

Opinion No. 57-193

August 7, 1957

BY: OPINION OF FRED M. STANDLEY, Attorney General Paul L. Billhymer, Assistant Attorney General

TO: Mr. E. P. Corcoran, Chief Inspector, New Mexico Plumbing Administrative Board, 307 Lead Avenue, SW, Albuquerque, New Mexico

QUESTION

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Are home owners, by virtue of the provisions of § (c) of Chapter 167, Laws of 1957, exempt from the provisions of §§ 67-22-10, 11 and 13, N.M.S.A., 1953 Compilation?

CONCLUSION

No.

OPINION

ANALYSIS

Section (c) of Chapter 167, Laws of 1957, reading as follows:

"The provisions of this act shall not prohibit an individual from installing, altering or repairing plumbing or plumbing fixtures in a single family dwelling owned and occupied by him, or require a license from an individual doing such work on such premises; provided however, all such work must be done in conformity **with all other provisions of this act and the orders, rules and regulations of the board.**" (emphasis supplied)

was intended merely to allow home owners the privilege of installing, altering and repairing their own plumbing. By the very terms of this provision, the home owners were required to comply with the other provisions of the plumbing law and all orders, rules and regulations of the Plumbing Board.

Section 67-22-10, 11 and 13 are the provisions of the law which would have to be complied with by any home owner. A home owner would have to secure a permit as required by § 67-22-11. Such home owner would also have to comply with § 67-22-10 with reference to materials for the installation of any plumbing equipment, together with rules and regulations listing such materials as has been promulgated by the Plumbing Board. Compliance would have to be made with § 67-22-13 pertaining to inspections.

In conclusion, it may be stated that § (c) of Chapter 167, Laws of 1957, merely allowed the home owner the privilege of doing his own plumbing so long as he otherwise complied with the plumbing laws, including rules and regulations issued by the Board.