

1 HB663  
2 135321-1  
3 By Representatives Colston, Melton, England, Baker, Brown  
4 and Mask  
5 RFD: Public Safety and Homeland Security  
6 First Read: 10-APR-12

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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

15  
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.

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

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

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

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

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

26           "~~(4)~~ (5) STATE FIRE MARSHAL'S PERMIT. The form issued  
27 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;  
15 National 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.

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

15            "§34-33-4.

16            "(a) Any individual, partnership, corporation,  
17 association, or joint venture desiring to engage in the  
18 business of fire protection sprinkler contractor shall submit  
19 to the State Fire Marshal on standard forms provided by the  
20 State Fire Marshal a completed application. The applicant  
21 shall include a fee of \$100.00 when making the application.  
22 The applicant shall designate in the application the name of  
23 the proposed certificate holder and provide written proof that  
24 such individual has passed a competency test administered by  
25 the National Institute for Certification in Engineering  
26 Technology (NICET) as a Fire Protection Layout Technician -  
27 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.