

1 **PART I.**

2 **GENERAL.**

3
4 **18 VAC 50-30-10. Definitions.**

5 The following words and terms when used in this chapter shall have the following meanings

6 unless the context clearly indicates otherwise:

7
8 **"Affidavit"** means a written statement of facts, made voluntarily, and confirmed by the oath or
9 affirmation of the party making it, taken before a notary or other person having the authority to
10 administer such oath or affirmation.

11
12 **"Apprentice"** means a person who assists tradesmen while gaining knowledge of the trade through
13 on-the-job training and related instruction in accordance with the Virginia Voluntary Apprenticeship Act
14 (§ 40.1-117 et seq. of the **Code of Virginia**).

15
16 **"Approved"** means approved by the Department of Professional and Occupational Regulation.

17
18 **"Backflow prevention device testing"** means performing functional procedures to ascertain that the
19 device is still providing the necessary backflow protection in accordance with the Virginia Uniform
20 Statewide Building Code.

21

1 **“Backflow prevention device work”** consists of and is limited to the following: (i) maintenance; (ii)
2 repair; (iii) testing; or (iv) periodic inspection of cross connection control
3 devices, including but not limited to reduced pressure principle backflow preventors, double check-
4 valve assemblies, double-detector check-valve assemblies, pressure type vacuum breaker assemblies,
5 and other such devices designed, installed, and maintained in such a manner so as to prevent the
6 contamination of the potable water supply by the introduction of nonpotable liquids, solids, or gases,
7 thus ensuring that the potable water supply remains unaltered and free from impurities, odor,
8 discoloration, bacteria, and other contaminants which would make the potable water supply unfit or
9 unsafe for consumption and use.

10

11 **“Backflow prevention device worker”** means any individual who engages in, or offers to engage in,
12 the maintenance, repair, testing or periodic inspection of cross connection control devices.

13

14 **"Board"** means the Board for Contractors.

15

16 **"Building official/inspector"** is an employee of the state, a local building department or other political
17 subdivision who enforces the Virginia Uniform Statewide Building Code.

18

19 **"Department"** means the Department of Professional and Occupational Regulation.

20

21 **"Division"** means a limited subcategory within any of the trades, as approved by the department.

1 **"Electrical work"** consists of, but is not limited to the following: (i) planning and layout of details for
2 installation or modifications of electrical apparatus and controls including preparation of sketches
3 showing location of wiring and equipment; (ii) measuring, cutting, bending, threading, assembling and
4 installing electrical conduits; (iii) performing maintenance on electrical systems and apparatus; (iv)
5 observation of installed systems or apparatus to detect hazards and need for adjustments, relocation or
6 replacement; and (v) repairing faulty systems or apparatus.

7
8 **"Electrician"** means a tradesman who does electrical work including the construction, repair,
9 maintenance, alteration or removal of electrical systems in accordance with the National Electrical Code
10 and the Virginia Uniform Statewide Building Code.

11
12 **"Formal vocational training"** means courses in the trade administered at an accredited educa-tional
13 facility; or formal training, approved by the department, conducted by trade associations, businesses,
14 the military, correspondence schools or other similar training organizations.

15
16 **"Gas_fitter"** means a tradesman who does gas fitting related work usually as a division within
17 the HVAC or plumbing trades in accordance with the Virginia Uniform Statewide Building
18 Code. This work includes the installation, repair, improvement or removal of liquefied petroleum or
19 natural gas piping, ~~propane~~ tanks, and appliances annexed to real property.

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21 **"Helper"** or **"laborer"** means a person who assists a licensed tradesman.

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"HVAC tradesman" means an individual whose work includes the installation, alteration, repair or maintenance of heating systems, ventilating systems, cooling systems, steam and hot water heating systems, boilers, process piping, backflow prevention devices, and mechanical refrigeration systems, including tanks incidental to the system.

"Incidental" means work that is necessary for that particular repair or installation.

"Journeyman" means a person who possesses the necessary ability, proficiency and qualifications to install, repair and maintain specific types of materials and equipment, utilizing a working knowledge sufficient to comply with the pertinent provisions of the Virginia Uniform Statewide Building Code and according to plans and specifications.

"Licensed tradesman" means an individual who meets the requirements for licensure that relate to the trade which he practices

"Liquefied petroleum gas fitter" means any individual who engages in, or offers to engage in, work for the general public for compensation in work that includes the installation, repair, improvement, alterations or removal of piping, liquefied petroleum gas tanks and appliances (excluding hot water heaters, boilers and central heating systems that require a heating, ventilation and air conditioning or plumbing certification) annexed to real property.

1
2 **“Maintenance”** means the reconstruction or renewal of any part of a backflow device for the
3 purpose of maintaining its proper operation. This does not include the actions of removing, replacing or
4 installing, except for winterization.

