

CHAPTER 20:53:02

ADMINISTRATION

Section

20:53:02:01	Repealed.
20:53:02:02	Duties of president.
20:53:02:03	Duties of vice-president.
20:53:02:04	Duties of secretary-treasurer.
20:53:02:05	Office of the commission.
20:53:02:06	Repealed.
20:53:02:07	Repealed.
20:53:02:08	Testing.
20:53:02:09	Notice of exam.
20:53:02:10	Grading exams.
20:53:02:11	Superseded.
20:53:02:12	Repealed.
20:53:02:13	Petition for declaratory ruling.
20:53:02:14	Commission action on petition.
20:53:02:15	Commission meetings on petition for new rules.
20:53:02:16	Repealed.
20:53:02:17	Finality of commission decision.
20:53:02:18	Failure to appear for examination.
20:53:02:19	Temporary permits.
20:53:02:20	License expiration.
20:53:02:21	Reciprocity.

20:53:02:22 Inspection.

20:53:02:22.01 Concealment and final inspection.

20:53:02:23 ~~Qualifications for plumbing inspector~~ Repealed.

20:53:02:20. License expiration. All licenses issued under these rules expire December 31 of each year. They may be renewed upon application not later than the immediately following January 31.

An ~~application~~ application to reinstate an expired license received after the immediately following January 31 is subject to initial license application requirements. If an application to reinstate an expired license is received within one year of expiration the examination will be waived.

Source: SL 1975, ch 16, § 1; 7 SDR 56, effective December 16, 1980; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 16 SDR 88, effective November 12, 1989; 46 SDR 29, effective September 5, 2019.

General Authority: SDCL 36-25-14.

Law Implemented: SDCL 36-25-19.

20:53:02:22. Inspection. ~~Inspectors~~ An inspector employed by the commission shall carry out inspections of plumbing throughout the state. An inspection request shall be made at least ~~48~~ 72 hours in advance, excluding Saturdays, Sundays, and holidays. Testing is the responsibility of the contractor, installer, or plumber and does not need to be witnessed by an inspector. ~~All~~ The inspector shall record all violations of the state plumbing code ~~shall be cited.~~ The inspector shall leave the

inspection report at the site or mail or email it to the permittee or authorized representative. ~~The citation~~ The inspector shall be personally delivered or mailed deliver or mail a citation report to the contractor, installer, plumber, or other person permittee responsible for correcting the violations violation. ~~The contractor, installer, plumber, or other person permittee responsible for the violations~~ must violations shall either correct the cited ~~violations~~ violation or request a hearing on the matter before the commission within 21 days. Within 10 days after hearing, the commission shall issue its order on the citation ~~which shall set out the action necessary on the part of the contractor, installer, plumber, or other person responsible for the violations~~ cited violation in accordance with SDCL chapter 1-26.

Source: SL 1975, ch 16, § 1; 7 SDR 56, effective December 16, 1980; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 14 SDR 29, effective September 3, 1987; 30 SDR 40, effective October 1, 2003.

General Authority: SDCL ~~36-25-14~~ 36-25-15.1.

Law Implemented: SDCL 36-25-10, ~~36-25-17~~ 36-25-15.1.

20:53:02:22.01. Concealment and final inspection. ~~No contractor, installer, plumber, or other person permittee may conceal any drainage, waste, or vent system until a request for an inspection has been made~~ completed and the inspector has approved that portion of the system. Backfilling is ~~not~~ considered concealment. ~~If an inspector suspects a code violation, the contractor or the installer shall uncover the work suspected of being in violation of code.~~ A system that has been concealed prior to inspection must be unconcealed by the permittee prior to an inspection. An inspector may require a final inspection upon Upon completion of the entire drainage, waste, or vent system a final inspection is required.

Source: 30 SDR 40, effective October 1, 2003.

General Authority: SDCL ~~36-25-14~~ 36-25-15.1.

Law Implemented: SDCL 36-25-10, ~~36-25-17~~.

