

Adopt Saf-Mec 400 to read as follows:

CHAPTER Saf-Mec 400 CONTINUED STATUS

PART Saf-Mec 401 DEFINITIONS

Saf-Mec 401.01 “Continuing education course” means a course approved by the mechanical licensing board for the further education of licensed fuel gas fitters and plumbers in New Hampshire. The course shall be based on adopted laws, rules, codes and standards that have a direct effect on the specific licensure program for which they have been designed.

Saf-Mec 401.02 "State plumbing code" means that part of the state building code, as defined in RSA 155-A:1, IV, which regulates plumbing, as modified by the state building code review board within the limits established by RSA 155-A:10, V.

Saf-Mec 401.03 “State fire safety code” means the part of Saf-C 6000 as adopted pursuant to RSA 153:5.

Saf-Mec 401.04 “Seminar provider” means an individual who holds a current and valid NH master plumber’s license and/or a NH fuel gas fitter’s license with a service technicians endorsement, who has been trained and approved by the mechanical licensing board for the purposes of providing continuing educational classes on the laws, rules, codes and standards of this subdivision for licensure renewal.

Saf-Mec 401.05 “Identification Picture” means a color photograph of the applicant’s face not less than 2” wide by 2” high, which demonstrates an accurate depiction of the applicant at the time of licensure renewal, and that said picture may be used again but for no more than 4 renewal periods or 10 calendar years whichever comes first.

Saf-Mec 401.06 “Proof of continuing education supporting materials” means either a certificate of course completion, whether electronic or hard copy, including wallet cards or a course roster certified by the approved seminar provider for the course.

PART Saf-Mec 402 EXPIRATION OF MECHANICAL LICENSES

Saf-Mec 402.01 Expiration of Individual Mechanical Licenses.

(a) Pursuant to RSA 153:30, I, individual fuel gas fitting, domestic appliance technician, hearth system installation and service technician, master plumber, and journeyman plumber licenses (“mechanical licenses”) shall expire every two years on the last day of the month of the licensee's birth.

(b) Individuals whose mechanical licenses have not been renewed by the board before their expiration date shall be considered expired, and subject to the provisions of RSA 153:37, I if they practice any type of fuel gas fitting and/or plumbing without a currently valid license.

(c) Should an individual fail to renew a license prior to expiration, said license shall be reinstated for the remainder of the 2 year licensing period within 365 days after its expiration by paying a late fee in addition to the renewal fee.

(d) A late fee is not required during the first 30 days of expiration but shall be assessed for each portion of every calendar month thereafter.

(e) An individual who has completed the application and educational components for licensure renewal may remain licensed by requesting a deferral of the renewal fees for up to 90 days past the expiration date, and provided the individual submits a one-time payment of \$50.00.

(f) An individual licensee who fails to renew any portion of his or her mechanical license within 365 days after the expiration date shall have that portion of the license reinstated upon proof of the successful completion of the licensing exam for each category of license being renewed, payment of the late fee and renewal fee; or

(g) Individuals whose mechanical licenses have not been renewed by the board before the expiration date may apply for reinstatement provided they have met all the requirements of Saf-Mec 300 for initial licensure.

(1) Applicants who meet the full requirements of Saf-Mec 300 shall not be charged a late fee but shall be charged a reinstatement fee if applicable.

(2) Applicants who meet the requirements of (g)(1) above shall receive their mechanical license for the remaining portion of their original two year licensing cycle.

Saf-Mec 402.02 Expiration of Mechanical Business Entity Licenses.

(a) Pursuant to RSA 153:29-a, II, all current existing mechanical business entity licenses subject to renewal shall expire every 2 years on the last day of the month of January.

(b) Business entities whose mechanical licenses have not been renewed by the board before their expiration date shall be considered expired, and subject to the provisions of RSA 153:37, I if they practice any type of fuel gas fitting and/or plumbing without a currently valid license.

(c) Should any business entity fail to renew a license prior to expiration, said license shall be renewed for the remainder of the 2 year licensing period within 365 days after its expiration by paying a late fee in addition to the renewal fee.