5
6 **“Master”** means a person who possesses the necessary ability, proficiency and qualifications
7 to plan and lay out the details for installation and supervise the work of installing, repairing and
8 maintaining specific types of materials and equipment utilizing a working knowledge sufficient to comply
9 with the pertinent provisions of the Virginia Uniform Statewide Building Code.

10
11 **“Natural gas fitter provider”** means any individual who engages in, or offers to engage in,
12 work for the general public for compensation in the incidental repair, testing, or removal of
13 natural gas piping or fitting annexed to real property, excluding new installation of gas piping
14 for hot water heaters, boilers, central heating systems, or other natural gas equipment that
15 requires heating, ventilation and air conditioning or plumbing certification.

16
17 **“Periodic Inspection”** means to examine a cross connection control device in accordance
18 with the requirements of the locality to be sure that the device is in place and functioning in accordance
19 with the standards of the Virginia Uniform Statewide Building Code.

20
21 **“Plumber”** means a tradesman who does plumbing work in accordance with the Virginia Uniform

1 Statewide Building Code.

2

3 **"Plumbing work"** means work that includes the installation, maintenance, extension, or alteration or
4 removal of piping, fixtures, appliances, and appurtenances in connection with
5 any of the following:

6

7 1. Backflow prevention devices;

8 2. Boilers;

9 3. Domestic sprinklers;

10 4. Hot water baseboard heating systems;

11 5. Hydronic heating systems;

12 6. Process piping;

13 7. Public/private water supply systems within or adjacent to any building, structure, or
14 conveyance;

15 8. Sanitary or storm drainage facilities;

16 9. Steam heating systems;

17 10. Storage tanks incidental to the installation of related systems;

18 11. Venting systems; or

19 12. Water heaters.

20 These plumbing tradesmen may also install, maintain, extend or alter the following:

21 waste systems;

1. Liquid

- 1 2. Sewerage systems;
- 2 3. Storm water systems;
- 3 4. Water supply systems.

4

5 **"Regulant"** means a tradesman license or backflow prevention device certification card holder.

6

7 **"Reinstatement"** means having a tradesman license or backflow prevention device worker
8 certification card restored to effectiveness after the expiration date has passed.

9

10 **"Renewal"** means continuing the effectiveness of a tradesman license or a backflow prevention device
11 worker certification card for another period of time.

12

13 **"Repair"** means the reconstruction or renewal of any part of a backflow prevention device for the
14 purpose of returning to service a currently installed device. This does not include the removal or
15 replacement of a defective device by the installation of a rebuilt or new device.

16

17 **"Supervisor"** means the licensed master or journeyman tradesman who has the responsibility
18 to ensure that the installation is in accordance with the applicable provisions of the Virginia Uniform
19 Statewide Building Code, one of whom must be on the job site at all times during installation.

20

21 **"Testing organization"** means an independent testing organization whose main function is to develop

1 and administer examinations.

2 **"Trade"** means any of the following: ~~plumbing, heating, ventilation and air conditioning (HVAC); or~~
3 ~~electrical work,~~ electrical, gas fitting, HVAC (heating, ventilation and air conditioning), liquefied
4 petroleum gas fitting, natural gas fitting, plumbing, and divisions
5 within them.

6
7 **"Tradesman"** means a person who engages in or offers to engage in, for the general public for
8 compensation, any of the trades covered by this chapter.

9
10 **"Water Distribution Systems"** include fire sprinkler systems, highway/heavy, HVAC,
11 lawn irrigation systems, plumbing, and/or water purveyor work.

12
13 **PART II**
14 **ENTRY.**

15
16 **18 VAC 50-30-20. Requirements for licensure as a journeyman or master tradesman**
17 **engaging in the trades of electrical, gas fitting, HVAC (heating, ventilation and air**
18 **conditioning), liquefied petroleum gas fitting, natural gas fitting, and plumbing or certification**
19 **as a backflow prevention device worker.**

20
21 Each individual who engages in, or offers to engage in, electrical, ~~plumbing,~~ gas fitting,

1 HVAC, liquefied petroleum gas fitting, natural gas fitting, plumbing or backflow prevention device work
2 for the general public for compensation shall meet or exceed the requirements set forth below prior to
3 issuance of the license or certification card.

4
5 The applicant shall be required to take an oral or written examination to determine his general
6 knowledge of the trade in which he desires licensure or certification. If the applicant successfully
7 completes the examination, an application furnished by the department shall be completed. The
8 application shall contain the applicant's name, home address, place of employment, and business
9 address; information on the knowledge, skills, abilities and education or training of the applicant; and an
10 affidavit stating that the information on the application is correct. If the application is satisfactory to the
11 board, a license or certification card shall be issued.

