



MODEL SPRINKLER FITTER CERTIFICATION ACT

Ensuring Life Safety through effective Training, Testing & Certification

- Summary of Sprinkler Fitter Certification Act
- National Survey of Sprinkler Fitter Laws
- Model Sprinkler Fitter Certification Act

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Sprinkler Fitter Certification Act

Purpose of the Act: The Sprinkler Fitter Certification Act promotes public safety by requiring all persons performing work on fire suppression systems to meet minimum skill training qualification standards that demonstrate technical competency in the sprinkler fitter trade.

Key Components: The main provisions of the Act are as follows:

- 1. Sprinkler Fitter Certification Board:** The Act establishes a State Board of Examiners of the Sprinkler Fitter Industry whose members are appointed by the State Fire Marshal and are responsible for issuing and revoking licenses and ensuring compliance by having the authority to conduct investigations, make inspections, and seek penalties for violations.
- 2. Sprinkler Fitter Certification Requirements:** The Act specifies minimum educational, training and testing requirements, including completion of an approved sprinkler fitter apprenticeship program, that must be satisfied before the Sprinkler Fitter Board can issue Sprinkler Fitter Certifications and Sprinkler Fitter Apprenticeship Permits.
- 3. Creation of Sprinkler Fitter Registry:** a central registry of all certified sprinkler fitters and permitted apprentices is created under the Act and this registry will be maintained and updated on a publicly available website.

Public Benefits: The Sprinkler Fitters Certification Act will promote the following public interests:

- ▶ The proper installation and maintenance of fire suppression systems is critical to protecting life and property. This work has to be done correctly and safely the first time, 100% of the time. If a fire occurs and sprinkler systems do not operate correctly, the consequences in most cases are devastating in terms of loss of life and property.
- ▶ Therefore, it is essential that any person who works on fire suppression systems have the required education and technical skills needed to ensure that these systems are properly installed and maintained in accordance with applicable industry codes and standards.
- ▶ This is why at least sixteen states, as well as a number of local governments, have opted for a proactive policy in this industry by passing public safety legislation to establish minimum training, testing and certification requirements for persons working on fire suppression systems.
- ▶ The need for certification of the sprinkler fitter trade is also critical because of growing skills shortages, which can lead to the use of untrained persons who

present risks to public safety. This problem can be addressed by requiring all persons who seek to perform this work to meet proper training, testing and certification requirements.

State/Local Statutory And Regulatory Certification Requirements For Sprinkler Fitters

JURISDICTION	STATUTE /REGULATION	BASIC REQUIREMENTS
Connecticut	CONN. GEN. STAT. § 20-334A	Complete apprenticeship program and not less than 4 years of experience; examination
Idaho	IDAHO ADMIN. CODE RULE 18.01.49	1000 hours per year for 3 years working as fitter; examination
Illinois	225 ILL.COMP. STAT. ANN. §320/10	4 years of experience as an apprentice; examination
Iowa	IA. CODE ANN. §100D3	Completion of minimum of 4 years of experience as apprentice sprinkler fitter and and completion of U.S. Dept. of Labor apprenticeship program; examination
Louisiana	LA. ADMIN. CODE 55, §3015 et seq.	A minimum NICET Level III certificate in Special Hazards Suppression Systems, or a professional engineer currently registered with the Louisiana Board of Professional Engineers with a Mechanical Engineer endorsement; examination
Maine	MAINE REV. STAT. ANN. §3302	4000 hours of experience; examination
Massachusetts	MASS. GEN. LAWS. ANN. 146 §84; 528 CODE OF MASS. REGS. 11.03	8000 hours as apprenticeship or trainee and not less than 144 hours of study each year as apprentice or trainee; examination
Minnesota	MINN. STAT. ANN. §299M.03; MINN. R. 7512.1700	8000 hours of experience or complete a sprinkler fitter Program; examination

