



Department of Consumer
and Business Services

Notice of Rulemaking Hearing

Filed April 25, 2024

Specialized Plumbing Inspector Certification Update

Opportunity for public input

A rulemaking hearing is scheduled to receive public testimony regarding the proposed rule amendment to expand the scope of the specialized plumbing inspector certification license under OAR 918-098-1570.

Hearing date: May 21, 2024

Time: 10 a.m.

Location: This will be a hybrid meeting, open to the public both in-person and virtually.

In-person hearing

BCD Conference Room A
1535 Edgewater St. NW
Salem, Oregon 97304

Virtual connection

This hearing will be hosted virtually through Zoom. The connection information will be posted on the [View live meetings](#) webpage.

Live streaming: [View live meetings](#)

Comments and testimony: The division accepts written and oral testimony from the public.

Written comments/testimony may be submitted by email to RulesCoordinator.bcd@dcbs.oregon.gov, or to the mailing address below no later than **Friday, May 24, 2024 at 5 p.m.**

If you wish to provide oral comments/testimony at the hearing you may do so in person or virtually. Email RulesCoordinator.bcd@dcbs.oregon.gov to sign up in advance. Please include your name, email address, and organization, and whether you will be attending in-person or virtually.

Purpose of the rules: The proposed rule amendment expands the scope of the specialized plumbing inspector certification license under OAR 918-098-1570 to include water services two inches or less and to clarify the existing scope. A rulemaking advisory committee meeting was held on April 2, 2024 to welcome any feedback and discussion of the rule.

Citation:

Amends OAR 918-098-1570

The anticipated effective date is July 1, 2024.

History: OAR 918-098-1570 is the rule for the specialized plumbing inspector certification in Oregon. The rule language specifies what types of structures specialized plumbing inspectors may or may not conduct inspections in for plumbing and piping systems.

Contact: If you have questions or need further information, contact Andy Skinner, plumbing program chief, at 503-373-7448, or andrew.j.skinner@oregon.gov.



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SECRETARY OF STATE

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ARCHIVES DIVISION

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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 918
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
BUILDING CODES DIVISION

FILED

04/25/2024 11:26 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Updates the rule language of the specialized plumber inspector certification

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 05/24/2024 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

CONTACT: Andy Boulton
971-375-7027
andrew.boulton@dcbs.oregon.gov

1535 Edgewater St NW
Salem, OR 97306

Filed By:
Andrew Boulton
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 05/21/2024

TIME: 10:00 AM

OFFICER: Staff

IN-PERSON HEARING DETAILS

ADDRESS: Building Codes Division, Conference Room A, 1535 Edgewater St NW, Salem, OR 97306

SPECIAL INSTRUCTIONS:

This will be a hybrid meeting, open to the public both in-person and virtually. The hearing will also be live-streamed at <https://www.oregon.gov/bcd/Pages/bcd-video.aspx>, where the virtual connection information will be posted on the day of the hearing.

NEED FOR THE RULE(S)

OAR 918-098-1570 is the rule for the specialized plumbing inspector certification in Oregon. The rule language specifies what types of structures specialized plumbing inspectors may or may not conduct inspections in for plumbing and piping systems. The division is considering a rulemaking to expand the scope of the specialized plumbing inspector certification to better align the scope with the residential plumbing inspector certification. A rulemaking advisory committee meeting was held on April 2, 2024 to welcome any feedback and discussion of the rule.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Draft rules are available from the division's rules coordinator located at 1535 Edgewater Street NW, Salem, OR 97304 and are posted on the division's Web site at: <http://www.oregon.gov/bcd/laws-rules/Pages/proposed-rules.aspx>.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

The division is not able to identify any racial equity impacts of this rule, but invites public feedback on this issue during

the hearing and public comment period.