12
13 **18 VAC 50-30-30.** General qualifications for licensure or certification.

14
15 Every applicant to the Board for Contractors for licensure as a tradesman or certification as a backflow
16 prevention device worker shall meet the requirements and have the qualifications provided in this
17 section.

18
19

1. The applicant shall be at least 18 years old.

20
21

2. Unless otherwise exempted, the applicant shall meet the current educational require-

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1 ments by passing all required courses prior to the time the applicant sits for the
2 examination and applies for licensure or certification.

3
4 **3.** Unless exempted, the applicant shall have passed the applicable written examination provided
5 by the board or by a testing service acting on behalf of the board.

6
7 **4.** The applicant shall meet the experience requirements as set forth in sections 18 VAC
8 50-30-40 or 18 VAC 50-30-50.

9
10 **5.** In those instances where the applicant is required to take the license or certification
11 examination, the applicant shall follow all rules established by the board with regard to conduct
12 at the examination. Such rules shall include any written instructions commu-
13 nicated prior to the examination date and any instructions communicated at the site,
14 either written or oral, on the date of the examination. Failure to comply with all rules
15 established by the board and the testing service with regard to conduct at the examination
16 shall be grounds for denial of application.

17
18 **6.** The applicant shall disclose his physical home address; a post office box alone is not
19 acceptable.

20
21 **7.** Each non-resident applicant for a tradesman license or certification card shall file and

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1 maintain with the department an irrevocable consent for the department to serve as ser- vice
2 agent for all actions filed in any court in this Commonwealth. In those instances where service is
3 required, the director of the department will mail the court documents to the individual at the
4 address of record.

5
6 **8.** The applicant shall sign, as part of the application, an affidavit certifying that the applicant
7 has read and understands the Virginia Tradesman law, Article 3 (§ 54.1-1128
8 et seq.) of Chapter 11 of Title 54 of the **Code of Virginia**) and this chapter.

9
10 **9.** The board may make further inquiries and investigations with respect to the qualifi-
11 cations of the applicant or require a personal interview with the applicant. Failure of an
12 applicant to comply with a written request from the board for additional evidence or information
13 within 60 days of receiving such notice, except in such instances where the
14 board has determined ineligibility for a clearly specified period of time, may be
15 sufficient and just cause for disapproving the application.

16
17 **10.** In accordance with § 54.1-204 of the **Code of Virginia**, each applicant shall disclose a
18 conviction, in any jurisdiction, of any misdemeanor or felony. Any plea of nolo contendere shall be
19 considered a conviction for this purpose of this subdivision. The record of conviction received
20 from a court shall be accepted as prima facie evidence
21 of a conviction or finding of guilt. The board, at its discretion, may deny licensure or certification

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1 to any applicant in accordance with 54.1-204 of the **Code of Virginia**.

2

3 **11.** The applicant shall report any suspensions, revocations, or surrendering of a
4 certificate/license in connection with a disciplinary action or which has been the subject of
5 discipline in any jurisdiction prior to applying for licensure or certification in Virginia. The board,
6 at its discretion, may deny licensure or certification to any applicant based on prior suspensions,
7 revocations, or surrender of certifications/licenses based on disciplinary action by any jurisdiction.

8

9 **18 VAC 50-30-40. Evidence of ability and proficiency.**

10

11 **A.** Applicants for examination to be licensed as a journeyman shall furnish evidence that one of
12 the following experience and education standards has been attained:

13

14 1. Four years of practical experience in the trade, and 240 hours of formal vocational training in
15 the trade. Experience in excess of four years may be substituted for formal vocational training at
16 a ratio of one year of experience for 80 hours of formal training, but not to exceed 200 hours;

17

18 2. Four years of practical experience and 80 hours of vocational training for liquefied petroleum
19 gas fitters and natural gas fitter providers except that no substitute experience will be allowed for
20 liquefied petroleum gas and natural gas workers;

21

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1 23. An associate degree or a certificate of completion from at least a two-year program
2 in a tradesman related field from an accredited community college or technical school
3 as evidenced by a transcript from the educational institution and two years of practical
4 experience in the trade for which licensure is desired;

5
6 34. A bachelor's degree received from an accredited college or university in an engineer-
7 ing curriculum related to the trade and one year of practical experience in the trade for which
8 licensure is desired; or

9
10 45. On or after July 1, 1995, an applicant with 10 years of practical experience in the
11 trade as verified by reference letters of experience from any of the following: building
12 officials, building inspectors, current or former employers, contractors, engineers, archi-
13 tects or current or past clients attesting to the applicant's work in the trade, may be
14 granted permission to sit for the journeyman's level examination without having to meet the
15 educational requirements.

