

**First Regular Session  
Sixty-third General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 01-0595.01 Duane Gall

**HOUSE BILL 01-1188**

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**HOUSE SPONSORSHIP**

**Weddig,**

**SENATE SPONSORSHIP**

**Chlouber,**

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**House Committees**

Business Affairs & Labor

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE REGISTRATION OF PLUMBING DESIGNERS.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Creates a distinct classification for plumbing designers, who prepare and review plans for plumbing systems in buildings, under the jurisdiction of the existing board of registration for professional engineers and professional land surveyors. Sets out education and experience requirements for applicants and authorizes registered plumbing designers to use a seal signifying their authorship or approval of plumbing system designs.

Makes conforming amendments.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

*Capital letters indicate new material to be added to existing statute.*

*Dashes through the words indicate deletions from existing statute.*

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** Article 58 of title 12, Colorado Revised Statutes, is  
3 amended BY THE ADDITION OF A NEW PART to read:

4 **PART 2**  
5 **PLUMBING DESIGNERS**

6 **12-58-201. Definitions.** AS USED IN THIS PART 2, UNLESS THE  
7 CONTEXT OTHERWISE REQUIRES:

8 (1) "APPLICANT" MEANS A PERSON WHO APPLIES FOR REGISTRATION  
9 UNDER THIS PART 2.

10 (2) "BOARD" MEANS THE STATE BOARD OF REGISTRATION FOR  
11 PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS, CREATED  
12 IN SECTION 12-25-106.

13 (3) "CERTIFICATE" MEANS THE MEDIA ISSUED BY THE BOARD UNDER  
14 SEAL TO EVIDENCE REGISTRATION OF A PLUMBING DESIGNER PURSUANT TO  
15 THIS PART 2.

16 (4) "REGISTRANT" MEANS A PLUMBING DESIGNER REGISTERED IN  
17 ACCORDANCE WITH THIS PART 2.

18 **12-58-202. Exemptions.** (1) THIS PART 2 SHALL NOT BE  
19 CONSTRUED TO PREVENT OR TO AFFECT:

20 (a) THE WORK OF AN EMPLOYEE OR SUBORDINATE OF AN  
21 ARCHITECT LICENSED UNDER ARTICLE 4 OF THIS TITLE, IF SUCH WORK IS  
22 PERFORMED UNDER THE DIRECT SUPERVISION OF SUCH LICENSED  
23 ARCHITECT;

24 (b) THE WORK OF A RESIDENTIAL PLUMBER, JOURNEYMAN  
25 PLUMBER, MASTER PLUMBER, PLUMBING APPRENTICE, OR PLUMBING  
26 CONTRACTOR PRACTICING IN ACCORDANCE WITH PART 1 OF THIS ARTICLE;

1 OR

2 (c) THE RIGHTS OF ANY OTHER LEGALLY RECOGNIZED PROFESSION.

3 **12-58-203. Powers and duties of the board.** (1) IN ADDITION TO  
4 ALL OTHER POWERS AND DUTIES CONFERRED OR IMPOSED UPON THE BOARD  
5 BY ARTICLE 25 OF THIS TITLE, THE BOARD SHALL ADOPT AND PROMULGATE,  
6 UNDER THE PROVISIONS OF SECTION 24-4-103, C.R.S., SUCH RULES AS IT  
7 MAY DEEM NECESSARY OR PROPER TO CARRY OUT THE PROVISIONS OF THIS  
8 PART 2 AND SHALL:

9 (a) ADOPT RULES OF PROFESSIONAL CONDUCT FOR PLUMBING  
10 DESIGNERS, UNDER THE PROVISIONS OF SECTION 24-4-103, C.R.S., WHICH  
11 SHALL BE PUBLISHED IN THE ROSTER, AS PROVIDED IN PARAGRAPH (d) OF  
12 THIS SUBSECTION (1). SUCH PUBLICATION SHALL CONSTITUTE DUE NOTICE  
13 TO ALL REGISTRANTS.

14 (b) REQUIRE EACH APPLICANT TO DEMONSTRATE COMPETENCE BY  
15 MEANS OF EXAMINATION AND EDUCATION AND MAY REQUIRE WORK  
16 EXAMPLES AS IT DEEMS NECESSARY AND SUFFICIENT.

17 (c) KEEP A RECORD OF ITS PROCEEDINGS AND OF ALL APPLICATIONS  
18 UNDER THIS PART 2. THE APPLICATION RECORD FOR EACH APPLICANT  
19 SHALL INCLUDE:

20 (I) NAME, AGE, AND RESIDENCE OF THE APPLICANT;

21 (II) DATE OF APPLICATION;

22 (III) PLACE OF BUSINESS OF THE APPLICANT;

23 (IV) EDUCATION OF THE APPLICANT;

24 (V) PLUMBING DESIGN EXPERIENCE AND OTHER APPLICABLE  
25 EXPERIENCE OF THE APPLICANT;

26 (VI) TYPE OF EXAMINATION REQUIRED;

27 (VII) DATE AND TYPE OF ACTION TAKEN BY THE BOARD; AND

1 (VIII) SUCH OTHER INFORMATION AS MAY BE DEEMED NECESSARY  
2 BY THE BOARD.