Montana	MONT. CODE ANN. §50-39-102	Certification of completion of all the NICET work elements provided for under section ARM 24.144.502 or completion of NICET II, with the verification of completion sent to the licensing program at the above address directly from NICET; completion of a state approved apprenticeship program with the verification of completion sent to the licensing program directly from the approving bureau; completion of manufacturer training with the verification of completion sent to the licensing program at the above address directly from the manufacturer; or currently holds the equivalent of endorsement in another jurisdiction provided that the applicant meets or exceeds the qualifications for endorsement in Montana and verification of endorsement is sent to the licensing program at the above address directly from the other state, territory, or federal government; examination
Nevada	NEV. REV. STAT. §477.033, NAC 477.346	Employed by a Nevada licensed fire protection company, and certified as having installer experience; examination
New Mexico	N.M. STAT. ANN. § 60-13-38	Have 2 years of experience as pipefitter or complete course in trade offered by vocational education division; examination
Rhode Island	R.I. GEN. LAWS § 28-27-4.2	Complete 4 year apprenticeship program and/or have passed journeyman examination
Washington	REV. CODE OF WASH. ANN. 18.270.040	8000 hours of experience; examination
West Virginia	W.V. STAT. ANN. §145.45;	Complete apprenticeship program; examination

Wisconsin	WIS. ADMIN. CODE §SPS 305.50 et seq.	Complete an approved apprenticeship program; examination
Denver, Colo.	DENVER FIRE CODE, §122 et seq.	Demonstrate competence, education, training, and experience; examination
Boulder, Colo.	BOULDER FIRE CODE §4-25 et seq.	Demonstrate competence, education, training and experience; examination
Colorado	COLO. STAT. §24-33.5-1206.7	Enrolled in an approved Sprinkler Fitter apprenticeship program; examination
Philadelphia, Penn.	PHILADELPHIA CODE § 9-2500	8000 hours of experience and 800 hours of classroom, shop, or related instruction; examination
Iowa City, Iowa	IOWA MUNICIPAL CODE §17-11-1 (H)	Completion of five (5) years full-time experience as an apprentice sprinkler installer with an established sprinkler company; examination

MODEL SPRINKLER FITTER CERTIFICATION ACT

(REV. 08/08/2012)

AN ACT CONCERNING PERSONS PERFORMING WORK ON FIRE SUPPRESSION SYSTEMS

[ADD NECESSARY CLAUSES REGARDING WHERE ACT WOULD BE PLACED IN THE STATE CODE]

Be It Enacted by the Senate and General Assembly of the State of _____.

Section 1. Statement of Purpose and Intent

(a) The Legislature hereby finds that:

- (1) Fire suppression systems used in our society and the manner in which they are constructed, installed and maintained have a direct and substantial impact on public health, safety and the environment.
- (2) Improper construction or maintenance of fire suppression systems can be potentially lethal, can cause serious damage to property, and can cause other adverse effects on public health and safety.
- (3) Establishing minimum standards for work performed on fire suppressions systems and criteria for the training, testing, and certification of those persons performing such work in the sprinkler fitter trade is essential to protecting public health safety.

(b) It is the intent of the Legislature and this Act:

- (1) To provide minimum standards for the protection of life, health, property and environment and for the safety and welfare of the consumer, general public and owners and occupants of buildings and structures.
- (2) To encourage uniformity and economy in the use of proper construction methods and proper maintenance and service practices consistent with nationally recognized standards.
- (3) To ensure that sprinkler fitting work is performed by persons who have proven their knowledge of and skill in the sprinkler fitting trades.

- (4) To ensure the adequate standards of skill are maintained through adherence of proper training, testing and certification requirements for those engaged in the sprinkler fitting trades.
- (5) To establish a State Board of Examiners for the Sprinkler Fitting Industry to ensure proper qualification and examination of sprinkler fitters and to ensure proper adherence to and enforcement of the requirements of this Act and applicable regulations issued pursuant to this Act.

Section 2. Definitions. As used in this Act:

