

Massachusetts Board of State Examiners of Plumbers and Gas Fitters

Frequency asked Questions for New Regulations

On January 27, 2017, new regulation changes went into effect. These changes were made throughout three different chapters of the Board's regulations. The purpose of these frequently asked questions is to assist licensees and the public in understanding these changes. This is an advisory only, readers should refer to the actual regulations themselves as any unintended conflict between this FAQ and the regulations must be resolved in favor of the regulations.

GENERAL QUESTIONS

1. What exactly has changed in the regulations?

A: In compliance with the Governor's Executive Order 562, the Board reviewed its regulations to simplify them and, where appropriate, to repeal unnecessary or outdated requirements. The following is a brief summary of the changes:

248 CMR 3.00 – GENERAL PROVISIONS GOVERNING THE CONDUCT OF PLUMBING AND GAS FITTING WORK PERFORMED IN THE COMMONWEALTH

- 1) Removed the requirement that plumbing and gas fitting products accepted for installation in Massachusetts must be renewed every three years;
- 2) Clarified that the Board may eliminate the need for a product to need acceptance without the need of a future regulation change; and
- 3) Creates a process to allow local inspectors to permit plumbing and gas fitting work to proceed once a permit application has been approved but before the inspector is able to issue a formal permit.

248 CMR 10.00 – UNIFORM STATE PLUMBING CODE

- 1) A basic principle requiring two washing machine connections in a two family home has been amended to only require one connection so long as it is in a common area accessible to all units;
- 2) Definitions of dedicated systems and plumbing were reformatted to make clear certain types of installations are not considered plumbing (these changes were not substantive in nature). The definition of plumbing, in particular has been amended to have clear exemptions applying to some, but not all, piping located outside of buildings;
- 3) Several pages of outdated private standards were removed, thus ending a common area which confused the public and the industry;
- 4) Code provisions governing floor drains have been reworked to reflect Board policies as well as to provide cost friendly alternatives which still meet the need

for the protection of environments where there is a danger of the spillage of oil or gasoline;

- 5) The use of unisex bathrooms have been expanded as well as a new allowance to alternatively label such bathrooms “gender neutral”;
- 6) Showers will no longer be required in offices and health care buildings (other than hospitals);
- 7) Specific rules for dormitory laundries have been created;
- 8) The installation of a type of drinking fountain without drains has become permissible in certain installations; and
- 9) Fitness centers have been added to the “pool” category in the plumbing code to resolve longstanding ambiguities.

248 CMR 11.00 – EDUCATION AND EXPERIENCE STANDARDS AND REQUIREMENTS FOR LICENSURE

- 1) Apprentices licensed prior to September 1, 2008 will now have until 2020 to upgrade their license under the old 300 hour criteria (with an additional year for those with hardships).
- 2) Vocational High school Students working on co-op will be allowed to earn additional experience hours on nights, weekends, and other times when school is not in session.
- 3) Students enrolled in Tier 1 of the education requirements will no longer need to be licensed.
- 4) Tier 1 and Tier 2 of the education may now be completed in one calendar year instead of two.
- 5) New provisions have been added to give education and work credit to gas-fitters who wish to become plumbers and vice-versa instead of making them start as a first year apprentice.
- 6) Rules have been clarified giving candidates more time to pass the licensing examination.
- 7) Licensed members of the military leaving active service are now exempt from back continuing education.
- 8) Individuals whose licenses have lapsed for six years or more will now need to take the licensing examination (this rule formerly required it after four years with some exceptions).

2. I didn't realize the regulations were changing, how did this happen?

A: While the Board and its staff have been working on regulation changes for several years, the current changes were precipitated by Executive Order 562, which was issued by Governor Baker on March 31, 2015. This Executive Order mandated a review of every regulation in Massachusetts to ensure they are “either mandated by law or essential to the health, safety, environment or welfare of the Commonwealth’s residents.” The Board commenced this review with a special meeting to obtain public input on August 5, 2015. The Board took the results of that meeting, along with its prior work, to craft the current regulation changes. The public was then invited to provide testimony about these changes at a public hearing held on October 5, 2016. The Board then finalized the changes at its next meeting.

3. Has the gas code changed?

A: No, the gas code (248 CMR 4.00, 5.00, 7.00, and 8.00) was last amended in December of 2014. While the Board will consider changes in the future, for purposes of Executive Order 562, no changes were deemed necessary at this time.

QUESTIONS REGARDING 248 CMR 3.00

4. Do plumbing and gas products still need to be approved in Massachusetts?

A: The Board’s product “acceptance” program remains in effect to ensure products are safe and code compliant. The Board has the power to waive “acceptance” if it deems such a waiver appropriate. At this time, no such waivers exist, however, any future waivers would need to be authorized by the Board, such waivers would then be listed on the Board’s website.

