

Arkansas Fire Protection Licensing Board – Rule 1 (Sprinkler) - SUMMARY

Arkansas Fire Protection Licensing Board intends to amend its Sprinkler Rule. The proposed changes include the following:

- The rule is completely re-organized into a more coherent and logical structure. Provisions regarding the same topic are grouped together and unnecessarily duplicative language is repealed. The new structure of this rule mirrors the structure of the Board’s Portable/Fixed Rule for easy reference.
- Exempts from the Board’s licensure requirements all firms and individuals performing a fire protection sprinkler system project for a residence (NFPA 13D system) if the project meets certain requirements. The purpose is to save lives by lowering costs so that more homeowners can afford to have fire protection sprinkler systems installed in their homes.
- Amends definitions to match the Board’s statutory definitions or the definitions in the Board’s Portable/Fixed Rule.
- Amends the Board’s license reinstatement provision to comply with Ark. Code Ann. § 17-1-107.
- Clarifies the provisions of the Arkansas Fire Protection Code and the National Fire Protection Association standards adopted by the Board.
- In compliance with Act 1011, amends reciprocity requirements for an applicant who holds in good standing a substantially similar license in other state and is sufficiently competent. Such applicant is considered “sufficiently competent” if the applicant has passed the Arkansas examination. Also adds a temporary licensure provision. The Board based these provisions on the model rule by the Attorney General’s Office.
- In compliance with Act 1011, adds a provision to license applicants from states that do not license those in the fire protection sprinkler system field. To show sufficient competency, an applicant must pass applicable National Fire Protection Association exams and the Arkansas exam. If necessary for the specific license, the applicant must hold a certification issued by the National Institute for Certification in Engineering Technologies. The Board based this provision on the model rule by the Attorney General’s Office.
- Simplifies the requirements for an inspector license, and “grandfathers in” individuals that obtained an inspector license on or before the rule’s effective date.
- In accordance with statutory definitions, adopts the term “fitter” in place of “installer.”

-Lowers the branch office fee from \$28 to \$25. Lowers the exam retake fee and the fee for a license transfer/change/duplication from \$30 to \$25. Adds the following statutory Board fees for:

- \$50 for an initial fitter license, including exam fee, and renewal fitter license. (Pursuant to A.C.A § 20-22-610(b)(9)(A) and (B), the exam fee cannot exceed \$200 and the initial and renewal fee cannot exceed \$500.)
- \$25 for an apprentice permit. (Pursuant to A.C.A. § 20-22-610(b)(6)(B)(ii), the apprentice permit fee cannot exceed \$30)

-Changes tag size from “5 1/2 inches in height and 2 5/8 inches in width” to “no more than 5 ½ in height and no less than 5 1/4 in width.”

-Lowers the passing score for the examinations from 90% to 80%, except for the fitter exam passing score that will remain 70%.

- Amends and clarifies the duties and responsibilities of a firm Responsible Managing Employee (RME), a fitter, and an inspector, such as:

- Allows an RME to perform the duties of a fitter, as well as an inspector;
- Holds the RME responsible for distributing the Contractor’s Material and Test Certificate, while repealing the requirement that the document be sent to the Board and authority having jurisdiction (AHJ);
- Requires at least one licensed fitter to be onsite when a sprinkler system is being installed or serviced;
- Holds the fitter responsible for completing the Contractor’s Material and Test Certificate and attaching the installation tag

- Amends tagging requirements, such as;

- Requires an inspection report to contain a notation on the first page if a system receives a yellow or red tag;
- Only requires an inspection report to be filed with an AHJ if the system is yellow or red-tagged;
- Requires a tag to include the license number of the individual performing the service;
- Re-defines the conditions that require a yellow tag

- Repeals provisions regarding backflow prevention and elevator safety;

- Clarifies the types of tags required by the Board
- Adopts Board meeting provision from the Board's Portable/Fixed Rules
- Clarifies and streamlines the regulatory process for a firm that changes its ownership.
- Limits a firm's branch office(s) to locations that share the same name and same tax identification number as the original firm. Therefore, if a firm has a separate business location(s) or office(s) that does not meet the new definition of "branch office," that separate location will be considered a different business that requires its own separate certificate of registration. A firm must pay a \$25 fee for a certificate of registration for each separate location that meets the definition of "branch office." The rule "grandfathers in" firms that obtained a certificate of registration for a separate business location(s) or office(s) on or before the rule's effective date.
- Repeals the age restrictions for individual licensure.
- Repeals hearing procedures that are already contained in the Administrative Procedures Act.
- Repeals provisions regarding entities that board has no authority over, such as property owners.
- Adds a requirement that an application for a firm certificate of registration be accompanied by evidence of registration with the Secretary of State and also by individual license applications for the applicant's employees.
- The proposed changes also include "housekeeping" matters, such as replacing "regulation" with rule, pursuant to act 315; deleting unused and obsolete provision; updating and clarifying terminology.