(d) A late fee is not required during the first 30 days of expiration but shall be assessed for each portion of every calendar month thereafter.

PART Saf-Mec 403 RENEWALS OF INDIVIDUAL MECHANICAL LICENSES

Saf-Mec 403.01 Renewal Application Process for Individuals Seeking Plumbing and Fuel Gas Fitting Licenses and Trainee or Apprentice Registration 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 application packet:

(1) An application renewal form provided by the board; and

(2) If a plumbing apprentice or fuel gas fitting trainee, proof of continued enrollment in the registration license program applied for; and

(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 or registration fees specified by Saf-Mec 501.03 through Saf-Mec 501.05 which is applicable to the type of license or registration license sought.

(b) All applicants pursuant to (a) above, who have been convicted of a felony, or any criminal offense against another, or any criminal offense involving dishonesty during the previous licensing period, shall submit a current and signed criminal records check released to the NH mechanical licensing board, from the New Hampshire department of safety and from any state in which the applicant has any criminal history.

(c) If the board, after receiving and reviewing the completed packet, requires further information or documents to determine the applicant's qualification for licensure or registration, the board shall:

(1) So notify the applicant in writing within 60 days;

(2) Specify the information or documents it requires; and

(3) Require the applicant to present to the board additional information or testimony regarding any felony and/or misdemeanor convictions that might result in denial of the application.

(d) The board shall deny the application if the applicant does not submit the additional information or documents requested under (c) above within 60 days of the request.

(e) The board shall approve or deny the application within 120 days of the date that the board's office has received the completed application packet and any information or documents requested under (c) above.

(f) 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 (g) 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 him or her 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.

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

(1) The nature of the criminal act committed;

(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, his/her sponsor or employer

(h) If the board denies the application, the board shall provide the applicant with written reasons for the denial.

(i) An applicant wishing to challenge the board's denial of his or her application shall make a written request for a hearing of the challenge and submit it:

(1) Within 60 days of the notice of the denial; or

(2) If the applicant is on active military duty outside the United States, within 120 days of the applicant's return to the United States or release from duty, whichever occurs later.

(j) The board shall refund the license fee if:

(1) The applicant withdraws the application; or

(2) The board denies the application.

Saf-Mec 403.02 Application Renewal Form to be used by Applicants for Individual Licenses and Registration Cards.

- (a) The application renewal form shall:
 - (1) Be provided by the board; and
 - (2) Be kept confidential by the board pursuant to RSA 91-A:5.
- (b) The applicant shall:
 - (1) Complete the entire form using a keyboard or by printing the information legibly in ink;
 - (2) Complete all sections of the entire form or designate them as not applicable; and
 - (3) Sign and date the form.
- (c) On the renewal form the applicant shall designate the renewal license sought in the space provided.
- (d) Also on the form the applicant shall provide the following information:
 - (1) The date the applicant submits the form;
 - (2) The applicant's full legal name;
 - (3) The applicant's date of birth;
 - (4) Indicate by using the "yes" and "no" boxes provided:
 - a. Whether the applicant was convicted after the age of majority of:
 - 1. A felony;
 - 2. Any criminal offense involving injury to a victim or the risk of such injury; or
 - 3. Any criminal offense involving dishonesty;
 - b. Whether the applicant has ever been denied a license or other authorization to practice as a fuel gas fitter or plumber in any jurisdiction;
 - c. Whether the applicant has ever been the subject of any disciplinary action by any authority regulating fuel gas fitters or plumbers;
 - d. Whether the applicant has had his or her license or other authorization to practice as a fuel gas fitter or plumber suspended or revoked and not thereafter reinstated in any other jurisdiction;

e. Whether the applicant has ever surrendered a license or other authorization to practice as a fuel gas fitter or plumber in any jurisdiction in order to avoid or to settle disciplinary charges;

f. Whether the applicant knows that he or she is or will soon be the subject of a disciplinary proceeding, settlement agreement or consent decree undertaken or issued by any authority regulating fuel gas fitters or plumbers; and

g. Whether any claim on the basis of the applicant's fuel gas fitting or plumbing work is pending against the applicant in any court;

(5) The name, full business address and telephone number of:

a. The applicant's own business, if any; or

b. The applicant's employer, if any; and

(6) The continuing education courses taken within the licensing period, by providing for each course the date attended, location and instructor; and

(7) If applying for a renewal registration license as a fuel gas trainee or an apprentice plumber:

a. The name and address of the plumbing apprenticeship program or an updated sponsor letter from the fuel gas trainees sponsor; and

b. The certificate of enrollment in an approved apprenticeship program for plumbing and/or the certificate of enrollment in an approved board sanctioned training program for fuel gas fitting licensure.

