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Honorable J. Robert Miller
122 South Side Square
Huntsville, AL 35801

Municipalities - Plumbers and
Gas Fitters Examining Board -
Licenses - Municipal Employees

If the employees of the Gas
Utility Department of the City
of Huntsville do not alter,
install or replace gas piping
on the consumer's side of the
meter, such employees do not
have to be certified by the
Plumbers and Gas Fitters
Examining Board.

Dear Mr. Miller:

This opinion is issued in response to your request for an
opinion from the Attorney General.

QUESTION

Are the employees of the Gas Department
of the City of Huntsville required to be
certified by the Plumbers and Gas Fitters
Examining Board?

FACTS AND ANALYSIS

The Huntsville Gas Utility Department is owned and operated
by the City of Huntsville as a public utility to provide
natural gas services to the residents of Huntsville.

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The Plumbers and Gas Fitters Examining Board operates under Code of Alabama 1975, §§ 34-37-1, et seq. Its purpose is to provide for the testing and certification of plumbers and gas fitters at the state level as stated in § 34-37-1(3) and § 34-37-2. Opinion of the Attorney General to Honorable Edward J. Azar, Board Attorney for the Plumbers and Gas Fitters Examining Board, dated December 9, 1987.

The Attorney General concluded in an opinion to Honorable John E. Adams, Jr., Attorney at Law, Jacksonville, dated February 16, 1990, that the employees of the Clarke-Mobile Counties Gas District, a public utility, must obtain certification by the Plumbers and Gas Fitters Board unless the employees are exempt under Code of Alabama 1975, § 34-37-15.

Acts, works and conduct, which are permitted without certification from the Plumbers and Gas Fitters Board are listed at § 34-37-15. Among these acts, works and conduct is:

"Plumbing or gas fitting work done by persons engaged by any public utility company in the laying, maintenance and operation of its service mains or lines and the installation, alteration, adjustment, repair, removal and renovation of all types of appurtenances, equipment and appliances, provided such plumbing work does not necessitate tying into waste or sewer lines on the outlet side of a trap or alter gas piping on consumer side of meter."
§ 34-37-15(4).

In correspondence accompanying your request, it is stated that the City of Huntsville Gas Department does not install, replace or alter piping on the customer's side of the meter. Thus, if, as it appears, the employees of that department do not alter gas piping on the consumer's side of the meter, such employees do not have to be certified by the Plumbers and Gas Fitters Examining Board. However, the question ultimately involves a factual determination which cannot be made by the Attorney General.

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CONCLUSION

If the employees of the Gas Utility Department of the City of Huntsville do not alter, install or replace gas piping on the consumer's side of the meter, such employees do not have to be certified by the Plumbers and Gas Fitters Examining Board.

I hope this sufficiently answers your question. If our office can be of further assistance, please do not hesitate to contact us.

Sincerely,

JIMMY EVANS
Attorney General
By:


JAMES R. SOLOMON, JR.
Chief, Opinions Division

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