- (a) "Fire suppression system" means an automatic or manual system designed to protect occupants and/or buildings or structures from fire. Such systems include, but are not limited to, water sprinkler, water spray, foam-water, foam-water spray, carbon dioxide, foam extinguishing, dry chemical, wet chemical, halogenated and other chemical systems used to fire protection. Such systems also include the supply mains, yard hydrants, standpipes, tank heaters, hose connections to sprinkler systems, air lines and thermal systems used in connection with sprinklers and pumps dedicated for fire suppression.
- (b) "Sprinkler fitter apprentice" means a person who is enrolled in a sprinkler fitter apprenticeship program and is learning and working on fire suppression systems under the supervision of another person certified in accordance with the provisions of this Act.
- (c) "Sprinkler fitter" means a person, other than an apprentice regulated under this Act, who performs work on a fire suppression system as defined by this Act.
- (d) "Sprinkler fitter apprentice permit" means a permit issued to an apprentice sprinkler fitter pursuant to this Act authorizing the person to perform work on fire suppression systems as provided by this Act.
- (e) "Sprinkler fitter certification" means a certification issued to a sprinkler fitter pursuant to this Act authorizing the person to perform work on fire suppression systems.
- (f) "Sprinkler fitter apprenticeship program" means an apprenticeship training program that is registered with and approved by the U.S. Department of Labor, Bureau of Apprenticeship and Training or a state apprenticeship agency in accordance with the requirements of 29 C.F.R § 29, and consists of, a minimum, 8,000 hours of documented practical experience of work on fire suppression systems, combined with a minimum of 700 hours of related instruction, including classroom or shop instruction, in the sprinkler fitter trade.

- (g) "State Board of Examiners for the Sprinkler Fitting Industry" or "Board" means the Board of Examiners created pursuant to this Act.
- (h) "Work on a fire suppression system" means the on-site layout, on-site fabrication, testing, inspection, certification, work and practice concerning the construction, installation, alteration, extension, removal, repair, servicing, maintenance or renovation of fire suppression systems. Work on fire suppression systems shall not include work on fire alarm systems, work on portable fire extinguishers, work on dry standpipes that are not connected to a fire suppression system or inspections or other services performed by state or local fire officials.

Section 3. Authorized Work on Fire Suppression Systems

- (a) No person within the jurisdiction of this State may perform work on a fire suppression system unless he or she possesses a valid sprinkler fitter certification issued pursuant to this Act; or a valid sprinkler fitter apprentice permit issued pursuant to this Act if supervised by a holder of a valid sprinkler fitter certification.
- (b) No person may employ a person or cause or direct a person to perform work on a fire suppression system unless the person performing such work possesses a valid sprinkler fitter certification issued pursuant to this Act; or possesses a valid sprinkler fitter apprentice permit issued pursuant to this Act if supervised by a holder of a valid sprinkler fitter certification.
- (c) No person, corporation, partnership or other business entity may perform or contract to perform work on fire suppression systems unless he holds a sprinkler fitter certification issued pursuant to this Act or employs certified sprinkler fitters as required by this Act. Each employee within a corporation or other business entity that physically performs work on a fire suppression system shall hold a sprinkler fitter certification or apprentice permit issued pursuant to this Act.
- (d) No person within the jurisdiction of this State shall solicit, by sign, listing or any other form of advertisement, work regulated by this Act unless he has been certified in accordance with this Act or employs sprinkler fitters certified pursuant to this Act.
- (e) Nothing in this Act shall be construed to require any individual to hold a certification to perform work covered by this Act on a private residence if such residence is not used for commercial purposes.
- (f) Nothing in this Act shall prevent any political subdivision of the State from enacting local legislation that establishes standards for the

training, testing and certification of the sprinkler fitter trade that exceed the standards of this Act.

Section 4. Board of Examiners of the Sprinkler Fitting Industry.

- (a) State Board of Examiners of the Sprinkler Fitting Industry. There is hereby established in the _____ **[IDENTIFY APPLICABLE STATE AGENCY]** a State Board of Examiners of the Sprinkler Fitting Industry.
- (b) Composition. The Board shall consist of seven appointed members as follows:
 - (1) Three sprinkler fitters certified in accordance with the requirements of this Act;
 - (2) Three contractors engaged in construction or maintenance or fire suppression systems;
 - (3) One fire marshal of a local public fire protection entity; and
 - (4) One public representative.
- (c) Appointment and Removal. The State Fire Marshal, with power of removal, shall appoint the members of the Board, to staggered four-year terms. The State Fire Marshal may remove any member of the board for misconduct, incompetence, or neglect of duty. Within thirty days after the effective date of this Act, the State Fire Marshal shall appoint the initial members of the Board.
- (d) Quorum. A majority of the Board shall constitute a quorum for the transaction of all business.