3 (d) (I) PUBLISH A COMPLETE ROSTER ANNUALLY. THE ROSTER  
4 SHALL BE FILED WITH THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF  
5 REGULATORY AGENCIES AND EACH COUNTY CLERK AND RECORDER. THE  
6 ROSTER SHALL BE MAILED TO EACH PLUMBING DESIGNER WHO HAS  
7 REMITTED THE RENEWAL FEE FOR THAT YEAR AND WHOSE NAME APPEARS  
8 IN THE ROSTER AND MAY BE MADE AVAILABLE TO THE PUBLIC ON REQUEST  
9 AND UPON PAYMENT OF THE APPROPRIATE FEE.

10 (II) THE ROSTER SHALL CONTAIN:

11 (A) A COPY OF THIS PART 2;

12 (B) AN ALPHABETICAL LIST OF THE NAMES AND ADDRESSES OF  
13 RECORD OF ALL CURRENTLY REGISTERED PLUMBING DESIGNERS;

14 (C) A LIST CONTAINING THE REGISTRATION NUMBERS IN  
15 NUMERICAL SEQUENCE AND THE NAMES OF ALL REGISTERED PLUMBING  
16 DESIGNERS;

17 (D) THE RULES OF PROFESSIONAL CONDUCT FOR PLUMBING  
18 DESIGNERS ADOPTED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION  
19 (1); AND

20 (E) THE RULES OF THE BOARD.

21 (e) PROVIDE FOR AND ADMINISTER WRITTEN EXAMINATIONS TO BE  
22 GIVEN AT SUCH TIMES AND LOCATIONS AS THE BOARD SHALL DESIGNATE.  
23 WRITTEN EXAMINATION PAPERS SHALL BE IDENTIFIED ONLY BY NUMBERS  
24 AND SHALL BE ANONYMOUSLY GRADED. AFTER REVIEW AND APPROVAL BY  
25 THE BOARD, ALL EXAMINATION RESULTS SHALL BE RECORDED, AND EACH  
26 APPLICANT'S EXAMINATION RESULTS SHALL BE SENT TO SUCH APPLICANT  
27 BY FIRST-CLASS MAIL. THE BOARD SHALL ENSURE THAT THE PASSING

1 SCORE ON PLUMBING DESIGN EXAMINATIONS SHALL BE SET TO MEASURE  
2 THE LEVEL OF MINIMUM COMPETENCY. THE BOARD SHALL PUBLISH AND  
3 MAKE AVAILABLE TO INTERESTED APPLICANTS A LIST OF THE SUBJECTS  
4 INCLUDED IN THE PLUMBING DESIGN EXAMINATIONS WHICH ARE  
5 DEVELOPED BY THE BOARD, SUCH SUBJECTS BEING CONSISTENT WITH AND  
6 RELATED TO THE VARIOUS ASPECTS OF PLUMBING DESIGN.

7 (f) ADOPT AND HAVE AN OFFICIAL SEAL.

8 (2) THE BOARD MAY EMPLOY A PLUMBING DESIGNER TO ASSIST IN  
9 INVESTIGATING THOSE COMPLAINTS BROUGHT TO THE BOARD RELATIVE TO  
10 THE PROVISIONS OF THIS PART 2, AND MAY CONSULT WITH THE EXAMINING  
11 BOARD OF PLUMBERS, CREATED IN PART 1 OF THIS ARTICLE, IN ADOPTING  
12 RULES AND STANDARDS.

13 **12-58-204. Fees - disposition.** (1) PURSUANT TO SECTION  
14 24-34-105, C.R.S., THE BOARD SHALL CHARGE AND COLLECT FEES FOR THE  
15 FOLLOWING:

16 (a) ISSUANCE OF A CERTIFICATE;

17 (b) RENEWAL OF A CERTIFICATE;

18 (c) LATE RENEWAL OF A CERTIFICATE;

19 (d) REPLACEMENT OF A CERTIFICATE;

20 (e) APPLICATION FOR REGISTRATION BY ENDORSEMENT;

21 (f) APPLICATION FOR THE EXAMINATION AND FOR REEXAMINATION  
22 IF NECESSARY;

23 (g) COPY OF THE OFFICIAL ROSTER.

24 (2) ALL FEES COLLECTED PURSUANT TO THIS PART 2 SHALL BE  
25 TRANSMITTED TO THE STATE TREASURER FOR DEPOSIT IN THE DIVISION OF  
26 REGISTRATIONS CASH FUND CREATED IN SECTION 24-34-105 (2) (b) (I),  
27 C.R.S.

