

1 SB280
2 125564-1
3 By Senators Taylor and Holley
4 RFD: Governmental Affairs
5 First Read: 24-MAR-11

1 125564-1:n:01/24/2011:MCS/th LRS2011-246

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8 SYNOPSIS: This bill would allow the State Fire Marshal
9 to issue permits to certain fire protection
10 sprinkler contractors.

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12 A BILL

13 TO BE ENTITLED

14 AN ACT

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16 Relating to fire protection and fire protection
17 sprinkler systems; to allow the State Fire Marshal to issue
18 permits to certified potable water single family dwelling fire
19 protection sprinkler contractors; and for such purposes, to
20 amend Sections 34-33-1, 34-33-2, 34-33-3, 34-33-4, and
21 34-33-5, Code of Alabama 1975.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Sections 34-33-1, 34-33-2, 34-33-3,
24 34-33-4, and 34-33-5, Code of Alabama 1975, are amended to
25 read as follows:

26 "§34-33-1.

"For purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed in this section:

"(1) FIRE PROTECTION SPRINKLER CONTRACTOR. An individual, partnership, corporation, association, or joint venture engaged in the business of installation, repair, alteration, addition, maintenance, or inspection of fire protection sprinkler systems. This does not include local building officials, fire inspectors, or insurance inspectors when acting in their official capacity.

"(2) CERTIFIED FIRE PROTECTION SPRINKLER CONTRACTOR.
A fire protection sprinkler contractor who has qualified and received a permit from the State Fire Marshal.

"(3) POTABLE WATER SINGLE FAMILY DWELLING FIRE PROTECTION SPRINKLER CONTRACTOR. An individual, partnership, corporation, association, or joint venture engaged in the business of installation, repair, alteration, addition, maintenance, or inspection of a fire protection sprinkler system in a single family dwelling using potable water and installed in accordance with the provision of NFPA 13D, latest edition.

"(4) CERTIFIED POTABLE WATER SINGLE FAMILY DWELLING FIRE PROTECTION SPRINKLER CONTRACTOR. A potable water single family dwelling fire protection sprinkler contractor who has qualified and received a permit from the State Fire Marshal.

"(4) (5) STATE FIRE MARSHAL'S PERMIT. The form issued by the State Fire Marshal to a fire protection sprinkler

1 contractor or potable water single family dwelling fire
2 protection sprinkler contractor upon application being
3 approved and fee paid. The permit shall be issued in the name
4 of the fire protection sprinkler contractor, with the name of
5 the certificate holder noted thereon.

6 "(3) (6) CERTIFICATE HOLDER. An individual who is
7 listed on the State Fire Marshal's permit as the responsible
8 managing owner, partner, officer or employee who is actively
9 in charge of the work of the certified fire protection
10 sprinkler contractor or the certified potable water single
11 family dwelling fire protection sprinkler contractor.

12 "(5) (7) FIRE PROTECTION SPRINKLER SYSTEM. ~~A~~ An
13 integrated system of underground and overhead piping designed
14 in accordance with fire protection engineering standards. ~~The~~
15 ~~system is supplied from a reliable, constant and sufficient~~
16 ~~water supply, such as a gravity tank, fire pump, reservoir or~~
17 ~~pressure tank, and/or connection by underground piping to a~~
18 ~~city main. The portion of the sprinkler system above ground is~~
19 ~~considered the fire protection sprinkler system for purposes~~
20 ~~of this chapter, and is a network of specially sized or~~
21 ~~hydraulically designed piping installed in a building,~~
22 ~~structure, or area, generally overhead, and to which~~
23 ~~sprinklers are connected in a systematic pattern. The system~~
24 ~~includes a controlling valve and device for actuating an alarm~~
25 ~~when the system is in operation. The installation includes at~~
26 ~~least one automatic water supply which supplies one or more~~
27 ~~systems. The portion of the sprinkler system above ground is a~~