16
17 B. Applicants for examination to be licensed as a master shall furnish evidence that one of the
18 following experience standards has been attained:

19
20 1. Evidence that they have one year of experience as a licensed journeyman; or

21

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1 2. On or after July 1, 1995, an applicant with 10 years of practical experience in the trade, as
2 verified by reference letters of experience from any of the following: building officials, building
3 inspectors, current or former employers, contractors, engineers, architects or current or past
4 clients attesting to the applicant's work in the trade, may
5 be granted permission to sit for the master's level examination without having to meet the
6 educational requirements.

7
8 C. Individuals who have successfully passed the Class A contractors trade examination prior to
9 January 1, 1991, administered by the Virginia Board for Contractors in a certified trade shall be
10 deemed qualified as a master in that trade in accordance with this chapter.

11
12 D. Applicants for examination to be certified as a backflow prevention device worker shall furnish
13 evidence that one of the following experience and education standards have been attained:

14
15 1. Four years of practical experience in water distribution systems, and 40 hours of formal
16 vocational training in a school approved by the board; or

17
18 2. Applicants with seven or more years of experience may qualify with 16 hours of
19 formal vocational training in an approved school.

20
21 The board accepts the American Society of Sanitary Engineers (ASSE) standards for testing

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1 procedures. Other programs could be approved after board review. The board requires all backflow
2 training to include instruction in a wet lab.

3

4

5 **18 VAC 50-30-50. Exemptions from examination; exemptions from licensure.**

6

7 **A.** An individual certified or licensed by any one of the following agencies shall not be required to
8 fulfill the examination requirement:

9

10 1. The Department of Housing and Community Development prior to July 1, 1995;

11

12 2. Any local governing body prior to July 1, 1978; or

13

14 3. Any Virginia locality backflow prevention device worker certification issued
15 prior to July 1, 1998.

16

17 **B.** Other methods of exemption from examination are as follows:

18

19 1. Successful completion of an apprenticeship program which is approved by the Virginia
20 Apprenticeship Council as evidenced by providing a certificate of completion

21

or other official document.

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1

2 2. Any tradesman who had a Class B Registration in the trade prior to January 1, 1991.

3 and has been continuously licensed as a Class B Contractor. Candidates for this exemption
4 must submit documentation from the Board for Contractors.

5

6 3. Individuals applying for certification as backflow prevention device workers between

7 July 1, 1998, and July 1, 1999, shall be deemed to have fulfilled the examination

8 requirements if they are able to demonstrate the required years of discipline-free

9 experience and education or training set forth in 18 VAC 50-30-40 D 2. These

10 individuals shall provide the following with their application:

11

12 a. an affidavit from a building official, building inspector or Virginia water

13 purveyor attesting to at least seven years of experience and competency in the field

14 on a form provided by the department; and

15 b. a certificate or other documentation that an appropriate course of instruction of at

16 least 16 hours at an approved school has been successfully completed prior to July 7,

17 1999.

18

19 4. a. Individuals applying for licensure as a liquefied petroleum gas fitter within one year of the

20 effective date of the board's final regulations, who are able to demonstrate that they have at least

21 five years' experience as a liquefied petroleum gas fitter are exempted from the examination

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1 requirements. This item refers to master tradesmen.

2

3 b. Individuals applying for licensure as a liquefied petroleum gas fitter between July 1, 2000,
4 and July 1, 2005, shall be deemed to have fulfilled the examination require-ments if they are able
5 to demonstrate that they have at least five years' experience in an apprenticeship capacity under
6 the direct supervision of a gas fitter. This item refers to journeymen tradesmen.

7

8 5. a. Individuals applying for a natural gas fitter provider license within one year of
9 the effective date of the board's final regulations, shall be deemed to have fulfilled the examination
10 requirement if they are able to demonstrate that they have five years' prior experience as a natural
11 gas fitter provider. This item refers to master tradesmen.

12

13 b. Individuals applying for a natural gas fitter provider license between July 1, 1999 and July
14 1, 2004, shall be deemed to have fulfilled the examination requirement if they
15 are able to demonstrate that they have at least five years' experience in an apprenticeship
16 capacity under the direct supervision of a gas fitter. This item refers to journeymen tradesmen.

17

18 **C. Exemptions from licensure are as follows:**

19

20 1. Helpers or laborers who assist licensed tradesmen;

21

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1 2. Any person who performs ~~plumbing, plumbing gas fitting, HVAC, HVAC gas fitting or~~
2 electrical, gas fitting, HVAC, liquefied petroleum gas fitting, natural gas fitting, or plumbing work
3 not for the general public for compensation;

4
5 3. Any person who installs television or telephone cables, lightning arrestor systems, or wiring or
6 equipment operating at less than 50 volts;

7
8 4. Installers of wood stove equipment, masonry chimneys or prefabricated fireplaces
9 shall be exempt from certification as a HVAC tradesman; and

10
11 5. Any person who is performing work on any ship, boat, barge or other floating vessel.

