



Guide

Colorado Chapter of the International Code Council

Procedure for Contemporaneous Reviews of Electrical and Plumbing Licenses

This guide is the result of HB19-1086 (Plumbing) and SB19-156 (Electrical).

This guide sets forth standard procedures for conducting contemporaneous reviews to ensure consistent, timely and efficient enforcement of Colorado's electrical and plumbing licensure and apprenticeship requirements.

Electricians and plumbers must register prior to applying for a permit to perform work. State-issued license credentials shall be provided from all electricians and plumbers during the Registration process and, based on availability, Staff will use DORA's licensing service to review such credentials. If an applicant fails to provide State-issued credentials, or if a review reveals the credentials provided to be inactive, Staff shall discontinue Registration until the applicant resolves the discrepancy.

All permits shall require that any change of State-issued credentials for an active permit, a contractor registration, or master contractor be reported in writing by the permittee. Staff will conduct a review of the existing permit and nature of the change of credentials to determine further action on the permit, if necessary.

Inspectors may conduct full or partial contemporaneous reviews of the electricians, plumbers and apprentices working at a job site at their discretion, based on their familiarity with the installers and any other relevant factors. These reviews may be conducted at any time, at any job where plumbing and electrical work is being conducted, the frequency of which shall be based on staff availability, with an emphasis on large multifamily and commercial jobsites.

If a contemporaneous review reveals any non-compliance with Colorado's electrical and plumbing licensure or apprenticeship requirements, the inspector who performed the review shall promptly notify his or her immediate supervisor. Staff will consider the nature and severity of the violation and determine whether to file a complaint with the State electrical and plumbing boards per C.R.S. Title 12, Article 115 (Electricians) or C.R.S. Title 12, Article 155 (Plumbers).

This document was developed by the Colorado Chapter of the International Code Council as a basic procedural guide required by Colorado Revised Statutes Title 12 Articles 115 and 155. It is not intended to cover all circumstances. Check with your attorney.



CONTEMPORANEOUS REVIEWS



OVERVIEW

The state has developed a standard procedure for conducting contemporaneous reviews to ensure consistent, timely and efficient enforcement of Colorado's plumbing licensure and apprenticeship requirements. This procedure is pursuant to Section 12-155-120(1) and (10), Colorado Revised Statutes, which become effective Jan. 1, 2020. Inspecting entities are required to develop standard procedures advising its inspectors how to conduct these reviews of plumbers and apprentices that are compliant with state plumbing licensing and apprentice ratio laws.

REQUIREMENTS FOR INSPECTING ENTITIES

- Establish when in the permitting process the Inspecting Entity (IE) verifies that the Plumbing Contractor (PC) and the PC's full-time Master Plumber (MP) maintain active registration and licensure (respectively), and what the IE will do if no active license or registration exists.
- Determine method IE will use to verify license and/or registration.
- Establish how the IE will handle changes if the PC or Master Plumber originally assigned to a job is replaced or leaves after the permit is obtained.
- Determine whether the permit remains in place or terms in which the permit can remain active.
- The IE's inspector must determine when and how to verify the licensee's performing work and their compliance with licensee-to-apprentice ratio, as required by law. IE must also determine actions to take should violations occur.
- Establish how, if, and when the IE or IE's Inspector will report violations to the Board.



POSTING GUIDELINES

The Inspecting Entity must post these standard procedures related to contemporaneous review in a prominent location on its public-facing website on or before Jan. 1, 2020. A link to the webpage on which the procedures have been posted must be provided to the State Plumbing Board office via email at DORA_PlumbingBoard@state.co.us by Dec. 1, 2019.



POSTING GUIDELINES II

If an Inspecting Entity does not have a website, the current procedures must be provided via email to the Board at DORA_PlumbingBoard@state.co.us for posting on the Board's website by Dec. 1, 2019.



COMPLIANCE AUDITS

The Board shall ensure compliance with the preceding steps through a regular audit process and violations for insufficient standard procedures are subject to disciplinary action pursuant to Section 12-20-405(2), C.R.S.



COLORADO

Department of
Regulatory Agencies

Division of Professions and Occupations

Standard Procedures for Compliance with Contemporaneous Review for Inspecting Entities

State Plumbing Board

Effective Date: Oct. 29 2019

1. PURPOSE

The purpose of this Standard Procedure is to define parameters and methods to track an Inspecting Entity's compliance with HB19-1086. This requires that an Inspecting Entity (IE), including the state, have publicly posted standard procedures advising it's inspectors how to conduct contemporaneous reviews of plumbers and apprentices compliance with state plumbing licensing and apprentice-ratio laws.

2. SCOPE

This document specifically applies to:

- Inspecting Entities required to develop and post Standard Practices for Contemporaneous Review; and,
- Staff members employed by the Division of Professions and Occupations in the Department of Regulatory Agencies assigned to:
 - Implement the effective posting and monitoring of these standards.
 - Provide plumbing inspections for the state in those areas where the local jurisdiction does not conduct inspections and issue permits.