20:53:02:23. Qualifications for plumbing inspector. ~~An applicant desiring to apply for a plumbing inspector position with the commission must be a licensed journeyman plumber, a licensed plumbing contractor, or a plumbing inspector certified by the International Association of Plumbing and Mechanical Officials~~ Repealed.

Source: 15 SDR 136, effective March 15, 1989; 30 SDR 25, effective August 31, 2003.

~~General Authority:~~ SDCL 36-25-14.

~~Law Implemented:~~ SDCL 36-25-10.

20:53:03:07. Examination requirements. ~~Examination~~ An examination for applicants an applicant desiring to become licensed shall consist of the following:

(1) Part 1, questions which are based on the state plumbing code. The applicant may use the code but may not use more than two hours to complete ~~Part~~ part 1;

(2) Part 2, questions which are based on the state plumbing code. The applicant may not use the code and may not use more than two hours to complete ~~Part~~ part 2;

(3) Part 3, drawings of plumbing fixtures on which the applicant is to size all stacks, wastes, and vents and to insert the pipe size. The state plumbing code may not be used on this portion for the ~~journeyman~~ plumber exam but the code may be used on this portion of the plumbing contractor exam. The applicant may not use more than one hour to complete ~~Part~~ part 3.

The questions and drawings for plumbing contractors and plumbers ~~need not~~ may be ~~the same~~ different. The passing grade for plumbing contractors is 80 percent and the passing grade for plumbers is 70 percent. An applicant may sit for the exam for the same license only once every three months.

Source: SL 1975, ch 16, § 1; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 16 SDR 88, effective November 12, 1989; 37 SDR 48, effective September 21, 2010; 41 SDR 34, effective September 2, 2014.

General Authority: SDCL 36-25-14.

Law Implemented: SDCL 36-25-18, 36-25-19.

20:53:03:10. Examination for restricted plumbing contractors and plumbers. The examination for an applicant desiring to become licensed ~~after June 30, 2004, shall~~ must be based on the plumbing code. The applicant may use the code to answer the questions. The passing grade for the restricted plumbing contractor exam is 80 percent. The passing grade for ~~this~~ the plumber exam is 70 percent.

Source: 30 SDR 25, effective August 31, 2003.

General Authority: SDCL 36-25-14, 36-25-17.1,~~36-25-17.2~~.

Law Implemented: SDCL 36-25-14, 36-25-17.1,~~36-25-17.2~~.

CHAPTER 20:53:04

WATER CONDITIONING LICENSES

Section

- 20:53:04:01 Definitions.
- 20:53:04:02 Licenses.
- 20:53:04:03 Examination.
- 20:53:04:04 License and examination fees.
- 20:53:04:05 Temporary licenses.
- 20:53:04:06 Reexamination periods.
- 20:53:04:07 Out-of-state contractors and installers.
- 20:53:04:08 Enforcement and penalty.
- 20:53:04:09 Restricted license and examination fees.
- 20:53:04:10 ~~Examination for restricted water conditioning contractors and installers~~ Repealed.

20:53:04:09. Restricted license and examination renewal fees . ~~The restricted license and examination fees are as follows:~~

- ~~—— (1) Restricted water conditioning contractor initial license: \$110;~~
- ~~—— (2) Restricted water conditioning contractor initial examination: \$100;~~

- ~~——(3) Restricted water conditioning contractor reexamination: \$100;~~
- ~~——(4) Restricted water conditioning contractor annual license renewal: \$110;~~
- ~~——(5) Restricted water conditioning installer initial license: \$55;~~
- ~~——(6) Restricted water conditioning installer initial examination: \$100;~~
- ~~——(7) Restricted water conditioning installer reexamination: \$100; and~~
- ~~——(8) Restricted The restricted water conditioning installer annual license renewal: fee is \$55.~~

Source: 30 SDR 25, effective August 31, 2003; 41 SDR 34, effective September 2, 2014; 45 SDR 91, effective January 9, 2019; 46 SDR 29, effective September 5, 2019.

