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Initial Proposal –xx-xx-24 - 1

**Readopt with amendment Mec 403.01, effective 12-10-23 (Document #13771), to read as follows:**

Mec 403.01 Renewal Application Process for Individuals Seeking Plumbing and Fuel Gas Fitting Licenses and Trainee or Apprentice Licenses.

(a) Each individual seeking a renewal license to practice as a domestic appliance technician, a fuel gas fitter, a master, or journeyman plumber, or seeking to renew as a fuel gas trainee or plumbing apprentice, shall do so by submitting the following:

- (1) The information described in Mec 403.02(d);
- (2) If a plumbing apprentice or fuel gas fitting trainee, proof of continued enrollment in the educational program ***or apprenticeship as described in Mec 305.01(b)***;
- (3) If a holder of any other type of mechanical license issued pursuant to RSA 153:27-38, proof of continuing education supporting materials required for each licensing endorsement applied for; and
- (4) The license fee required by Plc 1002.25 which is applicable to the type of license sought.

(b) The application for renewal shall be processed in accordance with Plc 308.09 through Plc 308.12.

(c) The board shall deny a renewal application based on the following criteria:

- (1) The practice of fraud or deceit in procuring or attempting to procure a license to practice under RSA 153:27-38 and these rules;
- (2) Subject to paragraph (d) below, conviction of any criminal offense involving injury to a victim or the risk of such injury or any criminal offense involving dishonesty;
- (3) Any unprofessional conduct, or dishonorable conduct unworthy of, and affecting the practice of, the profession, or such conduct that poses risk to public health, safety, or welfare to individuals affected by the practices or actions of the licensee;
- (4) Unfitness or incompetence by reason of negligent habits or other causes; or negligent or willful acts performed in a manner inconsistent with the health or safety of persons under the care of the licensee;
- (5) Addiction to the use of alcohol or other habit-forming drugs to a degree which renders the licensee unfit to practice under RSA 153:27-38 and these rules;
- (6) Mental or physical incompetence to practice under RSA 153:27-38 and these rules;
- (7) Willful or repeated violation of the provisions of RSA 153:27-38 and these rules; or
- (8) Suspension or revocation of a license, similar to one issued under this subdivision, in another jurisdiction and not reinstated.

(d) For any convictions as described in paragraph (c)(2) above, the board shall consider the following:

- (1) The nature of the criminal act committed;

**Commented [CW1]:**  
+elizabeth.t.eaton@opl.nh.gov Liz - does the board need to review this IP at the December 9th meeting?

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- (2) Whether or not there was a direct relationship between the criminal act and the profession for which the applicant is seeking licensure;
- (3) The length of time between the conviction or release and application dates;
- (4) Any rehabilitation, training, or educational courses taken as a condition of release, probation, or parole;
- (5) Any conditions, certificates, or letters of completion regarding sentencing, release, probation, or parole; and
- (6) Direct testimony from the applicant, the applicant's sponsor, or employer.

**Readopt with amendment Mec 403.03, effective 12-10-23 (Document #13771), to read as follows:**

Mec 403.03 Required Supporting Materials. Individual applicants for renewal licensure shall provide, or arrange for the board to receive, the following documents supporting their applications:

- (a) Proof of continuing education supporting materials for each continuing education course taken within the licensing period as described in Mec 404;
- (b) If the applicant answered yes to any of the questions listed in Plc 304.03(e) a criminal background check from the state in which the conviction occurred;
- ~~—(c) For fuel gas trainee or plumbing apprentice, an updated endorsement letter;~~
- ~~(d) (c) For fuel gas trainees', proof of enrollment in an approved board sanctioned training program for fuel gas fitting licensure described in Mec 308; and~~
- ~~(e) (d) For plumbing apprentice, proof of enrollment in an United States Department of Labor approved apprenticeship program for plumbing or apprenticeship as described in Mec 305.01(b).~~

**Readopt with amendment Mec 403.05, effective 12-10-23 (Document #13771), to read as follows:**

Mec 403.05 Eligibility for Renewal of Individual Plumbing Apprentice and Fuel Gas Fitting Trainee Licenses. Individuals shall be eligible for renewal of their fuel gas fitting trainee or plumbing apprentice licenses if they:

- (a) Are of good character, as evidenced by:
  - (1) Their answers to questions on the application renewal form; and
  - (2) Any additional information provided at the request of the board;
- (b) Demonstrate proof that they are enrolled in an approved fuel gas trainee or plumbing apprentice formal education program;
- (c) Have complied with the application procedures set forth in Mec 403; and
- (d) Have paid the renewal fee for the type of license being renewed as set forth in Plc 1002.25.

**Readopt with amendment Mec 405.03, effective 12-10-23 (Document #13771), to read as follows:**

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Mec 405.03 Eligibility for Reinstatement of Lapsed Gas Trainee and Plumbing Apprentice License. An individual shall be eligible for reinstatement of their lapsed gas trainee and plumbing apprentice license if the individual:

- (a) Is of good character and professional competence, as evidenced by:
  - (1) The answers to the questions on the reinstatement application form;
  - (2) Any written explanations submitted; and
  - (3) Any additional information provided on the request of the board;
- (b) Complies with the reinstatement application procedures set forth in Mec 403; and
- (c) Pays the reinstatement fee set forth in Plc 1002.25.
- (d) Who is a fuel gas trainee provides proof of enrollment in an approved board sanctioned training program for fuel gas fitting licensure; and
- (e) Who is a plumbing apprentice providing proof of enrollment in a United States Department of Labor approved apprenticeship program for plumbing ***or proof of an apprenticeship as described in Mec 305.01(b)***.

APPENDIX I

<b>Rule</b>	<b>Statute Implemented</b>
Mec 403.01(a) – (b)	RSA 153:30, I(a), and 2024, 284:1
Mec 403.01(c)	RSA 541-A:29, I
Mec 403.01(d)	RSA 153:30, I(a)
Mec 403.01(e)	RSA 541-A:29, II
Mec 403.01(f) – (i)	RSA 153:30, I(a)
Mec 403.05	RSA 153:30, I(a), and 2024,284:1
Mec 405.03	RSA 153:30, I(b), and 2024, 284:1