1           **12-58-205. Application for registration and certificates.**

2           (1) THE BOARD SHALL PRESCRIBE AND FURNISH APPLICATION FORMS. ALL  
3           APPLICATIONS SHALL BE MADE UNDER OATH AND SHALL BE ACCOMPANIED  
4           BY THE APPROPRIATE FEE. APPLICATIONS THAT ARE NOT COMPLETE SHALL  
5           BE DEEMED DEFECTIVE AND SHALL NOT BE ACCEPTED BY THE BOARD UNTIL  
6           THE NECESSARY ADDITIONAL INFORMATION IS PROVIDED. ANY APPLICANT  
7           WHO FILES AN APPLICATION BUT WHO DOES NOT COMPLY WITH A REQUEST  
8           FOR INFORMATION RELATED TO THE APPLICATION WITHIN ONE YEAR AFTER  
9           THE DATE OF THE REQUEST SHALL FILE A NEW APPLICATION AND FEE.

10           (2) AN APPLICATION SHALL INCLUDE ALL OF THE FOLLOWING:

11           (a) TRANSCRIPTS OR RECORDS VERIFYING THE APPLICANT'S  
12           EDUCATION AND TRAINING;

13           (b) A STATEMENT INDICATING WHETHER OR NOT THE APPLICANT  
14           HAS EVER BEEN CONVICTED OF A FELONY IN THIS OR ANY OTHER  
15           JURISDICTION, OR HAS EVER HAD A PROFESSIONAL LICENSE OR  
16           REGISTRATION REVOKED OR SUSPENDED IN THIS OR ANY OTHER  
17           JURISDICTION;

18           (c) REFERENCES FROM AT LEAST THREE INDIVIDUALS WHO HAVE  
19           PERSONAL KNOWLEDGE OF THE APPLICANT'S WORK INVOLVING THE  
20           PREPARATION OF PLANS AND SPECIFICATIONS, ONE OF WHOM SHALL BE A  
21           REGISTERED ARCHITECT, ENGINEER, OR PLUMBING DESIGNER;

22           (d) A CHRONOLOGICAL HISTORY OF THE APPLICANT'S EMPLOYMENT;  
23           AND

24           (e) ANY ADDITIONAL DATA, EXHIBITS, OR REFERENCES SHOWING  
25           THE EXTENT AND QUALITY OF THE APPLICANT'S TECHNOLOGICAL  
26           EXPERIENCE.

27           (3) WHEN CONSIDERING APPLICATIONS, PERSONAL INTERVIEWS

1 MAY BE REQUIRED BY THE BOARD ONLY IF THE APPLICATION FAILS TO  
2 DEMONSTRATE THAT THE APPLICANT POSSESSES THE MINIMUM  
3 QUALIFICATIONS NECESSARY FOR TAKING THE WRITTEN EXAMINATION.

4 (4) WHENEVER THE BOARD IS REVIEWING OR CONSIDERING THE  
5 CONVICTION OF A CRIME, IT SHALL BE GOVERNED BY THE PROVISIONS OF  
6 SECTION 24-5-101, C.R.S.

7 (5) NO INDIVIDUAL WHOSE REGISTRATION HAS BEEN REVOKED  
8 SHALL BE ALLOWED TO REAPPLY FOR REGISTRATION EARLIER THAN TWO  
9 YEARS AFTER THE EFFECTIVE DATE OF THE REVOCATION.

10 **12-58-206. General experience requirement.** (1) **General.** AN  
11 APPLICANT'S EXPERIENCE SHALL DEMONSTRATE THAT THE APPLICANT HAS  
12 A WORKING KNOWLEDGE OF ALL OF THE FOLLOWING:

- 13 (a) BASIC MATHEMATICS AND PHYSICS;
- 14 (b) MATERIALS AND STRUCTURES;
- 15 (c) THE RELEVANT STATUTES AND ADMINISTRATIVE RULES,  
16 INCLUDING, WITHOUT LIMITATION, THIS PART 2 AND THE RULES OF THE  
17 BOARD;
- 18 (d) GRAPHIC TECHNIQUES, INCLUDING, WITHOUT LIMITATION,  
19 DRAFTING AND SKETCHING.

20 (2) **Areas of experience.** TO QUALIFY AS SATISFACTORY  
21 EXPERIENCE IN THE DESIGN OF ENGINEERED PLUMBING SYSTEMS UNDER  
22 THIS PART 2, THE EXPERIENCE OF AN APPLICANT SHALL BE SUBSTANTIALLY  
23 IN THE FIELD OF PLUMBING ENGINEERING OR PLUMBING DESIGN. THE  
24 REQUIRED AREAS OF EXPERIENCE SHALL BE IN THE PLUMBING DESIGN  
25 PRACTICE DESIGNATED UNDER SUBSECTIONS (3) AND (4) OF THIS SECTION  
26 AND ANY OTHER AREAS THAT, IN THE OPINION OF THE BOARD, PROVIDE THE  
27 APPLICANT WITH KNOWLEDGE OR PRACTICE AT LEAST EQUIVALENT TO THAT