(e) On the application renewal form the applicant shall place the date and his or her signature in the space provided above the following preprinted statement:

"I acknowledge that, under RSA 641:3, I, knowingly making a false statement on this application form is a misdemeanor. I certify that the information I have provided on all parts of the application form and in the documents that I have personally submitted to support my application is complete and accurate to the best of my knowledge and belief. I also certify that I have read RSA 153:27 through RSA 153:38 and the rules of the Board and promise that, if I am licensed or certified, I will abide by them."

(f) On the application form the applicant shall provide the applicant's:

(1) Full legal name;

(2) Home address;

(3) Home telephone number;

(4) Home e-mail address, if the applicant wishes to provide it; and

(5) The applicant's social security number written immediately above the following preprinted statement:

"The Mechanical Board is required by RSA 161-B:11 to obtain your social security number for the purpose of child support enforcement. Except for its use in child support enforcement, your social security number will not be used by the Mechanical Licensing Board and will be held confidential."

Saf-Mec 403.03 Effect of Signature. The effect of the applicant's signature on part one of the forms shall be:

(a) The applicant's acknowledgement that, under RSA 641:3, I, knowingly making a false statement on the application form is a misdemeanor;

(b) The applicant's certification that:

(1) The information provided on all of the parts of the application form and in the documents personally submitted to support the application is complete and accurate to the best of the applicant's knowledge and belief; and

(2) The applicant has read the statutes and administrative rules of the board; and

(c) The applicant's promise to abide by RSA 153:27 through RSA 153:38 and the rules of the board.

Saf-Mec 403.04 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.

(b) A photograph of the applicant's face, not less than 2 inches wide by 2 inches tall; and that accurately reflects the applicant's current appearance within the last four licensing renewal periods.

(c) Any additional documents pertaining to the requirements as listed in Saf-Mec 403.01 through 403.03.

Saf-Mec 403.05 Eligibility for Renewal of Individual Mechanical Licenses. Individuals shall be eligible for renewal of their mechanical licenses if they:

(a) Are of good character, as evidenced by:

(1) Their answers to questions on the licensure application renewal form; and

(2) Any additional information provided on the request of the board; and

(b) Have met the requirement for continuing education set forth in Saf-Mec 404;

(c) Have complied with the application procedures set forth in Saf-Mec 403;

(d) Have paid the renewal fee for the type of license being renewed as set forth in Saf-Mec 501.03; and

(e) If applicable, have paid any late renewal fees due under Saf-Mec 501.05.

Saf-Mec 403.06 Eligibility for Renewal of Individual Plumbing Apprentice and Fuel Gas Fitting Trainee Registration Licenses. Individuals shall be eligible for renewal of their fuel gas fitting trainee and/or plumbing apprentice registration 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 on the request of the board;

(b) Demonstrate proof that they are enrolled in an approved fuel gas trainee and/or plumbing apprentice formal education program, or both;

(c) Have complied with the application procedures set forth in Saf-Mec 403;

(d) Have paid the renewal fee for the type of registration license being renewed as set forth in Saf-Mec 501.04; and

(e) If applicable, have paid any late renewal fees due under Saf-Mec 501.05.

PART Saf-Mec 404 REQUIRED CONTINUING EDUCATION

Saf-Mec 404.01 Obligation to Complete Continuing Education.

