specifically allow licensed master plumbers to perform construction work that is necessary for the completion of plumbing work, such as performing tiling work when a licensed master plumber

contracts to remodel a bathroom. In order to clarify that a licensed master plumber need not obtain home improvement contractor registration to perform construction work necessary for the completion of plumbing work, the Board proposes to amend *N.J.A.C. 13:32-1.4*.

The Board has determined that the comment period for this proposal will be 60 days; therefore, pursuant to *N.J.A.C. 1:30-3.3(a)5*, this proposal is exempted from the rulemaking calendar requirement.

Social Impact

The proposed amendment will benefit licensed master plumbers by clarifying that they may perform construction work that is necessary to complete plumbing work without registering as a home improvement contractor with the Division.

Economic Impact

The proposed amendment will have a beneficial economic impact on licensed master plumbers in that they will be permitted to perform construction work necessary to complete plumbing work without incurring the expense of registering as a home improvement contractor.

Federal Standards Statement

A Federal standards analysis is not required because there are no Federal laws or standards applicable to the proposed amendment.

Jobs Impact

The Board believes that the proposed amendment will not increase or decrease the number of jobs in New Jersey.

Agriculture Industry Impact

The Board does not believe that the proposed amendment will have any impact on the agriculture industry of this State.

Regulatory Flexibility Statement

A regulatory flexibility analysis is not required as the proposed amendment does not impose any reporting, recordkeeping or other compliance requirements on small businesses, as defined in the Regulatory Flexibility Act, *N.J.S.A. 52:14B-16* et seq.

[page=95] Smart Growth Impact

The Board does not anticipate that the proposed amendment will have any impact on the achievement of smart growth and implementation of the State Development and Redevelopment Plan, otherwise known as the State Plan.

Housing Affordability Impact

The proposed amendment will have an insignificant impact on affordable housing in New Jersey and there is an extreme unlikelihood that the regulation would evoke a change in the average costs associated with housing because the proposed amendment concerns the scope of practice for licensed master plumbers.

Smart Growth Development Impact

The proposed amendment will have an insignificant impact on smart growth and there is an extreme unlikelihood that the regulation would evoke a change in housing production in Planning Areas 1 or 2 or within designated centers under the State Development and Redevelopment Plan in New Jersey because the proposed amendment concerns the scope of practice for licensed master plumbers.

Full text of the proposal follows (addition indicated in boldface **thus**):

13:32-1.4 Scope of practice

(a)-(h) (No change.)

(i) A licensed master plumber may perform construction work that is necessary for the completion of plumbing work a licensed master plumber has contracted to perform.