1 WHICH IS GENERALLY ACQUIRED BY EXPERIENCE IN THE AREAS LISTED. AN  
2 APPLICANT NEED NOT HAVE EXPERIENCE IN ALL AREAS OF PRACTICE LISTED  
3 UNDER SUBSECTION (4) OF THIS SECTION, BUT SHALL HAVE EXPERIENCE IN  
4 THOSE AREAS LISTED IN SUBSECTION (3) OF THIS SECTION. ACADEMIC  
5 COURSE WORK THAT PROVIDES THE APPLICANT WITH KNOWLEDGE AND  
6 SKILLS IN SOME OF THE AREAS OF PRACTICE LISTED UNDER SAID  
7 SUBSECTIONS (3) AND (4) MAY BE CLAIMED AS EQUIVALENT TO  
8 EXPERIENCE.

9 (3) **Required areas of experience.** ALL APPLICANTS SHALL HAVE  
10 EXPERIENCE IN THE FOLLOWING AREAS:

11 (a) RESEARCH AND DEVELOPMENT, INCLUDING:

12 (I) PROBLEM IDENTIFICATION, INCLUDING CONSIDERATION OF  
13 ALTERNATIVE APPROACHES TO PROBLEM SOLVING;

14 (II) PLANNING, INCLUDING SELECTING A THEORETICAL OR  
15 EXPERIMENTAL APPROACH;

16 (III) EXECUTION OF PLAN, INCLUDING COMPLETING DESIGN  
17 CALCULATIONS;

18 (IV) INTERPRETING AND REPORTING RESULTS.

19 (b) DESIGN, INCLUDING:

20 (I) DEFINITION OF SAFETY, HEALTH, AND ENVIRONMENTAL  
21 CONSTRAINTS;

22 (II) SELECTION OF MATERIALS AND COMPONENTS;

23 (III) PRODUCTION OF FINAL DESIGNS;

24 (IV) PREPARATION OF DETAILED WORKING DRAWINGS;

25 (V) EVALUATION OF DESIGN SOLUTION FOR ADHERENCE TO LAWS  
26 AND CODES AND OBTAINING ANY NECESSARY APPROVALS.

27 (4) **Other areas of experience.** QUALIFYING EXPERIENCE



- 1 INCLUDES:
- 2 (a) OTHER DESIGN, INCLUDING:
- 3 (I) IDENTIFICATION OF DESIGN OBJECTIVES;
- 4 (II) DEFINITION OF PERFORMANCE SPECIFICATIONS AND
- 5 FUNCTIONAL REQUIREMENTS, INCLUDING MATERIALS, ENERGY BALANCES,
- 6 AND ENVIRONMENTAL CONSIDERATIONS;
- 7 (III) FORMULATION OF CONCEPTUAL DESIGN SPECIFICATIONS;
- 8 (IV) DEFINITION OF PHYSICAL PROPERTIES OF ALL KEY MATERIALS;
- 9 (V) PREPARATION OF DESIGNS, LAYOUTS, MODELS, AND SYSTEMS
- 10 DIAGRAMS;
- 11 (VI) PREPARATION OF SUPPORTING TECHNICAL INFORMATION;
- 12 (VII) PREPARATION OF BID DOCUMENTS, INCLUDING CONDUCTING
- 13 A CONTRACT EVALUATION;
- 14 (VIII) PREPARATION OF SPECIFICATIONS AND DATA SHEETS;
- 15 (IX) INTERACTION WITH ARCHITECTS AND ENGINEERS FROM OTHER
- 16 AREAS OF WORK;
- 17 (X) CONSULTATION WITH CONTRACTORS, SUPPLIERS, AND
- 18 INSTALLERS.
- 19 (b) CONSTRUCTION, INCLUDING:
- 20 (I) ASSISTANCE IN DESIGN IMPLEMENTATION DURING
- 21 MANUFACTURING OR CONSTRUCTION;
- 22 (II) ASSISTANCE IN DESIGN IMPLEMENTATION DURING STARTUP OR
- 23 COMMISSIONING;
- 24 (III) REVISION OF DESIGN AS REQUIRED, INCLUDING "AS BUILT"
- 25 DRAWINGS AND SPECIFICATIONS;
- 26 (IV) REVIEW OF PROPOSED EQUIPMENT AND MATERIALS FOR
- 27 CONFORMITY WITH DRAWINGS AND SPECIFICATIONS;

- 1 (V) PROVISION OF FIELD SERVICE ASSISTANCE;
- 2 (VI) REVIEWING OF COMPLETED WORK.
- 3 (c) ON-SITE SERVICES AND EVALUATION, INCLUDING:
- 4 (I) RECORDING OF FAILURE, REPAIR, AND REPLACEMENT OF
- 5 EQUIPMENT;
- 6 (II) DETERMINATION OF CAUSES OF EQUIPMENT, STRUCTURE, OR
- 7 SCHEDULE FAILURES.