1 network of specially sized or hydraulically designed piping
2 installed in a building, structure, or area, generally
3 overhead, and to which sprinklers are attached in a systematic
4 pattern. Each system has a control valve located in the system
5 riser or its supply piping. Each sprinkler system includes a
6 device for actuating an alarm when the system is in operation.
7 The system is usually activated by heat from a fire and
8 discharges water over the fire area. Fire protection sprinkler
9 systems shall include the following types: Wet-pipe systems,
10 dry-pipe systems, pre-action systems, deluge systems, combined
11 dry-pipe and pre-action systems, antifreeze systems, and
12 circulating closed loop systems, all as defined in National
13 Fire Protection Association ~~Pamphlet~~ Code 13, Standard for the
14 Installation of Sprinkler Systems, latest edition;National
15 Fire Protection Code 13R, Standard for Sprinkler Systems in
16 Residential Occupancies up to and including Four Stories in
17 Height, latest edition; or National Fire Protection
18 Association ~~Pamphlet~~ Code 13D, Standard for the Installation
19 of Sprinkler Systems in One and Two Family Dwellings and
20 Mobile Homes, latest edition.

21 "§34-33-2.

22 "The administration of this chapter is vested in the
23 State Fire Marshal who shall have the power to make rules and
24 to set or make changes in the amount of the ~~fee~~ fees charged
25 as necessary for the administration and enforcement of this
26 chapter.

27 "§34-33-3.

"It shall be unlawful for any individual, partnership, corporation, association, or joint venture to engage in the business of installation, repair, alteration, addition, maintenance, or inspection of a fire protection sprinkler system or a potable water single family dwelling fire protection sprinkler system in this state except in conformity with the provisions of this chapter. Nothing in this chapter, however, shall be construed to apply to fire protection sprinkler system owners who employ registered professional fire protection engineers, and skilled workers who regularly and routinely design, install, repair, alter, add to, maintain, and inspect sprinkler systems on and within the premises of their employer, provided such systems are for the owners' use only.

"§34-33-4.

"(a) Any individual, partnership, corporation, association, or joint venture desiring to engage in the business of fire protection sprinkler contractor shall submit to the State Fire Marshal on standard forms provided by the State Fire Marshal a completed application. The applicant shall include a fee of \$100.00 when making the application. The applicant shall designate in the application the name of the proposed certificate holder and provide written proof that such individual has passed a competency test administered by the National Institute for Certification in Engineering Technology (NICET) as a Fire Protection Layout Technician - Level III. A copy of the NICET letter of notification that

1 the proposed certificate holder has passed the competency test
2 shall be sufficient written proof. The State Fire Marshal,
3 shall issue, upon receipt of the application and fee, a State
4 Fire Marshal's Permit to a fire protection sprinkler
5 contractor who has a current State Fire Marshal's Permit, or
6 who produces evidence of having a current state permit from
7 another state, if such state shall have entered into an
8 agreement of reciprocity with the State of Alabama.

9 **"(b) Any individual partnership, corporation,**
10 association, or joint venture desiring to engage in the
11 business of potable water single family dwelling fire
12 sprinkler contractor shall submit to the State Fire Marshal on
13 standard forms provided by the State Fire Marshal a completed
14 application. The application shall include a nonrefundable fee
15 of one hundred dollars (\$100), which shall be paid by the
16 applicant, when making the application. The applicant shall
17 designate in the application the name of the proposed
18 certificate holder and provide written proof that such
19 individual is a licensed Master Plumber in the State of
20 Alabama and has completed and passed a competency test on the
21 installation of a potable water single family dwelling fire
22 sprinkler system given by the State Fire Marshal's Office. The
23 State Fire Marshal shall issue upon receipt of the properly
24 completed application and fee payment a State Fire Marshal's
25 permit.

26 "§34-33-5.

1 "If the required fee has been paid, satisfactory
2 written proof ~~from NICET has been provided that the competency~~
3 ~~test was passed when required by this chapter meeting the~~
4 ~~requirements set forth in this chapter for the requested~~
5 ~~permit~~ and the proposed certificate holder found to be at
6 present a responsible, managing owner, partner, officer, or
7 employee of the fire protection sprinkler contractor, the
8 State Fire Marshal shall within 30 days issue a State Fire
9 Marshal's permit in the name of the fire protection sprinkler
10 contractor with the name of the certificate holder noted
11 thereon."

12 Section 2. This act shall become effective on the
13 first day of the third month following its passage and
14 approval by the Governor, or its otherwise becoming law.