3. REFERENCES (if Applicable)

- Colorado Revised Statutes:
 - [Section 12-155-108](#)
 - [Section 12-155-124](#)
 - [Section 12-155-120\(1\)](#)
 - [Section 12-155-120\(10\)](#)
- Board Website re: Contemporaneous Review: by Dec. 1, 2019, posted at a later date
- Board Email address: dora_plumbingboard@state.co.us

4. DEFINITIONS (if Applicable)

- AP - Apprentice Plumber
- Board - State Plumbing Board
- Division Director - The Director of the Division of Professions and Occupations (DPO)
- Inspecting Entity (IE) - An inspector performing an inspection for the state, an incorporated town or city, county, city and county, or qualified state institution of higher education. This includes plumbing inspectors employed by the state to perform plumbing inspections.
- MP - Master Plumber



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Department of
Regulatory Agencies

Division of Professions and Occupations

- Program Area - The office of the Board
- PC - Plumbing Contractor

5. ROLES & RESPONSIBILITIES

The following outlines the roles and responsibilities related to development, implementation, and management for compliance with HB19-1086:

- Inspection Entity
 - o Utilizing the minimum requirements in section 6 Process below and section 12-155-120, C.R.S., establish Standard Procedures to advise its inspectors on how to conduct a contemporaneous review required in and in compliance with HB19-1086.
 - o Post standard procedures to their public website.
 - o Provide link to website to the Division Director upon implementation and as web link is edited/updated.
- Program Area - Program Director and staff:
 - o Develop a sample web page that will house minimum requirements for standard procedures and list of links to IE's corresponding webpage(s).
 - o Develop, prepare for posting, and maintain posting of a 'spreadsheet' listing the IEs and each IE's web-link(s) to their standard procedures for contemporaneous review.
 - o Monitor Board email for IE notifications and process updates to the Board's dedicated website.
 - o Expedite process for instances of non-compliance.
- Division Wide Program Services:
 - o Website Development for aforementioned postings 2-3 weeks for work as represented.
 - o Assist Program Area for updating information on this Board site.
- AUDIT Team:
 - o Set standards for bi-annual auditing for compliance.
 - o Refer non-compliant IE to Program Area for possible action.

6. PROCESS

I. Development of Standard Procedures

Inspecting Entities (IE), including the state, will develop Standard Procedures.

The Division sets the following Minimum Requirements for Inspecting Entity's (IE) Standard Procedures for effective Contemporaneous Review:



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Department of
Regulatory Agencies

Division of Professions and Occupations

1. Establish when, in the permitting process, the IE verifies that the Plumbing Contractor (PC) and the PC's full-time Master Plumber (MP) maintains active registration and licensure (respectively), and what IE will do if no active license or registration exists.
2. Determine method IE will use to verify license and/or registration (i.e. DORA's online licensing system).
3. Establish how IE will handle changes if the PC or MP originally assigned to a job is replaced or leaves the project after the permit is obtained. Determining whether the permit remains in place or terms in which the permit can remain active.
4. IEs must determine when and how their inspector(s) will:
 - a. Conduct occasional, random, on-site inspections for compliance with 12-155-108, and 12-155-124;
 - b. Verify licensure for all plumbers and the registrations of all Apprentice Plumbers (AP) performing work at a job site being inspected; and,
 - c. Verify PC's compliance with licensee-to-apprentice ratio, as required by law. IE must also determine actions to take should violations occur.
5. Establish how, if, and when, IE or IE's Inspector will report violations to the Board.

II. Posting Guidelines

1. IE's Posting Requirements:
 - a. The IE must post the aforementioned standard procedures, related to contemporaneous review, in a prominent location on its public-facing website.
 - b. A link to the webpage on which the procedures have been posted must be provided to the State Plumbing Board office via email at DORA_PlumbingBoard@state.co.us by December 1, 2019.
 - c. If an Inspecting Entity does not have a website, the current procedures must be provided via email to the Board at DORA_PlumbingBoard@state.co.us for posting on the Board's website by December 1, 2019.
2. DPO/Board Posting Process

Board will create and maintain a webpage that:

 - a. Provides minimum requirements for standard procedures; and
 - b. A list of Inspecting Entities, including the state, with the hyperlink the IE provided to their Standard Procedures.

List will include access to the standard procedures for IE's that do not have a website.

III. Auditing Standards and Process

1. At least bi-annually, the Division's Compliance Services office will conduct an audit to:
 - a. Verify links provided to the Director by Inspecting Entities are current and compliant with the requirements of HB19-1086;



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**Department of
Regulatory Agencies**

Division of Professions and Occupations

- b. Verify that the Standard Procedures are compliant with the minimum requirements for Inspecting Entity's Standard Procedures and the requirements of HB19-1086.
 2. The Compliance Services office will refer instances of non-compliance to the Board's Program Area for consideration.
 - a. Once received, and pursuant to section 12-155-120(10)(c), C.R.S., the Board's Program Area will initiate a complaint and, after initial approval and delegation by the Board, issue an Order to Show Cause as to why the Board should not issue the IE an Order to Cease and Desist from conducting plumbing inspections until the IE comes into compliance.
 - b. The Board will conduct a Show Cause hearing to consider the IE's response to the Order to determine the need for a Cease and Desist Order.

7. REVISION HISTORY

This procedure is to be reviewed every 12 months by the document owner and remains in effect until otherwise noted. The current version is effective Oct. 29, 2019.