8 **12-58-207. Examination requirements.** (1) (a) APPLICANTS

9 SHALL BE REQUIRED TO HAVE DEMONSTRATED BY WRITTEN EXAMINATION

10 THE SKILLS, KNOWLEDGE, AND EXPERIENCE NECESSARY TO PERFORM IN

11 THE FIELD OF PLUMBING DESIGN. ALL APPLICANTS SHALL BE REQUIRED TO

12 TAKE THE STATE WRITTEN EXAMINATION FOR THE FIELD OF PLUMBING

13 DESIGN AS DESCRIBED IN SUBSECTIONS (2) TO (6) OF THIS SECTION.

14 (b) THE REQUIREMENT FOR THE TAKING OF THE STATE WRITTEN

15 EXAMINATION SHALL BE WAIVED IN THE EVENT THE APPLICANT IS THE

16 HOLDER OF A CURRENT CERTIFIED IN PLUMBING ENGINEERING (CIPE)

17 DESIGNATION AND IS CURRENTLY A CERTIFIED PLUMBING DESIGNER (CPD)

18 AS PROVIDED BY THE AMERICAN SOCIETY OF PLUMBING ENGINEERS (ASPE)

19 OR ITS SUCCESSOR ORGANIZATION. SUCH DESIGNATION AND CERTIFICATION

20 SHALL BE DEEMED A SUFFICIENT SUBSTITUTE FOR THE STATE WRITTEN

21 EXAMINATION SO THAT NO ADDITIONAL WRITTEN EXAMINATION SHALL BE

22 REQUIRED. HOWEVER, ANY PERMITTED CERTIFICATION SUBSTITUTE FOR

23 THE STATE WRITTEN EXAMINATION MUST INCORPORATE A WRITTEN

24 EXAMINATION AND HAVE NECESSARY REQUIREMENTS AND STANDARDS

25 EQUAL TO OR GREATER THAN THE REQUIREMENTS AND STANDARDS STATED

26 IN THIS SECTION OR AS SET FORTH BY THE ASPE OR ITS SUCCESSOR

27 ORGANIZATION.

1           (2) **Written examination for designer of plumbing engineered**  
2 **systems - scope of examination.** THE WRITTEN EXAMINATION IN THE  
3 FIELD OF PLUMBING DESIGN SHALL INCLUDE QUESTIONS AND PROBLEMS  
4 APPLYING TO THE FOLLOWING BASIC CONTENT AREAS:

- 5           (a) BASIC MATHEMATICS AND PHYSICS;
- 6           (b) MATERIALS AND STRUCTURES;
- 7           (c) GRAPHIC TECHNIQUES, INCLUDING DRAFTING AND SKETCHING,  
8 READING AND INTERPRETING BLUEPRINTS, AND PREPARING SPECIFICATIONS;
- 9           (d) RELEVANT STATUTES AND RULES, INCLUDING, WITHOUT  
10 LIMITATION, THIS PART 2 AND APPLICABLE RULES OF THE BOARD;
- 11          (e) USER REQUIREMENTS FOR WATER SUPPLY, DRAINAGE, AND  
12 DISPOSAL, INCLUDING, WITHOUT LIMITATION, PRIVATE SEWAGE DISPOSAL  
13 SYSTEMS;
- 14          (f) GASEOUS DISTRIBUTION SYSTEMS, INCLUDING, WITHOUT  
15 LIMITATION, PROCESS PIPING AND DISTRIBUTION SYSTEMS FOR OXYGEN,  
16 AIR, AND OTHER GASES.

17           (3) **Requirements for entrance to examinations.** TO BE ELIGIBLE  
18 TO TAKE A WRITTEN EXAMINATION FOR REGISTRATION AS A PLUMBING  
19 DESIGNER, AN APPLICANT SHALL HAVE A MINIMUM OF SEVEN YEARS OF  
20 APPROVED EXPERIENCE IN SPECIALIZED PLUMBING ENGINEERING OR DESIGN  
21 WORK, UP TO FOUR YEARS OF WHICH MAY BE EQUIVALENT ACADEMIC  
22 TRAINING OR APPRENTICESHIP. THE SUCCESSFUL COMPLETION OF EACH  
23 YEAR OF ACADEMIC WORK WITHOUT GRADUATION SHALL BE EQUIVALENT  
24 TO ONE YEAR OF EXPERIENCE. GRADUATION FROM A COURSE OTHER THAN  
25 ENGINEERING TECHNOLOGY SHALL BE EQUIVALENT TO TWO YEARS OF  
26 EXPERIENCE UNDER THIS SUBSECTION (3).

