



## Common Sense Initiative

**Mike DeWine**, Governor  
**Jon Husted**, Lt. Governor

**Carrie Kuruc**, Director

### MEMORANDUM

**TO:** Dawn Evarson, Ohio Department Commerce, Division of Industrial Compliance

**FROM:** Ethan Wittkorn, Regulatory Policy Advocate

**DATE:** July 1, 2020

**RE:** CSI Review – Plumbing Permit and Inspector Certification Rules (OAC 1301:3-2-01, 1301:3-2-02, 1301:3-2-03, 1301:3-2-04, 1301:3-2-06, 1301:3-2-07, 1301:3-2-08, and 1301:3-2-09)

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On behalf of Lt. Governor Jon Husted, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

#### Analysis

This Ohio Department of Commerce (Department), Division of Industrial Compliance, rule package consists of four amended and four no change rules. It was submitted to the CSI Office on June 8, 2020 as part of the statutory five-year rule review, and the public comment period was open through June 19, 2020. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on June 8, 2020.

The proposed rules cover the requirements to obtain plumbing inspector certification, the jurisdiction of plumbing inspectors, and the grounds and process of revoking, denying, or suspending a plumbing inspector certification. Amendments proposed in the rules include changes to ensure that the rules convey their intended meaning, the revision of typographical errors, and the correction of citations.

During the period of early stakeholder outreach, the Department contacted stakeholders by email, including various regional and state plumbing associations, educational groups, lobbyists, and contractor associations. No comments were received on the rules during either the early stakeholder

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outreach period or the CSI public comment period.

Impacted communities include plumbers, plumbing inspectors, owners of commercial or public buildings in which plumbing work may be done, plumbing inspector applicants, municipal building departments, and local health districts. Potential adverse impacts include the time associated with submitting an application, experience requirements for certification, adherence to rules regarding the possession of a valid certificate to engage in plumbing inspections, certification renewal requirements, and potential administrative discipline for a failure to comply with the rules. Fees associated with the rules include a plumbing permit application fee of \$200 with an additional \$20 for each trap, vented fixture, appliance, or device; a plan approval fee of \$200, and a reinspection fee of \$100, if necessary. Additional fees for plumbing inspector certificates include a renewal fee of \$60, a \$50 application fee, a \$25 examination fee, and a \$25 certification fee. The Department states that the proposed rules are necessary to ensure an individual is qualified to perform proper plumbing inspections and for the protection of public health and safety.

### **Recommendations**

Based on the information above, the CSI Office has no recommendations on this rule package.

### **Conclusion**

The CSI Office concludes that the Department should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.