



SPONSOR: Sen. Walsh & Rep. Osienski  
Sen. Mantzavinos; Rep. Brady

DELAWARE STATE SENATE  
151st GENERAL ASSEMBLY

SENATE BILL NO. 51

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO DISCIPLINARY SANCTIONS BY THE BOARD OF PLUMBING, HEATING, VENTILATION, AIR CONDITIONING, AND REFRIGERATION EXAMINERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1           Section 1. Amend Chapter 18 of Title 24 of the Delaware Code by making deletions as shown by strike through  
2 and insertions as shown by underline as follows:

3           § 1807 License required; exemptions.

4           (a) A person shall not provide plumbing services in this State nor hold himself or herself out to the public as being  
5 a licensed master plumber, nor use "licensed plumber," "master plumber," or "licensed master plumber" in connection  
6 with that person's name, nor otherwise assume or use any title or description conveying or tending to convey the  
7 impression that the person is qualified to provide plumbing services, unless the person has been licensed as a master  
8 plumber under this chapter, or exempted from the provisions of this chapter pursuant to subsection (c) of this section.

9           (b) If the license of a master plumber has expired or been suspended or revoked, it is unlawful for the holder of the  
10 expired, suspended, or revoked license to perform plumbing services in this State.

11          (c) An individual may provide plumbing services without being licensed under this chapter if:

12           (1) The individual is an apprentice, journeyman, mechanic, or other person providing such services under  
13 the supervision of a master plumber who is the individual's employer or who is employed full time by the same  
14 business entity as the individual;

15           (2) The individual is a homeowner who is performing plumbing services other than gas piping in or about  
16 that individual's own home that is not for sale or any part for rent or lease, provided that the individual has filed an  
17 application for a permit with the authorized inspection authority;

18           (3) The individual is providing such services on property used exclusively for agricultural purposes and  
19 the individual has filed an application for a permit with the authorized inspection authority; or

20           (4) The individual is providing such services pursuant to the provisions in § 1832 of this title.

21           (5) The individual is providing services authorized under subchapter III of this chapter.

(d) The penalty for a violation of this section is, for a first offense, a fine of not less than ~~\$500~~ \$1,500 nor more than ~~\$1000~~ \$3,000, and, for a second or subsequent offense, a fine of not less than ~~\$1000~~ \$3,000 nor more than ~~\$2000~~ \$6,000. Justice of the Peace Courts shall have jurisdiction over violations of this section.

§ 1820 License required; exemptions.

(a) A person shall not provide HVACR or HVACR restricted services in this State nor hold himself or herself out to the public as being a master HVACR licensee or master HVACR restricted licensee, nor use “master HVACR licensee”, “master HVACR restricted licensee” in connection with that person’s name nor otherwise assume or use any title or description conveying or tending to convey the impression that that person is qualified to provide HVACR or HVACR restricted services, unless that person has been licensed as a master HVACR licensee or a master HVACR restricted licensee under this chapter or exempted from the provisions of this chapter pursuant to subsection (c) of this section.

(b) If the license of a master HVACR licensee or master HVACR restricted licensee has expired or been suspended or revoked, it is unlawful for the holder of the expired, suspended, or revoked license to act as a master HVACR licensee, or master HVACR restricted licensee in this State.

(c) An individual may provide HVACR or HVACR restricted services without being licensed under this chapter if:

(1) The individual is an apprentice, journeyman, mechanic or other person providing such services under the supervision of a master HVACR licensee or master HVACR restricted licensee, who is the individual’s employer or who is employed full time by the same business entity as the individual;

(2) The individual is a homeowner who is performing HVACR services other than gas piping in or about that individual’s own home that is not for sale or any part for rent or lease;

(3) The individual is providing such services on property used exclusively for agricultural purposes and the individual has filed an application for a permit with the authorized inspection authority;

(4) The individual is providing such services pursuant to the provisions in § 1831 of this title.

(d) The penalty for a violation of this section is, for a first offense, a fine of not less than ~~\$500~~ \$1,500 nor more than ~~\$1000~~ \$3,000, and, for a second or subsequent offense, a fine of not less than ~~\$1000~~ \$3,000 nor more than ~~\$2000~~ \$6,000. Justice of the Peace Courts have jurisdiction over violations of this section.

#### SYNOPSIS

This Act increases the monetary penalties for sanctions by the Board of Plumbing, Heating, Ventilation, Air Conditioning, and Refrigeration Examiners.

Author: Senator Walsh