27           (4) **Time, date, and site of examinations.** THE EXAMINATIONS

1 SHALL BE HELD AT A TIME, DATE, AND SITE SPECIFIED BY THE BOARD.

2 (5) **Grading of written examinations.** THE PASSING SCORES SET  
3 BY THE BOARD REPRESENT THE MINIMUM COMPETENCY REQUIRED TO  
4 PROTECT PUBLIC HEALTH AND SAFETY. AN APPLICANT'S EXPERIENCE  
5 RATING IS NOT CONSIDERED BY THE BOARD IN GRADING THE APPLICANT'S  
6 WRITTEN EXAMINATION.

7 (6) **Reexamination procedure.** AN APPLICANT FOR A PLUMBING  
8 DESIGNER EXAMINATION WHO FAILS THE EXAMINATION MAY RETAKE THE  
9 EXAMINATION AT A REGULARLY-SCHEDULED ADMINISTRATION OF THE  
10 EXAMINATION AND UPON PAYMENT OF THE FULL EXAMINATION FEE.

11 **12-58-208. Registration - privileges - limitation.** (1) DESIGN  
12 SERVICES THAT MAY BE PERFORMED BY REGISTRANTS ARE THE  
13 PREPARATION OF PLANS AND SPECIFICATIONS, CONSULTATION,  
14 INVESTIGATION, AND EVALUATION IN CONNECTION WITH THE PREPARATION  
15 OF PLANS AND SPECIFICATIONS IN THE FIELD OF PLUMBING SYSTEMS.

16 (2) THE REGISTRATION CERTIFICATE SHALL DESIGNATE THE  
17 REGISTRANT'S RESTRICTION TO THE FIELD OF PLUMBING ENGINEERING  
18 DESIGN.

19 **12-58-209. Seals.** (1) UPON RECEIPT OF A CERTIFICATE OF  
20 REGISTRATION, A NEW REGISTRANT MAY OBTAIN A SEAL. A CRIMP-TYPE  
21 SEAL OR A RUBBER STAMP FACSIMILE-TYPE SEAL, OR BOTH, MAY BE USED.  
22 THE SEAL SHALL BE OF A DESIGN APPROVED BY THE BOARD AND SHALL  
23 CONTAIN THE PLUMBING DESIGNER'S NAME AND REGISTRATION NUMBER  
24 AND THE DESIGNATION "COLORADO REGISTERED PLUMBING DESIGNER".

25 (2) EACH SHEET OF PLANS, DRAWINGS, SPECIFICATIONS, AND  
26 REPORTS FOR PLUMBING DESIGN AND SPECIFICATIONS THAT AFFECT THE  
27 DESIGN OR ANY STATE OR LOCAL CODE REQUIREMENTS SHALL BE SIGNED,

1 SEALED, AND DATED BY THE REGISTRANT WHO PREPARED, OR DIRECTED  
2 AND CONTROLLED PREPARATION OF, THE WRITTEN MATERIAL, EXCEPT AS  
3 SPECIFIED IN SUBSECTION (3) OF THIS SECTION.

4 (3) IF TWO OR MORE SHEETS ARE BOUND TOGETHER IN A VOLUME,  
5 THE REGISTRANT WHO PREPARED OR DIRECTED AND CONTROLLED THE  
6 PREPARATION OF THE VOLUME MAY SIGN, SEAL, AND DATE ONLY THE TITLE  
7 OR INDEX SHEET IF THE SIGNED SHEET IDENTIFIES CLEARLY ALL OTHER  
8 SHEETS CONSTITUTING THE BOUND VOLUME AND IF ANY OTHER SHEETS  
9 WHICH ARE PREPARED BY OR UNDER THE DIRECTION AND CONTROL OF  
10 ANOTHER REGISTRANT ARE SIGNED, SEALED, AND DATED BY THE OTHER  
11 REGISTRANT.

12 (4) NO ADDITION, DELETION, OR OTHER REVISION TO A SHEET OF  
13 PLANS, DRAWINGS, SPECIFICATIONS, OR REPORTS FOR PLUMBING DESIGN  
14 AND SPECIFICATIONS THAT AFFECT THE DESIGN OR ANY STATE OR LOCAL  
15 CODE REQUIREMENTS SHALL BE MADE UNLESS SIGNED, SEALED, AND DATED  
16 BY THE REGISTRANT WHO MADE OR DIRECTED AND CONTROLLED THE  
17 MAKING OF THE REVISION.

18 (5) ALL SEALS OR STAMPS AFFIXED TO DRAWINGS TO BE FILED AS  
19 PUBLIC DOCUMENTS SHALL BE ORIGINAL. NO STICKERS OR  
20 ELECTRONICALLY SCANNED IMAGES SHALL BE ALLOWED. ALL SEALS AND  
21 STAMPS ON DRAWINGS SHALL BE SIGNED AND DATED BY THE REGISTRANT  
22 IN A PERMANENT INK CONTRASTING WITH THE SEAL AND THE BACKGROUND.

23 **12-58-210. Change of address.** EVERY REGISTRANT SHALL NOTIFY  
24 THE BOARD IN WRITING OF A CHANGE OF ADDRESS WITHIN THIRTY DAYS  
25 AFTER THE CHANGE.