(a) To be eligible for licensure renewal, individual mechanical licensees shall complete a total of no fewer than 6 hours of continuing education for each plumbing and/or fuel gas fitting endorsement, in every 2 year licensing cycle, given by:

(1) A board approved seminar provider described in Saf-Mec 404.02, teaching a continuing education seminar described in Saf-Mec 404.03; or

(2) A comprehensive training session sanctioned by the board, if the licensee is himself or herself is a board approved seminar provider.

Saf-Mec 404.02 Licensing Renewal Seminar Providers and Instructors.

(a) Providers of continuing education seminars shall:

(1) Have held a New Hampshire master plumbing license or fuel gas service technician license for at least 3 consecutive years, or a journeyman plumber's license or fuel gas fitting license for 5 consecutive years, within their respective licensing disciplines, and who has remained active and in good standing with their individual licenses; and

(2) Not be members of the board, or an individual who performs inspections and or licensing enforcement on behalf of the board.

(b) Seminar providers shall have received, during each calendar year in which he or she is teaching, no fewer than 3 hours of training:

(1) On the use of the current adopted versions of the International Code Council (ICC), the National Fire Protection Agency (NFPA) and approved materials on the New Hampshire plumbing code, the fuel gas fitting and mechanical codes, licensing statutes and their adopted rules; and

(2) Given by an approved individual representing the mechanical licensing board to provide such training.

(c) Seminar providers shall submit the application for approval by the board, which shall include a resume of the qualifications with respect to the training and instruction of fuel gas fitters and plumbers, respectively.

(d) An individual representing the mechanical licensing board, who has participated in the development and provision of continuing education training for seminar teachers, shall be credited by the board with having met his or her continuing education obligation.

(e) Seminar instructors shall be credited by the board with having met their continuing education obligation by:

(1) Paying the fee stated in Saf-Mec 505.01(d); and

(2) Attending and participating in the annual training for seminar instructors.

Saf-Mec 404.03 Continuing Education Seminars for Licensing Renewal.

(a) Continuing education seminars developed and approved by the mechanical licensing board shall be no fewer than 3 contact hours each, in a classroom setting, which:

(1) Shall be devoted to the New Hampshire adopted codes and standards for the plumbing or fuel gas fitting licensing discipline being taught, the current licensing laws and adopted rules, and time for answering students' questions;

(2) Shall be based on the current adopted ICC code materials relative to the New Hampshire state plumbing code, or the current adopted NFPA and ICC codes relative to fuel gas fitting and appliance installation in New Hampshire; and

(3) Shall be in accordance with the required training received during the same calendar year by the provider of the seminar.

(b) A seminar provider shall provide copies of any board approved and produced materials, such as handouts, to the seminar students.

(c) A provider shall require that each student display to the provider his or her plumbing license, fuel gas fitting license and one of the following documents of identification showing the same name that is on the plumbing or fuel gas fitting license:

- (1) United States passport;
- (2) A currently valid driver license; or
- (3) A currently valid non-driver identification card.

(d) Promptly after each seminar, the provider of the seminar shall submit to the board a written statement showing:

- (1) The date of the seminar;
- (2) The course identification number;
- (3) The seminar provider identification number; and
- (4) A list of the students attending the seminar, including their respective mechanical license number.

(e) Each student attending a licensing renewal seminar shall bring a current code book required for the licensing discipline course in which they are attending.

(f) No student shall receive credit for a repeated education seminar, meaning that each licensee shall complete both separate board approved 3 hour training sessions within their individual 2 year licensing cycle for each licensing endorsement sought.

PART Saf-Mec 405 REINSTATEMENTS OF INDIVIDUAL MECHANICAL LICENSES

Saf-Mec 405.01 Types of Reinstatement of Individual Mechanical Licenses and Registration Licenses. The board shall reinstate individual mechanical licenses and registration licenses, as follows:

- (a) In accordance with the terms of the board's order if the licenses were suspended for disciplinary reasons; or
- (b) In accordance with Saf-Mec 403 if the licenses lapsed as a result of non-renewal.