Section 5. Powers and Duties of Sprinkler Fitter Board. In addition to all other powers and duties conferred or imposed upon the Board, the Board is authorized and empowered to:

- (a) Elect its own officers and prescribe their duties;
- (b) Grant sprinkler fitter certifications and apprentice permits to duly qualified applicants as provided in this Act;
- (c) Establish fees that are reasonable and necessary to defray the cost of administering this Act;
- (d) Promulgate, adopt, amend, and repeal such rules and regulations, not inconsistent with the laws of this State, as may be necessary for the orderly conduct of its affairs and the administration of this Act;

- (e) Enforce the provisions of this Act and any code, rules or regulation hereunder through inspections, audits, citations, civil penalties, and any other appropriate means;
- (f) Subpoena records and documents, conduct hearings and compel the attendance of witnesses pursuant to an investigation or a hearing of the Board;

Bring a suit, in any court of competent jurisdiction, to cause the enjoinder of all persons violating this Act. When seeking an injunction, the Board shall not be required to prove that an adequate remedy at law does not exist or that substantial or irreparable damages would result if an injunction is not granted;

- (g) Establish and administer or contract out to a recognized third party certifier for examinations as required for certification under this Act and determine satisfactory performance for these examinations;
- (h) Revoke or suspend a sprinkler fitter certification or permit or reprimand a certification or permit holder for incompetence or any violations of this Act or rules or regulations of the Board;
- (i) Establish a procedure for reinstating sprinkler fitter certifications or permits that have been revoked or suspended, including the use of retesting procedures.

Section 6. Sprinkler Fitter Certification.

- (a) Certification Requirements. To obtain a sprinkler fitter certification under this Act, an applicant must pay an application fee as established by the Board and:
 - (1) Provide evidence demonstrating that he or she has successfully completed a sprinkler fitter apprenticeship program and take and pass an examination established by the Board; or
 - (2) Meet the requirements of Section 8 of this Act; or
 - (3) Meet the requirements of Section 9 of this Act.
- (b) Continuing Education Requirement. All persons holding a sprinkler fitter certification under this Act shall complete a minimum of eight hours annually of skill training on fire suppression systems.
 - (1) Courses for such training shall be pre-approved by the Board and evidence of completion continuing education requirements shall

be submitted to the Board with the application for certification renewal.

- (2) The continuing education requirement does not apply until the conclusion of the first full year after initial issuance of the certificate of registration.
- (c) Expiration. A sprinkler fitter certification under this Act shall be valid for a period of three years from date of issue.
 - (d) Renewal. The Board shall renew for a period of three years a sprinkler fitter certification issued under this Act upon receiving a completed renewal application and a renewal fee as determined by the Board.
 - (e) Certification Identification Cards. Any person who is issued a sprinkler fitter certification shall be issued a photo identification card and shall maintain such card in his possession at all times when performing fire suppression system work.

Section 7. Sprinkler Fitter Apprentice Permits.

- (a) Apprentice Permit Requirements. To obtain a sprinkler fitter apprentice permit under this Act, an applicant must pay an application fee as established by the Board and:
 - (1) Complete an application for an apprentice permit established by the Board; and
 - (2) Present competent evidence, in a form acceptable to the Board, demonstrating that the applicant is enrolled in a sprinkler fitter apprenticeship program.
- (b) Expiration. A sprinkler fitter apprentice permit issued under this Act shall be valid for a period of three years from date of issue.
- (c) Renewal. The Board shall renew for a period of up to three years a sprinkler fitter apprentice permit issued under this Act upon receiving a completed renewal application and a renewal fee as determined by the Board.
- (d) Continued Enrollment. A sprinkler fitter apprentice permit shall remain valid so long as the holder is enrolled in a registered apprenticeship program and renews the permit in accordance with this Act.

Section 8. Reciprocity.

- (a) The Board may issue a reciprocity certification, without examination, to any currently practicing, competent sprinkler fitter who holds a similar authorization granted by any other state according to its law which establishes qualification requirements substantially similar to or greater than those established under this Act, provided that the state grants authorization to any competent person holding a certification under this Act.
- (b) The Board may issue a sprinkler fitter certification pursuant to this section to any person who:
 - (1) Completes an application for certification by reciprocity established by the Board;
 - (2) Presents competent evidence, in a form acceptable to the Board, demonstrating that the applicant is a currently practicing, competent person who holds a similar authorization granted by any other state according to its law which establishes qualification requirements substantially similar to, or greater than, those established under this Act; and
 - (3) Pays the appropriate fees established by the Board.