26 **12-58-211. Expiration of registration.** IF A REGISTRANT APPLIES  
27 FOR RENEWAL OF HIS OR HER REGISTRATION AFTER ITS EXPIRATION, THE

1 BOARD SHALL DETERMINE WHETHER THE APPLICANT IS COMPETENT TO  
2 PRACTICE UNDER THE REGISTRATION IN THIS STATE. AFTER INQUIRY, THE  
3 BOARD SHALL IMPOSE ANY REASONABLE CONDITIONS ON REINSTATEMENT  
4 OF THE REGISTRATION AS THE BOARD DEEMS APPROPRIATE, INCLUDING A  
5 REQUIREMENT THAT THE APPLICANT COMPLETE ANY CURRENT  
6 REQUIREMENT FOR REGISTRATION.

7 **12-58-212. Disciplinary actions - grounds for discipline.**

8 (1) THE BOARD HAS THE POWER TO DENY, SUSPEND, REVOKE, OR REFUSE  
9 TO RENEW THE REGISTRATION OF, OR PLACE ON PROBATION, LIMIT THE  
10 SCOPE OF PRACTICE OF, OR REQUIRE ADDITIONAL TRAINING OF ANY  
11 REGISTRANT OR APPLICANT WHO IS FOUND GUILTY OF:

12 (a) ENGAGING IN FRAUD, MISREPRESENTATION, OR DECEIT IN  
13 OBTAINING OR ATTEMPTING TO OBTAIN REGISTRATION;

14 (b) FAILING TO MEET THE GENERALLY ACCEPTED STANDARDS OF  
15 THE PRACTICE OF PLUMBING DESIGN THROUGH ACT OR OMISSION;

16 (c) A FELONY THAT IS RELATED TO THE ABILITY TO PRACTICE  
17 PLUMBING DESIGN. A CERTIFIED COPY OF THE JUDGMENT OF A COURT OF  
18 COMPETENT JURISDICTION OF SUCH CONVICTION OR PLEA SHALL BE  
19 PRESUMPTIVE EVIDENCE OF SUCH CONVICTION OR PLEA FOR THE PURPOSES  
20 OF ANY HEARING UNDER THIS PART 2. A PLEA OF NOLO CONTENDERE, OR  
21 ITS EQUIVALENT, ACCEPTED BY THE COURT SHALL BE CONSIDERED A  
22 CONVICTION.

23 (d) VIOLATING, ATTEMPTING TO VIOLATE, OR AIDING OR ABETTING  
24 THE VIOLATION OR ATTEMPTED VIOLATION OF:

25 (I) ANY PROVISION OF THIS ARTICLE OR ARTICLE 4 OF THIS TITLE;

26 (II) ANY RULE ADOPTED BY THE BOARD IN CONFORMANCE WITH  
27 THE PROVISIONS OF THIS PART 2; OR

1 (III) ANY ORDER OF THE BOARD ISSUED IN CONFORMANCE WITH THE  
2 PROVISIONS OF THIS PART 2;

3 (e) USING FALSE, DECEPTIVE, OR MISLEADING ADVERTISING;

4 (f) PERFORMING SERVICES BEYOND ONE'S COMPETENCY, TRAINING,  
5 OR EDUCATION;

6 (g) FAILING TO REPORT TO THE BOARD ANY REGISTERED PLUMBING  
7 DESIGNER KNOWN TO HAVE VIOLATED ANY PROVISION OF THIS PART 2 OR  
8 ANY BOARD ORDER OR RULE;

9 (h) BEING ADDICTED TO OR DEPENDENT UPON ALCOHOL OR ANY  
10 HABIT-FORMING DRUGS OR CONTROLLED SUBSTANCES AS DEFINED IN  
11 SECTION 18-18-102 (5), C.R.S.;

12 (i) USING ANY SCHEDULE I CONTROLLED SUBSTANCE, AS SET FORTH  
13 IN SECTION 18-18-203, C.R.S.;

14 (j) FAILING TO REPORT TO THE BOARD ANY MALPRACTICE CLAIM  
15 AGAINST SUCH REGISTERED PLUMBING DESIGNER OR ANY PARTNERSHIP,  
16 LIMITED LIABILITY COMPANY, CORPORATION, OR JOINT STOCK ASSOCIATION  
17 OF WHICH SUCH REGISTRANT IS A MEMBER, THAT IS SETTLED OR IN WHICH  
18 JUDGMENT IS RENDERED, WITHIN SIXTY DAYS AFTER THE EFFECTIVE DATE  
19 OF SUCH SETTLEMENT OR JUDGMENT, IF SUCH CLAIM CONCERNED  
20 PLUMBING DESIGN SERVICES PERFORMED OR SUPERVISED BY SUCH  
21 PLUMBING DESIGNER;