FISCAL AND ECONOMIC IMPACT:

OAR 918-098-1570 is the rule for the specialized plumbing inspector certification in Oregon. The rule language specifies what types of structures specialized plumbing inspectors may or may not conduct inspections in for plumbing and piping systems. The division is considering a rulemaking to expand the scope of the specialized plumbing inspector certification to better align the scope with the residential plumbing inspector certification. A rulemaking advisory committee meeting was held on April 2, 2024 to welcome any feedback and discussion of the rule.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

Statement of cost of compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

This rule expands the scope of the specialized plumbing inspector (SPI) certification. SPI holders work for local building departments as well as private third party inspection companies. The expansion of the scope does not require any additional training or education, and the division does not anticipate any additional costs on units of local government or the public. The expanded scope will allow existing SPI holders to perform additional work which may result in greater efficiency and costs savings for local governments and the public.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule:

Small businesses are not directly impacted by this proposed rule. The SPI certification is an individual license, not a business license. There are approximately 118 SPI holders certified by the division, but the division does not track how many are currently employed by small businesses. The expanded scope of the SPI does not require any additional training or education for SPI holders or their employers. The division does not anticipate a fiscal impact on small businesses.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

The proposed rules do not impose any additional reporting, recordkeeping, or other administrative activities in order to comply.

c. Equipment, supplies, labor and increased administration required for compliance:

The proposed rules do not impose any additional equipment, supplies, labor, or increased administration requirements in order to comply.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses are represented by the State Plumbing Board, which has been notified of the appropriate provisions of these proposed rules. Small businesses were also invited to participate in the rules advisory committee meeting that was held on April 2, 2024.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

HOUSING IMPACT STATEMENT:

No known housing impact.

AMEND: 918-098-1570

RULE SUMMARY: The Building Codes Division is considering a rulemaking to expand the scope of the specialized plumbing inspector certification license under OAR 918-098-1570. These changes would allow inspections of plumbing systems in buildings with water services two inches or less.

CHANGES TO RULE:

918-098-1570

Specialized Plumbing Inspector Certification ¶

(1) Specialized plumbing inspectors may inspect plumbing and piping systems conveying potable water, storm, or domestic sanitary sewage in new commercial buildings:¶

(a) Less than 75 feet above grade in height as defined in the Oregon Structural Specialty Code and¶

(b) Containing a building water service less than two inches or less in nominal interior diameter; and¶

(2c) As Do not contain any of the plumbing and piping systems listed in section (4).¶

(2) Specialized plumbing inspectors may not conduct inspections in new structures with inspect plumbing and piping systems conveying potable water, storm, or domestic sanitary sewage in existing commercial buildings less than 75 feet above grade in height as defined in the Oregon Structural Specialty Code, except for they may not inspect the specific systems listed in section (4).¶

(3) Specialized plumbing inspectors may conduct inspections on plumbing or piping systems containing any of the items in (a) through (g) in new or existing residential buildings that a residential plumbing inspector may inspect under OAR 918-098-1210.¶

(4) Specialized plumbing inspectors cannot inspect the following plumbing and piping systems:¶

(a) Installation or alteration of a medical gas and vacuum system for health care facilities;¶

(b) Installation or alteration of chemical drainage, waste and vent systems containing chemical agents potentially detrimental to the integrity of a plumbing system;¶

(c) Installation or alteration of waste water pre-treatment systems for building sewers;¶

(d) Installation of vacuum drainage, waste and vent systems;¶

(e) Installation or alteration of reclaimed water systems;¶

(f) Installation of a commercial booster pump system needed to maintain minimum residual water pressure in a structure supplied by a municipal source; or¶

(g) Food service plumbing systems.¶

~~(3) Existing structures with plumbing systems containing any of the items in 2(a) through (g) may be inspected by specialized plumbing inspectors. But specialized plumbing inspectors may not inspect any of the items in 2(a) through (g).~~¶

~~(45) As a condition of entering a training program, an applicant must:~~¶

~~(a) Hold valid Oregon Code Certification as a one- and two-family or residential plumbing inspector;~~¶

~~(b) Have been employed as an inspector and performed inspections as a one- and two-family or residential plumbing inspector for a minimum of one year prior to applying for Specialized Plumbing Inspector Certification.~~¶

~~(c) Complete a specialized plumbing inspection training program that meets the minimum requirements established by the division, consisting of:~~¶

~~(A) Instructional coursework; and~~¶

~~(B) Supervised fieldwork inspections.~~¶

~~(d) Pass a division-approved examination.~~

Statutory/Other Authority: ORS 455.720, 455.730, 455.735

Statutes/Other Implemented: ORS 455.720, 455.730, 455.735