12
13 **18 VAC 50-30-60.** Application and issuance of tradesman licenses or backflow prevention device
14 worker certifications.

15
16 **A.** All applicants for licensure as a tradesman or certification as a backflow prevention
17 device worker must make application with the department to obtain the required tradesman
18 license or backflow prevention device worker certification.

19
20 **B.** Unless otherwise exempted, an applicant must successfully complete an examination to be
21 issued a tradesman license or backflow prevention device worker certification and

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1 deemed qualified.

2

3 C. The board shall receive and review applications and forward approved applications to the
4 national testing organizations designated by the board. At its discretion, the board may delegate the
5 application receipt and review process to the testing organization.

6 D. The applicant shall present to the board evidence of successful completion of a board
7 approved examination.

8

9 **18 VAC 50-30-70.** Other recognized programs.

10

11 Individuals certified or licensed as journeymen or masters by governing bodies located
12 outside the Commonwealth of Virginia shall be considered to be in compliance with these standards, if
13 the board or its designee has determined the certifying system to be substantially equivalent to the
14 Virginia system. These individuals must meet the following requirements:

15

16 1. The applicant shall be at least 18 years of age.

17

18 2. The applicant shall have received the tradesman certification or license by virtue of having
19 passed in the jurisdiction of original certification or licensing a written or oral examination deemed
20 to be substantially equivalent to the Virginia examination.

21

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1 3. The applicant shall sign, as part of the application, an affidavit certifying that the applicant has
2 read and understands the Virginia Tradesman law, Article 3 (§ 54.1-1128 et seq.) of Chapter 11
3 of Title 54.1 of the **Code of Virginia** and this chapter.

4
5 4. The applicant shall be in good standing as a certified or licensed tradesman in every
6 jurisdiction where certified or licensed and the applicant shall not have had a certificate or a
7 license as a tradesman which was suspended, revoked, or surrendered in connection with a
8 disciplinary action or which has been the subject of discipline in any jurisdiction prior to applying for
9 licensure in Virginia.

10
11 5. The applicant shall not have been convicted in any jurisdiction of a misdemeanor involving
12 lying, cheating, stealing, sexual offense, drug distribution or physical injury, or any felony. Any plea of
13 nolo contendere shall be considered a conviction for the purposes of this subdivision. The record of a
14 conviction authenticated in such form as

15 to be admissible in evidence under the laws of the jurisdiction where convicted shall
16 be admissible as prima facie evidence of such conviction.

17
18 6. Applicants for licensure who do not meet the requirements set forth in sub-divisions 4 and 5
19 of this section may be approved for licensure following consideration by the board.

20
21 7. Individuals certified or licensed by governing bodies other than the Commonwealth of

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1 Virginia may sit for the same level of tradesman examination by completing the required application
2 and providing a copy of a currently valid journeyman or master license or certification.

3
4 8. Individuals certified or licensed as backflow prevention device workers by governing
5 bodies located outside the Commonwealth of Virginia may sit for the Virginia backflow
6 prevention device worker examination upon presentation of a currently valid certificate or card
7 from such jurisdictions with their completed examination application and fee. Upon successful
8 completion of this examination, the applicant will be provided with the
9 proper application for certification as a backflow prevention device worker in the
10 Commonwealth of Virginia.

11

12 **18 VAC 50-30-80.** Revocation of licensure or certification

13

14 **A.** Licensure or certification may be revoked for misrepresentation or a fraudulent application or for
15 incompetence as demonstrated by an egregious or repeated violation of the Virginia Uniform Statewide
16 Building Code.

17

18 **B.** Any building official, building inspector or water purveyor who finds that an individual is practicing
19 as a tradesman without a tradesman license as required by state law or as a backflow prevention device
20 worker without a backflow prevention device certification card if such a card is required by the locality
21 shall file a report on a form provided by the board to such effect with the Board for Contractors, 3600

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1 West Broad Street, Richmond, Virginia 23230-4917.

2

3 C. Any building official, building inspector or water purveyor who has reason to believe that a
4 tradesman or a backflow prevention device worker is performing incompetently as demonstrated by an
5 egregious or repeated violation of the Virginia Uniform Statewide Building Code shall file a report on a
6 form provided by the board to such effect with the board.

7

8 D. The department shall have the power to require remedial education and to suspend,
9 revoke or deny renewal of the tradesman license or the backflow prevention device worker
10 certification card of any individual who is found to be in violation of the statutes or regula-tions
11 governing the practice of licensed tradesmen in the Commonwealth.