General Authority: SDCL 36-25-19.

Law Implemented: SDCL 36-25-19.

20:53:04:10. Examination for restricted water conditioning contractors and installers.

~~The examination for an applicant desiring to become licensed after June 30, 2004, shall be based on the plumbing code. The applicant may use the code to answer the questions. The passing grade for this exam is 70 percent Repealed.~~

Source: 30 SDR 25, effective August 31, 2003.

~~——**General Authority:** SDCL 36-25-17.1.~~

~~——**Law Implemented:** SDCL 36-25-17.1, 36-25-17.2.~~

CHAPTER 20:53:05

APPLIANCE INSTALLATION LICENSES

Section

- 20:53:05:01 Appliance installers' licenses.
- 20:53:05:02 License and examination fees.
- 20:53:05:03 Experience required for testing.
- 20:53:05:04 Out-of-state applicants.
- 20:53:05:05 Appliance installer apprentice license.
- 20:53:05:06 Repealed.
- 20:53:05:07 Examination requirements.
- 20:53:05:08 Restricted license and examination fees.
- 20:53:05:09 ~~Examination for restricted appliance contractors and installers~~ Repealed.

20:53:05:08. Restricted license and examination renewal fees. ~~The restricted license and examination fees are as follows:~~

- ~~—— (1) Restricted appliance contractor initial license: \$110;~~
- ~~—— (2) Restricted appliance contractor initial examination: \$100;~~
- ~~—— (3) Restricted appliance contractor reexamination: \$100;~~
- ~~—— (4) Restricted appliance contractor annual license renewal: \$110;~~
- ~~—— (5) Restricted appliance installer initial license: \$55;~~
- ~~—— (6) Restricted appliance installer initial examination: \$100;~~
- ~~—— (7) Restricted appliance installer reexamination: \$100; and~~
- ~~—— (8) Restricted~~ The restricted appliance installer annual license renewal: fee is \$55.

Source: 30 SDR 25, effective August 31, 2003; 41 SDR 34, effective September 2, 2014; 45 SDR 91, effective January 9, 2019.

General Authority: SDCL 36-25-19, ~~36-25-22~~.

Law Implemented: SDCL 36-25-19, ~~36-25-22~~.

20:53:05:09. Examination for restricted appliance contractors and installers. The examination for an applicant desiring to become licensed after June 30, 2004, shall be based on the plumbing code. The applicant may use the code to answer the questions. The passing grade for this exam is 70 percent Repealed.

Source: 30 SDR 25, effective August 31, 2003.

~~General Authority:~~ SDCL 36-25-17.1.

~~Law Implemented:~~ SDCL 36-25-17.1, 36-25-17.2.

CHAPTER 20:53:06

SEWER AND WATER INSTALLER LICENSES

Section

- 20:53:06:01 Sewer and water installer licenses.
- 20:53:06:02 License and examination fees.
- 20:53:06:03 Experience for testing.
- 20:53:06:04 Out-of-state applicants.
- 20:53:06:05 Sewer and water installer apprentice license.

- 20:53:06:06 Repealed.
- 20:53:06:07 Examination requirements.
- 20:53:06:08 Restricted license and examination fees.
- 20:53:06:09 ~~Examination for restricted sewer and water contractors and installers~~ Repealed.

20:53:06:08. Restricted license ~~and examination~~ renewal fees. ~~The restricted license and examination fees are as follows:~~

- ~~—— (1) Restricted sewer and water contractor initial license: \$110;~~
- ~~—— (2) Restricted sewer and water contractor initial examination: \$100;~~
- ~~—— (3) Restricted sewer and water contractor reexamination: \$100;~~
- ~~—— (4) Restricted sewer and water contractor annual license renewal: \$110;~~
- ~~—— (5) Restricted sewer and water installer initial license: \$55;~~
- ~~—— (6) Restricted sewer and water installer initial examination: \$100;~~
- ~~—— (7) Restricted sewer and water installer reexamination: \$100; and~~
- ~~—— (8) Restricted~~ The restricted sewer and water installer annual license renewal: fee is \$55.

