

CHAPTER 90-02-02 LICENSURE

Section

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90-02-02-01. Licensure - How obtained.

The department shall furnish licenses and decals to qualified applicants who have passed the examination upon receipt of a department-approved application and submission of the proper fee and bond.

History: Amended effective October 1, 2024; April 1, 2026.

General Authority: NDCC 61-03-13

Law Implemented: NDCC 61-03-01.3

90-02-02-01.1. Purpose of certification.

Repealed effective October 1, 2024.

90-02-02-01.2. License - How obtained - Fee - Bond.

1. A person that takes the examination to become a licensed water well contractor first shall complete a minimum of one-year apprenticeship or experience in water well drilling and construction under the direct supervision of a licensed water well contractor or have completed a career and technical education program of at least one year in water well construction and shall make application to the department.
2. A person that takes the examination to become a licensed water well pump and pitless unit installer first shall complete a minimum of one-year apprenticeship or experience in water well pump and pitless unit installation under the direct supervision of a licensed water well pump and pitless unit installer or have completed a career and technical education program of at least one year in water well pump and pitless unit installation.
3. A person that takes the examination to become a licensed monitoring well contractor first shall complete a minimum of one-year apprenticeship or experience in monitoring well construction under the direct supervision of a licensed water well contractor or a licensed monitoring well contractor or have completed a career and technical education program of at least one year in water well construction or hold a bachelor's degree in engineering or geology from an approved school and shall make application to the department.
4. A person that takes the examination to become a licensed geothermal system driller first shall complete a minimum of one year of apprenticeship under the direct supervision of a licensed

geothermal system driller or have a minimum of two thousand forty installation hours of experience in geothermal system drilling working under the direct supervision of a licensed geothermal system driller or, first shall complete career and technical education relating to geothermal system drilling lasting at least one school year.

5. A person applying to take a licensure examination shall pay to the department treasurer a nonrefundable examination fee in the amount of one hundred dollars. If upon examination the applicant is found to be qualified as a water well contractor, a water well pump and pitless unit installer, a monitoring well contractor, or a geothermal system driller, the department shall issue to that person an appropriate license upon the applicant's executing and filing with the department a bond as required in this chapter. The department may offer a combined examination for licensure of a person as a water well contractor and a water well pump and pitless unit installer and may issue a single license for successful completion of the combined examination. Licenses issued under this chapter are not transferable.

History: Effective October 1, 2024; amended effective April 1, 2026.

General Authority: NDCC 61-03-13

Law Implemented: NDCC 61-03-01.3

90-02-02-01.3. Bond required.

Before receiving a license under North Dakota Century Code chapter 61-03, a qualified applicant shall execute and deposit with the department a surety bond conditioned for the faithful performance of all water well, monitoring well, pump and pitless unit, or geothermal system installation contracts undertaken by the applicant and the strict compliance with North Dakota Century Code chapter 61-03. The required amount of a surety bond is fifteen thousand dollars for a water well contractor and is two thousand dollars for a monitoring well, pump and pitless unit, or geothermal system installation contractor.

History: Effective October 1, 2024; amended effective April 1, 2026.

General Authority: NDCC 61-03-13

Law Implemented: NDCC 61-03-01.3

90-02-02-02. Qualified applicants - How determined - Initial licensure.

The department shall approve a party's licensure application if an applicant has complied with sections 90-02-02-01.2 and 90-02-02-01.3. Upon department approval, the applicant must be regarded as qualified and must be issued the proper license and decals.

History: Amended effective May 1, 2002; October 1, 2024; April 1, 2026.

General Authority: NDCC 61-03-13

Law Implemented: NDCC 61-03-01.3

90-02-02-02.1. One-year apprenticeship or experience requirements.

The one-year apprenticeship or experience required by section 90-02-02-01.2 must have occurred during the three years immediately preceding the application date. Suitable vocational training may substitute for the one-year apprenticeship or experience requirement with department approval and at the department's sole discretion. If the experience was obtained in another state under a nonlicenseholder water well contractor, pump and pitless unit installer, geothermal system installer, or monitoring well contractor, the department may approve equivalent experience if the department is satisfied in its sole discretion that the experience was equivalent to working under the direct supervision of a licenseholder in North Dakota.

History: Effective March 1, 1984; amended effective May 1, 2002; October 1, 2024; April 1, 2026.

General Authority: NDCC 61-03-13

Law Implemented: NDCC 61-03-01.3

90-02-02-02.2. Licensure by examination - Time limit.

An applicant who passes the examination shall complete the other licensure requirements within six months of examination result notification or the examination score must be nullified and the applicant shall be required to initiate a new application and be reexamined to obtain a license.

History: Effective March 1, 1984; amended effective October 1, 2024; April 1, 2026.

General Authority: NDCC 61-03-13

Law Implemented: NDCC 61-03-01.3

90-02-02-02.3. Conviction not bar to licensure - Exceptions.

Conviction of an offense does not disqualify a person from licensure under this chapter unless the department determines the offense has a direct bearing upon a person's ability to serve the public as a licenseholder, or following the conviction of any offense, the person is not sufficiently rehabilitated under North Dakota Century Code section 12.1-33-02.1.

History: Effective October 1, 2024; amended effective April 1, 2026.

General Authority: NDCC 61-03-13

Law Implemented: NDCC 61-03-01.3

90-02-02-02.4. Renewal of license - Continuing education.

1. A license issued under North Dakota Century Code chapter 61-03 is valid for up to one year and expires on the thirty-first day of December in the year of issuance. To renew a license, a licenseholder shall submit to the department a completed renewal application. The completed renewal application must be:
 - a. Submitted to the department before April first in the year following the expiration of the license;
 - b. Accompanied by a fee in an amount set by the department not to exceed two hundred dollars;
 - c. Accompanied by any continuing education reporting information required under this section; and
 - d. Accompanied by a bond as provided in section 90-02-02-01.3.
2. Except as provided under subsection 3, every two years the renewal application must include reporting information verifying the applicant completed six hours of department-approved continuing education during the two-year reporting cycle.
3. A renewal application for licensure as a water well pump and pitless unit installer must include reporting information verifying the applicant completed two hours of department-approved continuing education during the two-year reporting cycle.

History: Effective October 1, 2024; amended effective April 1, 2026.

General Authority: NDCC 61-03-13

Law Implemented: NDCC 61-03-01.3

90-02-02-03. Qualified applicants - How determined - Renewal.

A licenseholder must be issued a renewal upon the receipt of a department-approved renewal application and submission of the proper fee and bond.

History: Amended effective October 1, 2024; April 1, 2026.

General Authority: NDCC 61-03-13

Law Implemented: NDCC 61-03-01.3

90-02-02-04. Renewal application - Time limit.

If a renewal application has not been received before April first following expiration of the license, the previous license is no longer eligible for renewal.

History: Amended effective October 1, 2024; April 1, 2026.

General Authority: NDCC 61-03-13

Law Implemented: NDCC 61-03-01.3

90-02-02-05. Willful violation - Penalty.

Repealed effective October 1, 2024.

90-02-02-06. Expiration of grandfather clause.

Repealed effective October 1, 2024.

90-02-02-07. Certification by reciprocity - How obtained.

Repealed effective October 1, 2024.