5. Since there are no more renewals, are plumbing and gas fitting products now accepted forever?

A: Not necessarily. If a product is accepted, is not altered by the manufacturer, and continues to meet the plumbing and gas fitting code, it generally will remain accepted indefinitely. However, changes to the product or to Massachusetts requirements may impact that acceptance. The Board will continue to monitor accepted products to ensure they meet all regulatory requirements.

6. Do inspectors need to issue written permits to perform plumbing/gas work or may they just tell licensees orally they can proceed?

A: Permits must be issued in writing. The regulations now allow inspectors, via an email or other such reproducible medium, to notify licensees that a permit is granted. This is a reflection that in some cities, there can be delays in issuing formal permits. Since a permit is needed before work starts (unless there is an emergency), this allowance will help the public and licensees be able to start their work faster. However, oral permission is never permitted for purposes of permitting.

QUESTIONS REGARDING 248 CMR 10.00

7. I am installing a laundry connection for a two family dwelling, however, there is no common area. May I install just one within one of the units if there is a written agreement allowing the other unit access to that connection?

A: No, if there is not a laundry connection in a common area accessible to all units, each unit must be provided with a laundry connection.

8. I thought that all “yard piping” that is more than 10 feet outside of a building was exempt from the plumbing code, is this a change?

A: Neither the plumbing statute nor the plumbing code have ever universally exempted “yard piping.” Many pipes outside of a building which carry potable water in from outside a property, or pipes carrying drainage out of a property are not plumbing, however, since plumbing fixtures and dedicated systems are not always within buildings (such as greywater/recycling systems, grease interceptors, etc.), plumbing can and does exist outside of buildings.

9. I have a commercial space with overhead doors to the outside, this space is for storage and not a garage, does the code require that I still install floor drains?

A: So long as the overhead doors would allow a motor vehicle to enter, an interceptor, separator, or holding tank would be required unless one of the alternatives in 248 CMR 10.09 is utilized.

10. I don’t want to install floor drains, it would be a hardship, may I ask the Board to waive me having to do anything?

A: Per 248 CMR 3.04(2), the Board has the authority to waive code requirements pursuant to its variance process. If the steps outlined in that regulation have been adhered to, the Board would consider your request. Historically, the Board has not fully waived the requirements of 248 CMR 10.09, but has instead allowed the use of certain alternative installations, such as the installation of bollards. These alternatives are now included in 248 CMR 10.09 and can, for the first time, be utilized without a variance, thus you are strongly encouraged to consider these alternatives prior to seeking a variance.

11. Has the Board changed the prerequisites for utilizing single user bathrooms?

A. Yes, the Board has increased the allowance for single user bathrooms (now referred to as unisex or gender neutral). For the smallest installations, the allowances have changed as follows:

Type of Installation	Old prerequisite to utilize a single user bathroom	New prerequisite
Restaurants, pubs, and nightclubs	The total combined number of employees and patrons that can be accommodated at any one time is less than 20 individuals and the total gross space is less than 1,200 square feet.	The total number of employees and patrons that can be accommodated at any one time is 20 individuals and the total gross space is less than 2,000 square feet.
Business or commercial establishments (except industrial)	Establishment must utilize less than 1,200 gross square feet of floor area.	The total number of employees that can be accommodated at any one time is 20 individuals and the total gross space is less than 2,000 square feet.

12. Is there a difference between a unisex bathroom and a gender neutral bathroom?
- A: No, both are single user bathrooms, either label may be utilized to describe them.
13. My facility is required by the code to have a number of toilet fixtures for each gender, may I utilize gender neutral bathrooms instead?
- A: Yes, however, two rules must be adhered to:
- i. The gender neutral bathrooms must be single user; and
 - ii. Either all required toilet fixtures are placed in single user gender neutral bathrooms OR an equal number of fixtures from each gender are placed in single user gender neutral bathrooms (i.e. for each female toilet converted into a single user bathroom, a male toilet must also be converted).
14. How many laundry connections are needed for dormitories?
- A: The Code has now been clarified to require one washing machine connection for every 10 dwelling units or fraction thereof. As the Board recognizes that post-secondary school residential dormitories may contain a large number of occupants per dwelling unit, it interprets a dwelling unit in those locations to be equivalent to four students.
15. Do dentist offices still need showers?
- A: No, this antiquated provision has now been removed from the code, though it should be noted that the code won't prohibit their optional installation if a dentist desires them.
16. May office buildings replace their drinking fountains with bottled water?
- A: Not without a variance, however, such locations may now utilize Drinking Water Stations, Without Drain (see code for definition)

QUESTIONS REGARDING 248 CMR 11.00

17. I received my plumbing apprentice license in 2007 and only need 300 hours of education, may I still take the examination with this education?
- A: Yes, until May 1, 2020 (or May 1, 2021 with a documented hardship). Note that the Board no longer approves 300 hour courses, all courses must be in a tier format. In practice, this means an apprentice may need to sign up for three tiers with a provider, which would provide 330 hours of education. That being said, apprentices are reminded that if they take the complete 110 hours of tier 5, they will not need to take additional education to upgrade a journeyman license to obtain a master license. Under the code changes, if you don't finish your education by the 2020 (or 2021) deadline, you won't lose your time, but you will then need 550 hours of education before you can test.
18. I am in apprentice and lost my job, must I drop out of school?