Source: 30 SDR 25, effective August 31, 2003; 41 SDR 34, effective September 2, 2014; 45 SDR 91, effective January 9, 2019; 46 SDR 29, effective September 5, 2019.

General Authority: SDCL 36-25-19.

Law Implemented: SDCL 36-25-19.

20:53:06:09. Examination for restricted sewer and water contractors and installers. ~~The examination for an applicant desiring to become licensed after June 30, 2004, shall be based on the~~

~~plumbing code. The applicant may use the code to answer the questions. The passing grade for this exam is 70 percent Repealed.~~

Source: 30 SDR 25, effective August 31, 2003.

~~— **General Authority:** SDCL 36-25-17.1.~~

~~— **Law Implemented:** SDCL 36-25-17.1, 36-25-17.2.~~

CHAPTER 20:53:07

MANUFACTURED AND MOBILE HOME LICENSES

Section

- 20:53:07:01 Definitions.
- 20:53:07:02 Manufactured and mobile home licenses.
- 20:53:07:03 License and examination fees.
- 20:53:07:04 Experience required for testing.
- 20:53:07:05 Out-of-state applicants.
- 20:53:07:06 Manufactured and mobile home apprentice license.
- 20:53:07:07 Repealed.
- 20:53:07:08 Examination requirements.
- 20:53:07:09 Restricted license and examination fees.
- 20:53:07:10 ~~Examination for restricted manufactured and mobile home contractors and installers~~
Repealed.

20:53:07:09. Restricted license and examination renewal fees. ~~The restricted license and examination fees are as follows:~~

- ~~—— (1) Restricted manufactured mobile home contractor initial license: \$110;~~
- ~~—— (2) Restricted manufactured and mobile home contractor initial examination: \$100;~~
- ~~—— (3) Restricted manufactured and mobile home contractor reexamination: \$100;~~
- ~~—— (4) Restricted manufactured and mobile home contractor annual license renewal: \$110;~~
- ~~—— (5) Restricted manufactured and mobile home installer initial license: \$55;~~
- ~~—— (6) Restricted manufactured and mobile home installer initial examination: \$100;~~
- ~~—— (7) Restricted manufactured and mobile home installer reexamination: \$100; and~~
- ~~—— (8) Restricted The restricted manufactured and mobile home installer annual license renewal: fee is \$55.~~

Source: 30 SDR 25, effective August 31, 2003; 41 SDR 34, effective September 2, 2014; 45 SDR 91, effective January 9, 2019; 46 SDR 29, effective September 5, 2019.

General Authority: SDCL 36-25-19.

Law Implemented: SDCL 36-25-19.

20:53:07:10. Examination for restricted manufactured and mobile home contractors and installers. ~~The examination for an applicant desiring to become licensed after June 30, 2004, shall be based on the plumbing code. The applicant may use the code to answer the questions. The passing grade for this exam is 70 percent Repealed.~~

Source: 30 SDR 25, effective August 31, 2003.

~~General Authority: SDCL 36-25-17.1.~~

~~Law Implemented: SDCL 36-25-17.1, 36-25-17.2.~~

CHAPTER 20:53:08

UNDERGROUND IRRIGATION LICENSES

Section

- 20:53:08:01 Definitions.
- 20:53:08:02 Underground irrigation licenses.
- 20:53:08:03 License and examination fees.
- 20:53:08:04 Experience required for testing.
- 20:53:08:05 Out-of-state applicants.
- 20:53:08:06 Underground irrigation apprentice license.
- 20:53:08:07 Repealed.
- 20:53:08:08 Examination requirements.
- 20:53:08:09 Restricted license and examination fees.
- 20:53:08:10 ~~Examination for restricted underground irrigation contractors and installers~~
Repealed.

