

**Annual List of Rulemaking Activity**  
**Rules Adopted January 1, 2021 to December 31, 2021**  
*Prepared by the Secretary of State pursuant to 5 MRS §8053-A sub-§5*

**Agency name:** Department of Professional and Financial Regulation,  
Office of Professional and Occupational Regulation  
**Plumbers' Examining Board**

**Umbrella-Unit:** **02-395**

**Statutory authority:** 32 MRS §§ 3403-A, 3403-B(1), 3302

**Chapter number/title:** **Ch. 4**, Installation Standards (including Incorporated by Reference:  
2021 Uniform Plumbing Code:(IAPMO/ANSI UPC 1-2021))

**Filing number:** **2021-212**

**Effective date:** 1/1/2022

**Type of rule:** Routine Technical

**Emergency rule:** No

**Principal reason or purpose for rule:**

As required by 32 MRS §3403-B, the board shall adopt minimum rules relating to plumbing, including a plumbing code. The proposed rulemaking would repeal the current ch. 4, *Installation Standards*, and replace with a new rule with the same title and in the same location that establishes installation rules and adopts and incorporates by reference the *Uniform Plumbing Code* ("UPC"), 2021 edition, subject to certain amendments and exclusions.

**Basis statement:**

The Maine Plumbers' Examining Board (the "Board") is charged by the Legislature with the regulation of plumbers in the State of Maine for the sole purpose of protecting the public health and welfare. The Legislature granted the Board rulemaking authority pursuant to 32 MRS §3403-A(1). More specifically, the Board is directed pursuant to 32 MRS §3403-B(1) to adopt minimum rules relating to plumbing, including a plumbing code.

The proposed rulemaking would repeal the current ch. 4, *Installation Standards*, and replace with a rule with the same title and in the same location that adopts and establishes installation rules and incorporates by reference into Board rule the International Association of Plumbing and Mechanical Officials *Uniform Plumbing Code* ("UPC"), 2021 edition, subject to certain amendments and exclusions. The board's current ch. 4 adopts and incorporates by reference the 2015 UPC, subject to certain amendments and exclusions.

The proposed rule adopts the 2021 UPC with amendments to the following: ch. 102.8, Appendices; ch. 104.1, Permits Required; ch. 104.2, Exempt Work; ch. 104.3.1 Construction Documents; ch. 104.5, Permit Fees; ch. 105.2.6, Reinspections; ch. 105.3, Testing of Systems; ch. 218.0, Plumbing System; ch. 220.0, Roughing-In; ch. 315.1, Unions; ch. 422.2, Separate Facilities; ch. 605.12.2, Solvent Cement Joints; ch. 705.6.2, Solvent Cement Joints; ch. 807.3, Domestic Dishwashing Machine; ch. 901.0 General by adding ch. 901.4, Future Vents; and ch. 906.0, Vent Termination.

The proposed rule does not adopt ch. 104.3.2, Plan Review Fees; ch. 104.3.3, Time Limitation of Application; ch. 104.4.3, Expiration; ch. 104.4.4., Extensions; Table 104.5, Plumbing Permit Fees; ch. 105.4, Connection to Service Utilities; ch. 106.3, Penalties; ch. 107.0, Board of Appeals; ch. 107.1, General; ch. 107.2, Limitations of Authority; certain definitions contained in ch. 203.0, 204.0, 205.0, 206.0, 207.0, 208.0, 209.0, 214.0, 215.0, 216.0, 218.0, 219.0, 221.0, 222.0, 223.0, 224.0; ch. 312.12.3, Tub Waste Openings; ch. 313.7, Gas Piping; ch. 319.0, Medical Gas and Vacuum Systems; ch. 319.1, General; ch. 5, Water Heaters, except for certain sections; ch. 609.12, Pipe Insulation, including 609.12.1 and 609.12.2; ch. 612.0, Residential Fire Sprinkler Systems, which includes ch. 612.1 through 612.7.2 and any tables referenced therein; ch. 713.5, Permit; Table 721.1, Minimum Horizontal Distance Required from Building Sewer (feet); ch. 1101.6 Subsoil Drains, which includes ch.s 1101.6.1-1101.6.5; ch. 1101.7, Building Subdrains; ch. 1101.8,

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Areaway Drains; ch. 1101.9, Window Areaway Drains; ch. 1101.10 Filling Stations and Motor Vehicle Washing Establishments; ch. 1101.11, Paved Areas; ch. 12, Fuel Gas Piping; and ch. 13, Health Care Facilities and Medical Gas and Medical Vacuum Systems.

The Board held a public hearing on June 7, 2021, to take oral comments, and continued to accept written comments through 5:00 pm on June 17, 2021. After consideration of the comments received at the public rulemaking hearing and of the written comments received, the Board voted to adopt the proposed rule at its August 9, 2021 meeting, with one modification to correct a typo in Section 1(C)(1)(c) of the proposed rule (first sentence of 104.2 Exempt Work, subsection (3), stated “indirect or indirect” when it should have stated “direct or indirect”). The adopted rule is consistent with the terms of the proposed rule.

**Fiscal impact of rule:**

Within the Scope of the Rule, which establishes plumbing installation standards and adopts the 2021 UPC with certain amendments and exclusions, there are changes that may both increase and decrease the costs of plumbing installations. The rule amends ch. 807.3, “Domestic Dishwashing Machine”, which may decrease costs and adds ch. 901.4, “Future Vents”, which may increase costs in new construction.