A: No, the regulations now allow you to finish the Tier you are enrolled in, though you will need to be employed again as an apprentice before starting the next tier in order to continue on your path to licensure.

19. I am a vocational technical secondary school (high school) student. I don't have an apprentice license but am on a plumbing co-op. May I be credited more than 1,700 hours when I graduate?

A: By taking part in a Cooperative Education Program, or "co-op", you are acting as an employee of a plumber, therefore, you are required by law to obtain an apprentice license ASAP. In general, when you graduate, the maximum number of work hours you can obtain from a school program, including co-op, is 1,700 hours, there is no "double dipping." That being said, if your employer documents hours outside of your formal co-op, such as nights, weekends, and summers, those hours would not be included in the 1,700 hours allotted to the school and under the new regulation changes, you can obtain credit for them. Note that you still cannot accrue more than 1,700 hours in a calendar year.

20. Did the Board change the licensing requirements to go from one type of Board license to another (such as a plumber getting a gas fitting license)?

A: No, however the Board has now formally promulgated what was previously an unofficial policy for handling such changes:

GAS FITTING LICENSES

License I have	License I want	What I must do
Master or Journeyman Plumber	Journeyman Gas Fitter	Apply, pay fee, and pass examination
Master Plumber	Master Gas Fitter	Apply, pay fee, and pass examination
Journeyman Plumber, Apprentice Plumber, Undiluted liquefied petroleum gas installer, or an unlicensed undiluted liquefied petroleum gas installer in training	Master Gas Fitter	No direct path, must obtain journeyman gas fitter license first.
Apprentice Plumber	Journeyman Gas Fitter	Meet regular requirements for a Journeyman Gas Fitter, however, up to 110 hours of education and 1,700 of gas experience can be granted by the Board.
Undiluted liquefied petroleum gas installer or an unlicensed undiluted liquefied petroleum gas installer in training	Journeyman Gas Fitter	Meet regular requirements for a Journeyman Gas Fitter, however, up to 220 hours of education and 3,400 of experience can be granted by the Board.
Limited undiluted liquefied petroleum gas installer	Any Gas Fitting License	No credit, must meet regular requirements

PLUMBING LICENSES

License I have	License I want	What I must do
Master or Journeyman Gas Fitter	Journeyman Plumber	Meet regular requirements for a Journeyman Plumber, however, up to 220 hours of education and 3,400 of experience can be granted by the Board.
Master Gas Fitter, Journeyman Gas Fitter, Apprentice Gas Fitter, Undiluted liquefied petroleum gas installer, or an unlicensed undiluted liquefied petroleum gas installer in training	Master Plumber	No direct path, must obtain journeyman plumber license first.
Apprentice Gas Fitter, Undiluted liquefied petroleum gas installer or an unlicensed undiluted liquefied petroleum gas installer in training	Journeyman Plumber	Meet regular requirements for a Journeyman Plumber, however, up to 110 hours of education and 1,700 of gas experience can be granted by the Board.
Limited undiluted liquefied petroleum gas installer	Any Plumbing License	No credit, must meet regular requirements

21. I qualify for taking the examination, are there any time limits I should be worried about?
- A: Other than the changes for pre-2008 apprentices (see question 17, above), once you apply for the examination, you generally have a year to pass it. However, a change has been added giving candidates who failed a portion of the examination additional time to pass. Specifically, if a person passes one portion of the examination but fails the other part, that original passage remains valid so long as the applicant continues to attempt to pass the examination within one year of the most recent failure (up to a maximum of six times).
22. I am sick and can't take my continuing education, have the rules changed?
- A: The regulations have been slightly amended to reflect a longstanding Board policy. Specifically, to get relief from the continuing education requirement, you must submit documentation showing not just that you cannot take a class, but also that you cannot work. The change made to the regulations now specifies that, unless you are permanently disabled, the only waiver you can obtain is the deadline to take the continuing education, you will still ultimately need to take the required classes.
23. I was a master plumber who kept renewing both that license and my journeyman license up until six years ago. How can I reinstate both?
- A: You must take and pass the master license examination, you don't need to take the journeyman exam.

24. I don't like the school I am enrolled in, may I drop out and finish my education with a different school?

A: Yes, this change is now permitted. However, be mindful that you must finish the Tier you are in or must retake it in whole with the new provider. For example:

Acceptable – 3 Tiers with one provider, 2 Tiers with another

Unacceptable – 2 and a half tiers with one provider, 2 and a half tiers with another.