12

13 **18 VAC 50-30-90.** Fees for licensure, certification and examination.

14

15 A. Each check or money order shall be made payable to the Treasurer of Virginia. All fees required
16 by the board are nonrefundable and the date of receipt by the department or its agent is the date that
17 will be used to determine whether or not it is on time. Fees remain active for a period of one year from
18 the date of receipt and all applications must be completed within that time frame.

19

20 B. In the event that a check, money draft or similar instrument for payment of a fee required by
21 statute or regulation is not honored by the bank or financial institution named, the applicant or regulant

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1 shall be required to remit fees sufficient to cover the original fee, plus the additional processing charge of
2 \$25.

3

4 C. Tradesman license - original fee - by examination. The fee for an initial tradesman license shall be
5 \$40.

6 D. Tradesman license - original fee - without an examination, through successful
7 completion of an appropriate apprenticeship program offered through the Virginia Voluntary
8 Apprenticeship Act. The fee for an initial tradesman license shall be \$40.

9

10 E. Commencing July 1, 1995, the Department of Professional and Occupational Regulation
11 will institute a program of issuing tradesmen's cards. Those tradesmen who hold valid trades-
12 men cards issued by local governing bodies prior to July 1, 1978, or by the Department of Housing and
13 Community Development prior to July 1, 1995, must replace the old cards with new cards issued by the
14 Board for Contractors.

15

16 In order to obtain the tradesman card issued by the Board for Contractors, the individual must use
17 the current application form provided by the Department of Professional and Occupational Regulation.

18 The fee for card exchange application and processing is \$10. As a matter of administrative necessity,
19 the department will assign expiration dates in a manner that will stagger renewals for these applicants.

20 Once the initial period ends, all renewals will be for a period of 24 months.

21

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1 F. Commencing July 1, 1998, the Department of Professional and Occupational Regulation will
2 institute a voluntary program of issuing backflow prevention device worker certification cards. Those
3 individuals who hold valid backflow prevention device worker certifications issued by local governing
4 bodies or the Virginia Department of Health prior to that date
5 may replace those cards with new cards issued by the board.

6 In order to obtain the backflow prevention device worker certification card issued by the board, the
7 individual must use the current application form provided by the department. The fee for the card
8 exchange application and processing is \$10. The term of certification will be for a period of 24 months.

9
10 G. Backflow prevention device worker certification through the "grandfather" clause of §54.1-
11 1131.B.2. **Code of Virginia.** The fee for an initial certification shall be \$40.

12
13 H. Commencing on the effective date of the board's final regulations, the Department of Professional
14 and Occupational Regulation will add the trades of liquefied petroleum gas fitter and natural gas fitter
15 provider to the trades regulated by the Board for Contractors. The fee for the initial licensure shall be
16 \$40.

17
18 **18 VAC 50-30-100.** Fees for examinations.

19
20 The examination fee shall consist of the administration expenses of the department resulting from the
21 board's examination procedures and contract charges. Exam service contracts shall be established

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1 through competitive negotiation, in compliance with the Virginia Public Procurement Act (§ 11-35 et
2 seq. of the **Code of Virginia**). The current examination shall not
3 exceed a cost of \$100 for the journeyman's exam and \$125 for the master's exam for any of
4 the trades or \$100 for the backflow prevention device worker exam.

5

6 **18 VAC 50-30-110. Fees for duplicate cards.**

7 The fee for a duplicate card shall be as follows:

8 First request \$10

9 Second request \$20

10 Third request \$40 and a report sent to the Enforcement Section.

11 Any request for the issuance of such a card must be in writing to the board.

12

13

PART III.

14

RENEWAL AND REINSTATEMENT.

15

16 **18 VAC 50-30-120. Renewal.**

17

18 A. Tradesman licenses or backflow prevention device worker certification cards issued under this
19 chapter shall expire two years from the last day of the month in which they were issued, as indicated on
20 the tradesman license or the backflow prevention device worker certification card.

21

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1 B. The fee for renewal of a tradesman license is \$25. The fee for renewal of a backflow prevention
2 device worker certification card is \$25. All fees required by the board are non-refundable and shall not
3 be prorated.

4
5 The board will mail a renewal notice to the regulant outlining procedures for renewal. Failure to
6 receive this notice, however, shall not relieve the regulant of the obligation to renew. If the regulant fails
7 to receive the renewal notice, a photocopy of the tradesman license
8 or backflow prevention device worker certification card may be submitted with the required
9 fee as an application for renewal within 30 days of the expiration date.

10
11 The date on which the renewal fee is received by the Department or its agent will determine whether
12 the regulant is eligible for renewal or required to apply for reinstatement.

