



**STATE BOARD OF PLUMBING
BUSINESS MEETING
MINUTES**

Date: October 19, 2023

Time: 10:30 a.m.

Location: 1100 N. Eutaw Street
Fifth Floor Conference Room
Baltimore, MD 21201
(In person for Board Members and Staff only)
Held via Video Conference
meet.google.com/qks-niad-yfo
By Phone via Teleconference
1-414-909-7588 (PIN: 385820141)

Members Present: Joseph Radtka, Chairman
Keith Horton, Vice-Chairman, Industry Member (joined at 10:34 a.m.)
Gregory Schott, Industry Member
Robert Parker, Consumer Member
Hayward Hinkhaus, Industry Member
Richard Bowers, Consumer Member

Absent: Leif Hancock, Industry Member

LABOR Officials & Staff Present: John Bull, Executive Director, Mechanical Licensing Unit
Sloane Fried Kinstler, Assistant Attorney General
LaKissha Thornton, Administrative Officer III

OTHERS PRESENT: Wayne Fishpaw, Pipe Trades Technology
Darrack Day, 2Day Waterworks (joined meeting at 11:00 a.m.)

CALL TO ORDER

Chair Joseph Radtka called the Business Meeting of the Maryland State Board of Plumbing to order, virtually, at 10:32 a.m.

APPROVAL OF MINUTES

A motion was made by Mr. Hinkhaus to approve the minutes of the September 21, 2023, Plumbing Board Meeting without amendment, seconded by Mr. Schott, and, by a roll call vote, unanimously approved by the

Board. Mr. Horton had not joined the meeting at the time of the approval of the minutes and did not take part in the vote.

PLUMBING COMPLAINT COMMITTEE

Mr. Schott reported the findings of the Complaint Committee as follows:

<u>Closed Complaint</u>	<u>Under Investigation</u>	<u>Sent for A.G. Pre-Charge</u>	<u>Criminally Charged</u>
24-0004			
24-0015			
24-0017			
24-0018			

Mr. Horton joined the meeting at 10:35 a.m.

Chairman Radtka requested that a Board member volunteer to join the Complaint Committee and asked if anyone would be interested in joining. Mr. Hinkhaus volunteered to join the Complaint Committee.

A motion to reestablish the complaint committee with members to include Chairman Radtka, Mr. Schott, and Mr. Hinkhaus was made by Mr. Schott and seconded by Mr. Bowers. The motion was passed unanimously by the Board.

Upon a motion by Mr. Bowers, and a second by Mr. Parker, the Board voted unanimously, in a roll call vote, to approve the Complaint Committee’s report.

REVIEW OF EXAMINATION STATISTICS AND LICENSE TOTALS

PSI Exams submitted the following statistical summaries for August 2023:

Plumber	Candidates Tested	Passed	Failed	Pass %
Journey Natural Gas Fitter	5	1	4	20%
Journey Plumber/Gas Fitter	42	9	33	21%
Master Natural Gas Fitter	0	0	0	-
Master Plumber/Gas Fitter	24	8	16	33%
TOTAL	71	18	53	25%

Director Bull reported that since January 2023, 598 candidates were tested, 228 candidates passed, 370 failed, for a pass rate of 38%. Since the inception of the test, 10,982 candidates were tested, 3977 candidates passed, 7005 failed, for a pass rate of 36%. There are currently 13,524 active licensees.

Mr. Bowers commented that the overall pass rate for the month of September 2023 had dropped to 25% and asked Director Bull if he could cite any reasons for the decrease. Director Bull commented that a larger number of applicants had been requesting to take the exam in Spanish and inferred that a language barrier may be contributing to the decreased pass rate. He continued stating that he had begun working with PSI to develop a Spanish version of the test. Director Bull also noted that many individuals in the industry were not

aware of the test preparation resources that were available and may not be making good use of them. Chairman Radtka commented that Director Bull's reasoning was sound and questioned if information on available test preparation programs could be add to the State Board of Plumbing website. Director Bull replied that he would begin working on adding the information to the website and recommended that an informational pamphlet be put together for distribution to the public regarding test preparation, licensing requirements and other relevant industry information. Chairman Radtka and Mr. Bowers were in support of both adding information to the website and developing a pamphlet for distribution.