20:53:08:09. Restricted license and examination renewal fees. ~~The restricted license and examination fees are as follows:~~

~~(1) Restricted underground irrigation contractor initial license: \$110;~~

- ~~——(2) Restricted underground irrigation contractor initial examination: \$100;~~
- ~~——(3) Restricted underground irrigation contractor reexamination: \$100;~~
- ~~——(4) Restricted underground irrigation contractor annual license renewal: \$110;~~
- ~~——(5) Restricted underground irrigation installer initial license: \$55;~~
- ~~——(6) Restricted underground irrigation installer initial examination: \$100;~~
- ~~——(7) Restricted underground irrigation installer reexamination: \$100; and~~
- ~~——(8) Restricted The restricted underground irrigation installer annual license renewal: fee is \$55.~~

Source: 30 SDR 25, effective August 31, 2003; 41 SDR 34, effective September 2, 2014; 45 SDR 91, effective January 9, 2019; 46 SDR 29, effective September 5, 2019.

General Authority: SDCL 36-25-19.

Law Implemented: SDCL 36-25-19.

20:53:08:10. Examination for restricted underground irrigation contractors and installers. ~~The examination for an applicant desiring to become licensed after June 30, 2004, shall be based on the plumbing code. The applicant may use the code to answer the questions. The passing grade for this exam is 70 percent Repealed.~~

Source: 30 SDR 25, effective August 31, 2003.

~~——**General Authority:** SDCL 36-25-17.1.~~

~~——**Law Implemented:** SDCL 36-25-17.1, 36-25-17.2.~~

CHAPTER 20:53:09

RESTRICTED LICENSES

Section

- 20:53:09:01 Training.
- 20:53:09:02 Acceptable course offerings.
- 20:53:09:03 Exceptions and extensions.
- 20:53:09:04 Attendance by staff or commission members.
- 20:53:09:05 Criteria for granting training course credit.
- 20:53:09:06 Application for approval of instructor and course offering.
- 20:53:09:07 Suspension, revocation, or denial of course approval.
- 20:53:09:08 Training course certificate of attendance.
- 20:53:09:09 Program changes.
- 20:53:09:10 Sponsor to provide list of persons attending program.
- 20:53:09:11 ~~Course fees~~ Repealed.
- 20:53:09:12 Notice.
- 20:53:09:13 Facilities.

20:53:09:11. Course fees. ~~A participant attending any plumbing commission offered course shall remit \$20 payable prior to the course commencement~~ Repealed.

Source: 30 SDR 25, effective August 31, 2003.

~~**General Authority:** SDCL 36-25-19.3.~~

~~**Law Implemented:** SDCL 36-25-19.3.~~

20:53:10:04. Expiration of permit. ~~Any permit issued by the commission expires if the work authorized by such permit is not commenced within 180 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned for a period of 180 days. If the permit has expired at any time after the work is commenced, a new permit must first be obtained. The fee for the permit is one half the amount required for the original permit for such work if no changes have been made in the original plans and specifications for such work and the suspension or abandonment has not exceeded one year. Any person holding an unexpired permit may apply for an extension of the time within which work may commence under that permit if the person is unable to commence work within the time required by this section. The commission may extend the time for action by the person for a period not exceeding 180 days upon written request by the person showing that circumstances beyond the control of the person have prevented action from being taken. No permit may be extended more than once. In order to renew action on a permit after expiration, the person shall pay a new full permit fee. A permit expires two years from the date the permittee signs and dates the permit. The permit may be extended for one year if the permittee who signed the permit requests an extension prior the expiration of the permit and pays one half the amount of the original permit. A plumbing installation that is not completed prior to the expiration of the permit may not be completed without a new plumbing permit being submitted.~~

Source: 30 SDR 40, effective October 1, 2003.

General Authority: SDCL 36-25-19.1.

Law Implemented: SDCL 36-25-19.1.