13
14 The board may deny renewal of a tradesman license or of a backflow prevention device worker
15 certification card for the same reasons as it may refuse initial issuance or to discipline a regulant. The
16 regulant has a right to appeal any such action by the board under the Virginia Administrative Process
17 Act (§ 9-6.14:4.1 et seq. of the **Code of Virginia**).

18
19 Failure to timely pay any monetary penalty, reimbursement of cost, or other fee assessed by consent
20 order or final order shall result in delaying or withholding services provided by the department, such as,
21 but not limited to, renewal, reinstatement, processing of a new applica-

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1 tion, or exam administration.

2

3 **18 VAC 50-30-130.** Reinstatement.

4

5 **A.** Should the Department of Professional & Occupational Regulation fail to receive the renewal
6 application or fees within 30 days of the expiration date, the regulant will be required to reinstate the
7 tradesman license or backflow prevention device worker certification card.

8

9 **B.** The fee for reinstatement of a tradesman license (all designations) is \$50 (this is in addition to the
10 \$25 renewal fee, which makes the total fee for reinstatement \$75). The rein-
11 statement fee for a backflow prevention device worker certification card is \$50 (this is in addition to the
12 \$25 renewal fee, which makes the total reinstatement fee \$75). All fees required by the board are non-
13 refundable and shall not be prorated.

14

15 Applicants for reinstatement shall meet the requirements of 18 VAC 50-30-30.

16

17 The date on which the reinstatement fee is received by the department or its agent will determine
18 whether the license or certification card is reinstated or a new application is required.

19

20 In order to ensure that license or certification card holders are qualified to practice as
21 tradesmen or backflow prevention device workers, no reinstatement will be permitted once one year

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1 from the expiration date has passed. After that date the applicant must apply for a new tradesman
2 license or backflow prevention device worker certification card and meet the then current entry
3 requirements.

4
5 Any tradesman activity conducted subsequent to the expiration of the license may constitute
6 unlicensed activity and may be subject to prosecution under § 54.1 of the **Code of Virginia**.

7 Further, any person who holds himself out as a certified backflow prevention device worker, as defined
8 in § 54.1-1128 of the **Code of Virginia**, without the appropriate certification, may be subject to
9 prosecution under Title 54.1 of the **Code of Virginia**.

10

11 C. The board may deny reinstatement of a tradesman license or a backflow prevention device
12 worker certification card for the same reasons as it may refuse initial issuance or to
13 discipline a regulant. The regulant has a right to appeal any such action by the board under the Virginia
14 Administrative Process Act (§ 9-6.14:4.1 et seq. of the **Code of Virginia**).

15

16 Failure to timely pay any monetary penalty, reimbursement of cost, or other fee assessed by consent
17 order or final order shall result in delaying or withholding services provided by the department, such as,
18 but not limited to, renewal, reinstatement, processing of a new application, or exam administration.

19

20 **18 VAC 50-30-140.** Status of regulant during the period prior to reinstatement.

21

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1

2 While a regulant may have multiple trade designations on his license the renewal date will be based
3 upon the date the card was originally issued to the individual by the board, not the
4 date of the most recent trade designation addition.

5

6 If a regulant is seeking to delete a designation, then the individual must provide a signed statement
7 listing the designation to be deleted. There is no fee for the deletion of a designa-tion. (If the regulant
8 only has one trade or level designation, the deletion of that designation will result in the termination of the
9 license.)

10

11 **18 VAC 50-30-160.** Change of address.

12

13 Any change of address shall be reported in writing to the board within 30 days of the change. The
14 board shall not be responsible for the regulant's failure to receive notices or correspondence due to the
15 regulant's failure to report a change of address. A post office address alone is not acceptable.

16

17 **18 VAC 50-30-170.** Transfer of license or certification card prohibited.

18 No license or certification card issued by the board shall be assigned or
19 otherwise transferred.

20

21

PART V.

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1

STANDARDS OF CONDUCT.

2

3 **18 VAC 50-30-180.** Filing of complaints.

4

5 All complaints against regulants may be filed with the Department of Professional and
6 Occupational Regulation at any time during business hours, pursuant to § 54.1-1114 of the
7 **Code of Virginia.**

8

9 **18 VAC 50-30-190.** Prohibited Acts.