Saf-Mec 405.02 Eligibility for Reinstatement of Lapsed Individual Mechanical Licenses. An individual shall be eligible for reinstatement of his or her lapsed domestic appliance technician, fuel gas fitting, or plumbing license if the individual:

- (a) Retakes and passes the examination that is applicable for the above licensed disciplines;
- (b) 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;

(c) Complies with the reinstatement application procedures set forth in Saf-Mec 403; and

(d) Pays the following fees:

(1) The applicable renewal fee set forth in Saf-Mec 501.03; and either

(2) The reinstatement fee for individual licenses which have been expired for a period of up to 365 days or more; or

(3) The reinstatement fee resulting from any disciplinary measures of an individual license suspension and/or revocation as set forth in Saf-Mec 501.05

Saf-Mec 405.03 Application Process for Reinstatement of Individual Mechanical Licenses and the Processing of Applications.

(a) Each individual applying for reinstatement of licensure shall submit:

(1) The completed, signed and dated application form described in Saf-Mec 403.02 and 403.03;

(2) The supporting materials described in Saf-Mec 403.04; and

(3) Payment of the fees stated in Saf-Mec 501.03 and Saf-Mec 501.05.

(b) If the board, after receiving and reviewing the application materials described in (a) above requires additional information or documents to determine the applicant's eligibility for reinstatement of licensure, the board shall:

(1) So notify the reinstatement applicant in writing within 60 days; and

(2) Specify the information or documents it requires.

(c) The board shall deny the application for reinstatement of licensure if the applicant does not submit the requested additional information or documents within 60 days of the request.

(d) The board shall approve or deny the application for reinstatement of licensure in accordance with Saf-Mec 403.01, 403.05 and 403.06 within 120 days of the date that the board's office has received the completed, signed and dated application form, the supporting materials, the payment for fees and any information or documents requested under (b) above.

(e) If the board denies the application for reinstatement of licensure, the board shall provide the applicant with written reasons for the denial.

(f) An applicant for reinstatement of licensure wishing to challenge the board's denial of the application shall make a written request for a hearing of the challenge and submit it:

(1) Within 60 days of the notice of the denial; or

(2) If the applicant is on active military duty outside the United States, within 365 days of the applicant's return to the United States or release from duty, whichever occurs later.

PART Saf-Mec 406 RENEWAL OF MECHANICAL LICENSES FOR BUSINESS ENTITIES

Saf-Mec 406.01 Expiration of Mechanical Business Entity Licenses.

(a) Pursuant to RSA 153:29-a, II, mechanical business entity licenses shall expire bi-annually on the last day of January.

(b) Business entities which have not had their licenses renewed by the board before the expiration date of the license being renewed:

(1) Shall not engage in plumbing or fuel gas fitting until their licenses have been renewed; and

(2) Shall be subject to the provisions of RSA 153:37, I if they engage in plumbing or fuel gas fitting without a currently valid license.

Saf-Mec 406.02 Eligibility for Renewal of Mechanical Business Entity Licenses. A business entity shall be eligible for renewal of its mechanical business entity license unless:

(a) The license is under suspension by the board, in which case it shall not be eligible until the suspension has ended;

(b) Its license to engage in fuel gas fitting and/or plumbing has been revoked in New Hampshire or in another jurisdiction;

(c) The business entity has been convicted of a felony;

(d) The business entity has been the subject of a civil court judgment:

(1) As the result of negligence or repeated violations of adopted laws, rules or codes in which significant property damage, or risk of injury to the occupants took place; or

(2) Based at least in part on liability for injury to, or death of, a person;

(e) The business entity has been the subject of 3 or more civil court judgments specific to the licensing functions, each in the amount of \$5,000.00 or more, excluding interest, within the previous licensing period;

(f) The business entity does not have a sole proprietor, responsible managing employee, corporate officer, managing member or partner, as applicable, who:

(1) Is a master plumber for plumbing, and/or a fuel gas fitter currently licensed in New Hampshire; and

(2) Accepts responsibility for the business entity's performing plumbing work in accordance with the state mechanical, plumbing and fuel gas fitting codes or any more stringent local code; or

(g) The business entity has not:

(1) Complied with the application procedures set forth in Saf-Mec 406.03;

(2) Paid the renewal fee set forth in Saf-Mec 502.02 for the type of license being renewed; and

(3) Paid any applicable late renewal fees specified by Saf-Mec 502.03.