22 (k) FAILING TO PAY ANY FINE ASSESSED PURSUANT TO THIS  
23 ARTICLE; OR

24 (l) VIOLATING ANY LAW OR REGULATION GOVERNING THE PRACTICE  
25 OF PLUMBING DESIGN IN ANOTHER STATE OR JURISDICTION. A PLEA OF  
26 NOLO CONTENDERE OR ITS EQUIVALENT ACCEPTED BY THE BOARD OF  
27 ANOTHER STATE OR JURISDICTION MAY BE CONSIDERED TO BE THE SAME AS

1 A FINDING OF GUILTY FOR PURPOSES OF ANY HEARING UNDER THIS PART 2.

2 (2) THE BOARD MAY ISSUE A LETTER OF ADMONITION TO A  
3 REGISTRANT OR APPLICANT BASED ON ANY OF THE GROUNDS SPECIFIED IN  
4 SUBSECTION (1) OF THIS SECTION WITHOUT CONDUCTING A HEARING. SUCH  
5 LETTER SHALL BE SENT TO THE REGISTRANT OR APPLICANT BY CERTIFIED  
6 MAIL AND SHALL ADVISE SUCH REGISTRANT OR APPLICANT OF THE RIGHT  
7 TO, WITHIN TWENTY DAYS AFTER RECEIPT OF THE LETTER, MAKE A WRITTEN  
8 REQUEST TO THE BOARD TO INSTITUTE FORMAL DISCIPLINARY PROCEEDINGS  
9 IN ORDER TO FORMALLY ADJUDICATE THE CONDUCT OR ACTS ON WHICH  
10 THE LETTER WAS BASED.

11 (3) (a) IN ADDITION TO ANY OTHER PENALTY THAT MAY BE IMPOSED  
12 PURSUANT TO THIS SECTION, ANY REGISTRANT OR APPLICANT VIOLATING  
13 ANY PROVISION OF THIS ARTICLE OR ANY RULE PROMULGATED PURSUANT  
14 TO THIS ARTICLE MAY BE FINED FOR EACH VIOLATION PROVEN BY THE  
15 BOARD AS FOLLOWS:

16 (I) IN THE FIRST ADMINISTRATIVE PROCEEDING AGAINST A  
17 REGISTRANT OR APPLICANT, A FINE OF NOT LESS THAN FIFTY DOLLARS AND  
18 NOT MORE THAN FIVE HUNDRED DOLLARS;

19 (II) IN ANY SUBSEQUENT ADMINISTRATIVE PROCEEDING AGAINST A  
20 REGISTRANT OR APPLICANT DETERMINING THAT A VIOLATION OF THIS  
21 ARTICLE HAS OCCURRED, A FINE OF NOT LESS THAN TWO HUNDRED FIFTY  
22 DOLLARS AND NOT MORE THAN TWO THOUSAND FIVE HUNDRED DOLLARS.

23 (b) ALL FINES COLLECTED PURSUANT TO THIS SUBSECTION (3)  
24 SHALL BE CREDITED TO THE GENERAL FUND.

25 **12-58-213. Disciplinary proceedings - injunctive relief**  
26 **procedure.** THE BOARD MAY TAKE ACTION AGAINST A REGISTRANT OR  
27 OTHER PERSON VIOLATING THIS PART 2 ON SUBSTANTIALLY SIMILAR



1 GROUND, AND USING SUBSTANTIALLY SIMILAR PROCEDURES, AS ARE SET  
2 FORTH IN SECTION 12-25-209 FOR VIOLATIONS OF PART 2 OF ARTICLE 25.

3 **SECTION 2.** 12-25-106 (1), Colorado Revised Statutes, is  
4 amended to read:

5 **12-25-106. State board of registration - subject to termination**  
6 **- repeal of article.** (1) A state board of registration for professional  
7 engineers and professional land surveyors is hereby created, the duty of  
8 which shall be to administer the provisions of this part 1 and part 2 of this  
9 article AND OF PART 2 OF ARTICLE 58 OF THIS TITLE. Duties of the board  
10 shall include those provided in ~~section~~ SECTIONS 12-25-107, ~~and section~~  
11 12-25-207, AND 12-58-203.

12 **SECTION 3.** The introductory portion to 12-58-102, Colorado  
13 Revised Statutes, is amended to read:

14 **12-58-102. Definitions.** As used in this ~~article~~ PART 1, unless the  
15 context otherwise requires:

16 **SECTION 4. Effective date - applicability.** (1) This act shall  
17 take effect at 12:01 a.m. on the day following the expiration of the  
18 ninety-day period after final adjournment of the general assembly that is  
19 allowed for submitting a referendum petition pursuant to article V, section  
20 1 (3) of the state constitution; except that, if a referendum petition is filed  
21 against this act or an item, section, or part of this act within such period,  
22 then the act, item, section, or part, if approved by the people, shall take  
23 effect on the date of the official declaration of the vote thereon by  
24 proclamation of the governor.

25 (2) This act shall apply to acts occurring on or after the applicable  
26 effective date of this act.