10

11 Any of the following are cause for disciplinary action:

12

13 1. Failure in any material way to comply with provisions of Chapter 1 (§ 54.1-100) or Chapter 11
14 (§ 54.1-1100 et seq.) of Title 54.1 of the **Code of Virginia** or the regulations of the board;

15

16 2. Furnishing substantially inaccurate or incomplete information to the board in obtaining
17 renewing, reinstating, or maintaining a tradesman license or backflow prevention device worker
18 certification card;

19

20 3. Where the regulant has failed to report to the board, in writing, the suspension or
21 revocation of a tradesman license, certificate, or card, or backflow prevention device worker

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1 certification card, by another state, or a conviction in a court of competent jurisdiction of a

2 building code violation;

3

4 4. Gross negligence in the practice of a trade or backflow prevention device work;

5

6 5. Misconduct in the practice of a trade or backflow prevention device work;

7

8 6. A finding of improper or dishonest conduct in the practice of the trade or backflow

9 prevention device work by a court of competent jurisdiction;

10

11 7. For licensed tradesmen performing jobs under \$1,000, or backflow prevention device

12 workers performing jobs of any amount, abandonment, the intentional and unjustified

13 failure to complete work contracted for, or the retention or misapplication of funds paid, for

14 which work is either not performed or performed only in part (unjustified cessation of work under

15 the contract for a period of 30 days or more shall be considered evidence of abandonment);

16

17 8. Making any misrepresentation or making a false promise of a character likely to influence,

18 persuade, or induce;

19

20 9. Aiding or abetting an unlicensed contractor to violate any provision of Chapter 1 or

21 Chapter 11 of § 54.1 of the **Code of Virginia**, or these regulations; or combining or

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1 conspiring with or acting as agent, partner, or associate for an unlicensed contractor; or allowing
2 one's license or certification to be used by an unlicensed or uncertified individual;

3
4 10. Where the regulant has offered, given or promised anything of value or benefit to any federal,
5 state, or local government employee for the purpose of influencing that employee to circumvent, in
6 the performance of his duties, any federal, state, or local law, regulation, or ordinance governing the
7 construction industry;

8
9 11. Where the regulant has been convicted or found guilty, after initial licensure or
10 certification, regardless of adjudication, in any jurisdiction of any felony or of a mis-
11 demeanor involving lying, cheating or stealing, sexual offense, drug distribution, physical
12 injury, or relating to the practice of the profession, there being no appeal pending therefrom or the
13 time of appeal having elapsed. Any pleas of guilty or nolo contendere shall be considered a
14 conviction for the purposes of this subdivision. The record of a conviction certi-
15 fied or authenticated in such form as to be admissible in evidence under the laws of the
16 jurisdiction where convicted shall be admissible as prima facie evidence of such guilt;

17
18 12. Having failed to inform the board in writing, within 30 days, that the regulant has pleaded
19 guilty or nolo contendere or was convicted and found guilty of any felony or a
20 misdemeanor involving lying, cheating, stealing, sexual offense, drug distribution, physical injury, or
21 relating to the practice of the profession;

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1

2 13. Having been disciplined by any county, city, town, or any state or federal governing body for
3 actions relating to the practice of any trade or backflow prevention device work,

4 which action shall be reviewed by the board before it takes any disciplinary action of its own;

5

6 14. Failure to comply with the Virginia Uniform Statewide Building Code, as amended;

7

8 and

9

10 15. Practicing in a classification or specialty service for which the regulant is not licensed
11 or certified.

12

13

PART VI

14

SCHOOLS/PROFESSIONAL EDUCATION

15

16 **18 VAC 50-30-200.** Professional Education.

17

18 **A.** Pursuant to § 54.1-1130 of the **Code of Virginia**, unless certified through
19 exemption, candidates for licensure as Journeymen are required to **(i)** complete 240 classroom hours of
20 tradesman educational courses in their specialty or 80 classroom hours of training for liquefied
21 petroleum gas fitters and natural gas fitter providers and four years of practical experience in the trade

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1 for which licensure is desired to qualify to sit for the licensing examination; **(ii)** have an associate degree
2 or a certificate of completion from at least a two-year program in a trade related field from an
3 accredited community college or technical school as evidenced by a transcript from the educational
4 institution and two years of practical experience in the trade for which licensure is desired; or **(iii)** have a
5 bachelor's degree received from an accredited college or university in an engineering curriculum related
6 to the trade and one year of practical experience in the trade for which licensure is desired (see Part II,
7 18 VAC-50-30-20 et seq., of this chapter).

8
9 Tradesman courses must be completed through accredited colleges, universities, junior and
10 community colleges, adult distributive, marketing and formal vocational training as defined in this
11 chapter; Virginia Apprenticeship Council programs; or proprietary schools approved by the Virginia
12 Department of Education.

13
14 **B.** Backflow prevention device worker courses must be completed through schools
15 approved by the board. The board accepts the American Society of Sanitary Engineers'
16 (ASSE) standards for testing procedures. Other programs could be approved after board
17 review. The board requires all backflow training to include instruction in a wet lab.
18
19
20
21

22 -----

23

24 I certify that this regulation is full, true, and correctly dated.

25

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1

2

David E. Dick, Assistant Director

3

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

4

Date: _____

5