Saf-Mec 406.03 Procedures for Renewal of Mechanical Business Entity Licenses.

(a) Business entities seeking renewal of their mechanical business entity licenses to engage in fuel gas fitting and/or plumbing shall do so by submitting the fee payment and the completed, signed and dated renewal application form on a timely renewal basis, by the last day of January each 2 year licensing period.

(b) The renewal application form shall:

(1) Be provided by the board;

(2) Contain the following pre-printed statement:

"I acknowledge that, under RSA 641:3, I, knowingly making a false statement on this application form is a misdemeanor. I certify that the information I have provided on the application form is complete and accurate to the best of my knowledge and belief."

(3) Require the provision of the following information:

a. Identification of the business;

b. Identification of the individual who meets the requirements of the "Responsible Managing Employee" as described in Saf-Mec 307.05;

c. A list of all employees of the business entity who perform fuel gas fitting and/or plumbing work;

d. A detailed account of the circumstances relating to any court judgments against the business entity if any; and

e. A detailed account of the circumstances relating to any criminal conviction of the business entity if any; and

(4) Be dated and signed by the licensed owner, corporate officer, managing member of the limited liability company or partnership, and the responsible managing employee as applicable.

(c) Business entities that wish to be re-licensed to engage in fuel gas fitting or plumbing but fail to submit a completed, signed and dated renewal application form within the timelines set out in (a) above shall apply for reinstatement of licensure in accordance with Saf-Mec 407.

Saf-Mec 406.04 The Effect of the Signature on the Application Form for the Renewal of Mechanical Business Entity Licenses. The effect of the signature required by Saf-Mec 406.03 (b)(2) shall be:

(a) The signer's acknowledgement that, under RSA 641:3, I, knowingly making a false statement on the application form is a misdemeanor; and

(b) The signer's certification that the information provided on the renewal application form is complete and accurate to the best of the signer's knowledge and belief.

Saf-Mec 406.05 Processing of Applications for Renewal of Mechanical Business Entity Licenses.

(a) If, after receiving and reviewing the completed, signed and dated renewal application form submitted by a business entity, the board requires further information or documents to determine the applicant's qualification for renewal of licensure, the board shall:

(1) So notify the applicant in writing within 30 days; and

(2) Specify the additional information or documents it requires.

(b) The board shall deny the renewal application if the applicant does not submit the additional information or documents requested within 60 days of its request.

(c) The board shall approve or deny the renewal application in accordance with Saf-Mec 406 within 120 days of the date that the board's office has received the completed, signed and dated application form and any additional information or documents it has requested.

(d) If the board denies the renewal application, the board shall provide the renewal applicant with written reasons for the denial.

(e) A renewal applicant wishing to challenge the board's denial shall make a written request for a hearing of the challenge within 60 days of the notice of the denial.

PART Saf-Mec 407 REINSTATEMENT OF MECHANICAL LICENSES FOR BUSINESS ENTITIES

Saf-Mec 407.01 Types of Reinstatement of Mechanical Licenses for Business Entities.
The board shall reinstate mechanical licenses for business entities:

(a) In accordance with the terms of the board's order if the licenses were suspended for disciplinary reasons; or

(b) In accordance with Saf-Mec 407.02 if the licenses lapsed as a result of non-renewal.

Saf-Mec 407.02 Eligibility for Reinstatement of Lapsed Mechanical Licenses for Business Entities. A business entity shall be eligible for reinstatement of its lapsed mechanical business entity license if:

(a) The board has not revoked the license;

(b) The license is not under suspension by the board;