Section 9. Transitional Grace Period.

- (a) There shall be a one-year period from the effective date of the Act that shall serve as a grace period for all persons applying for sprinkler fitter certifications and sprinkler fitter apprentice permits under the Act.
- (b) During the one-year grace period no person shall be required to possess a sprinkler fitter certification, provided he has submitted the necessary certification or permit application within 180 days from the effective date of the Act.
- (c) The Board shall issue a sprinkler fitter certificate without examination to any person who submits an application for a sprinkler fitter certification during the 180 day period after the application fee and submits evidence demonstrating he or she has:
 - (1) Completed a sprinkler fitter apprenticeship program; or
 - (2) Performed at least 8,000 hours of documented practical experience of work on fire suppression systems within the past five years.

Section 10. Registry of Sprinkler Fitter Certifications and Apprentice Permits.

- (a) The Board shall maintain a central registry of the names of all persons to whom it has issued sprinkler fitter certifications and apprentice permits.
- (b) The sprinkler fitter certification and permit registry shall be maintained on a publicly accessible website and shall be updated on a monthly basis.

Section 11. Violations. It shall be unlawful and a violation of this Act for any person to:

- (a) Perform work on a fire suppression system without possessing a duly authorized sprinkler fitter certification or permit pursuant to this Act.
- (b) Employ a person or cause or direct a person to perform work on a fire suppression system unless the person performing such work holds a sprinkler fitter certification or apprentice permit issued pursuant to this Act.
- (c) Engage in other conduct prohibited by Section 3 of this Act.
- (d) Obtain a certification or apprentice permit through error, fraud or intention or reckless misrepresentation;
- (e) Impersonate another person, use an expired or revoked sprinkler fitter certification or apprentice permit or use an apprentice permit when the holder is not enrolled in a registered apprenticeship program;
- (f) Give false or forged evidence of any kind to the Board or any member thereof in an application for the issuance or renewal of a certification or apprentice permit under this Act;
- (g) Knowingly or recklessly make a material false statement regarding a person's certification or apprentice permit status with intent to influence, persuade, or induce an individual to contract for services regulated under this Act.

Section 12. Enforcement.

- (a) The requirements of this Act will be enforced by the Board in conjunction with ***[Insert Applicable State Agency, Department – e.g., State Fire Marshal, Building Code Dept.]***
- (b) The ***[Insert Applicable State Agency, Department]*** shall inspect project work sites where work on fire suppression systems is being performed to ensure that persons performing such work possess duly issued sprinkler fitter certifications or permits as required by this Act. The

[Insert Applicable State Agency, Department] shall require persons performing such work to provide proof of applicable certifications or permits and it shall maintain records of inspections conducted for this purpose.

- (c) In any circumstances where **[Insert Applicable State Agency, Department]** determines that work on fire suppression systems is being performed in violation of this Act, it shall issue or cause to be issued a stop work order requiring that all such work cease and require that such work shall not be resumed until a full investigation has been undertaken and verification has been made that all work on the fire suppression system in question has been performed by duly authorized persons.

Section 13. Penalties.

- (a) Revocations, Suspensions and Reprimands: The Board shall revoke or suspend a sprinkler fitter certification or apprentice permit or reprimand a certification or permit holder for incompetence or any violations of this Act or rules or regulations of the Board issued pursuant to this Act.
- (b) Civil Penalties. Any person who violates any provision of this Act or any applicable rule, regulation, permit or other order of the Board shall subject to a civil penalty of not less than \$500 and not more than \$1,000 for each act or violation. Each day a person performs work on a fire suppression system without a sprinkler fitter certification or permit as required by this Act shall constitute a separate violation.
- (c) Criminal Penalties. A person who knowingly or willfully violates this Act or any applicable rule or regulation adopted pursuant to this Act shall be guilty of a misdemeanor.
- (d) Employer Violations. A person, corporation or other business entity that knowingly or recklessly employs or directs a person to perform work on a fire suppression system in violation of this Act shall forfeit any business or contractor license, registration or certificate issued by the State for a period up to one year as determined by the State Attorney General.

Except as otherwise provided herein, this Act shall become effective upon being signed into law by the Governor of this State.