CORRESPONDENCE

A question regarding the type of licensure required to perform sewer and drain cleaning services was submitted via email by Mr. Nicholas Dean. After consulting with Counsel, the Board did not advise on what type(s) of license(s) would be needed to provide sewer cleaning services, as sewer cleaning does not fall within the statutory definition of the provision of plumbing services. Md. Ann. Code, Bus. Occ. & Prof. § 12-101(n). The Board advised that no license was required for drain cleaning. Chairman Radtka and Mr. Schott commented that an unlicensed person could remove a toilet to clean a drain but could not install a new toilet after the drain was cleaned. The existing toilet would need to be reinstalled in compliance with the law. Chairman Radtka continued, stating that the only part of the toilet that could be replaced by an unlicensed person when cleaning a drain was the wax ring. He observed that pipe replacement would require a plumbing license. Staff will prepare and issue a response on behalf of the Board.

OLD BUSINESS

Discussion on COMAR 09.20.01.01-.07

Chairman Radtka asked Mr. Schott to begin a discussion on proposed regulations, COMAR 09.20.01.01-.07. Mr. Schott stated that he recommended adopting the National Fire Prevention (NFPA) 58 2024 version, International Residential Code (IRC) 2021, International Plumbing Code (IPC) 2021 and the International Fuel Gas Code (IFGC) 2021 as they are written. Mr. Schott noted a modification to the 2018 IPC required tracer wire to be included in all plastic piping. He questioned whether the provision would be stricken if the 2021 IPC was adopted as written. Chairman Radtka pointed out that the tracer wire requirement does appear in the 2021 IFGC. Mr. Schott confirmed that the tracer wire requirement does appear in section 404.7.3 of the IFGC. Counsel advised that because the tracer wire requirement is included in a version of a code to be adopted by the Board, IFGC, it could be viewed as covering the issue. Counsel advised that if the Board was satisfied with the modification being listed in the IFGC, that a modification to the IPC was not necessary, as a licensee should be familiar with all applicable publications that comprise the State Plumbing Code. Mr. Hinkhaus and Mr. Schott expressed concern and suggested the tracer wire requirement be added to the IPC as a modification.

Mr. Parker made a motion that Director Bull request concept approval for proposed action to adopt the 2024 NFPA; 2021 IRC; and 2021 IFGC as written, and to adopt the 2021 IPC with a modification with requirements applicable to tracer wire. The motion was seconded by Mr. Parker, and unanimously approved by the Board.

Reciprocal Licensing

Chairman Radtka asked Director Bull if there had been an advancement on a reciprocal licensing agreement with the District of Columbia, to which Director Bull replied that there had not.

NEW BUSINESS

There was no New Business.

EXECUTIVE DIRECTOR’S REPORT

Director Bull reported that a new investigator for the mechanical licensing unit would begin in the position on November 8, 2023. He also stated that another investigator will also be hired within the next few months.

Director Bull reported that the proposed regulation regarding fee increases had been submitted to the Secretary’s Office for concept approval.

Director Bull informed the Board that there were three (3) Board members whose tenure will be addressed during the next legislative session. He stated that Mr. Horton’s reappointment had been delayed by the Governor’s office but is expected to go through. Director Bull continued, stating that Mr. Hancock and Mr. Bowers would both be up for reappointment during the session. Mr. Hancock was appointed to an unexpired term and should be reappointed to a new 3-year term. Chairman Radtka noted a vacant seat on the Board for which he was aware of an interested party who was seeking appointment by the Governor’s office.

COUNSEL’S REPORT

Counsel did not offer a report.

CHAIR’S REPORT

Chairman Radtka reiterated his concern for Diane Kastner, Executive Director of MPHCC, and wished the Board members and staff a Happy Halloween.

CLOSED SESSION

The Board did not convene in closed session.

ADJOURNMENT

Upon Mr. Bowers’ Motion, and Mr. Parker’s second, and the Board unanimously voted to adjourn the meeting at 11:29 a.m.

Signature On File

11/16/2023

John Bull
Executive Director

Date

Signed on behalf of the Board as voted and approved on 11/16/2023