- (c) No other jurisdiction has revoked a license to engage in fuel gas fitting and/or plumbing which it had issued to the business entity;
- (d) The business entity has not been convicted of a felony;
- (e) The business entity has not been the subject of a civil court judgment related to plumbing and/or fuel gas fitting:
 - (1) As the result of negligence or repeated violations of adopted laws, rules or codes in which significant property damage, or risk of injury to the occupants took place; or
 - (2) Based at least in part on liability for injury to, or death of, a person;
- (f) The business entity has not been the subject of 3 or more civil court judgments directly related to the licensing functions of this subdivision, each in the amount of \$5,000.00 or more, excluding interest;
- (g) The business entity has a sole proprietor, responsible managing employee corporate officer, managing member or partner, as applicable, who:
 - (1) Is a master plumber for plumbing and/or a fuel gas fitting service technician currently licensed in New Hampshire; and
 - (2) Accepts responsibility for the business entity's performing mechanical work in accordance with the state mechanical, plumbing and fuel gas fitting codes or any more stringent local code;
- (h) The business entity has complied with the reinstatement application procedures set forth in Saf-Mec 407.03; and
- (i) The business entity pays the following fees:
 - (1) The renewal fee for the type of license being renewed as set forth in Saf-Mec 502.02; and
 - (2) The total of any late renewal fees accrued by the last day of January one year after the original expiration date of the license; or
 - (3) The reinstatement fee pursuant to Saf-Mec 502.03 as a result of the license suspension, revocation or late renewal that extends beyond the 365 day expiration period.

Saf-Mec 407.03 Application Process for Reinstatement of Lapsed Mechanical Licenses for Business Entities:

- (a) Each corporation, limited liability company or partnership seeking reinstatement of a lapsed mechanical license to practice fuel gas fitting and/or plumbing shall do so by submitting the following application packet:
 - (1) A business application form provided by the board that meets the requirements of Saf-Mec 406.03 and 406.04; and

(2) The fees specified by Saf-Mec 502.

(b) The board shall not consider a request for reinstatement of licensure until the completed reinstatement application packet described in (a) above has been received by the board's office.

(c) If the board, after receiving and reviewing the completed reinstatement application packet, requires further information or documents to determine the applicant's qualification for reinstatement of licensure, the board shall:

(1) So notify the applicant in writing within 60 days; and

(2) Specify the information or documents it requires.

(d) The board shall deny the reinstatement application if the applicant does not submit the additional information or documents requested under (c) above within 60 days of the request.

(e) The board shall approve or deny the reinstatement application in accordance with Saf-Mec 407.02 in writing within 120 days of the date that the board's office has received the completed reinstatement application packet and any information or documents requested under (c) above.

(f) A business applicant wishing to challenge the board's denial of its reinstatement application shall make a written request for a hearing of the challenge and submit it within 60 days of the notice of the denial.

APPENDIX

Rule	Statute
Saf-Mec 401.01	RSA 541-A:7
Saf-Mec 401.02	RSA 541-A:7; RSA 155-A:1, IV
Saf-Mec 401.03	RSA 541-A:7; RSA 153:5
Saf-Mec 401.04 - 401.05	RSA 541-A:7
Saf-Mec 402.01(a)	RSA 153:30, I(a)
Saf-Mec 402.01(b)	RSA 153:30, I(a); RSA 153:37, I
Saf-Mec 402.01(c) - (d)	RSA 153:30, I(b)
Saf-Mec 402.01(e)	RSA 153:28, II; RSA 153:30, I(b)
Saf-Mec 402.01(f)	RSA 153:30, I(c)
Saf-Mec 402.01(g)	RSA 153:30, I(b)
Saf-Mec 402.02(a)	RSA 153:29-a, II
Saf-Mec 402.02(b)	RSA 153:29-a, II; RSA 153:37, I
Saf-Mec 402.02(c) – (d)	RSA 153:30, I(b)
Saf-Mec 403.01(a) – (b)	RSA 153:30, I(a)
Saf-Mec 403.01(c)	RSA 541-A:29, I
Saf-Mec 403.01(d)	RSA 153:30, I(a)
Saf-Mec 403.01(e)	RSA 541-A:29, II
Saf-Mec 403.01(f) – (j)	RSA 153:30, I(a)
Saf-Mec 403.02 – 403.06	RSA 153:30, I(a)
Saf-Mec 404	RSA 153:30, I(d)
Saf-Mec 405	RSA 153:30, I(b)
Saf-Mec 406	RSA 153:29-a, II
Saf-Mec 407	RSA 153:30, I(b)