

1 SB336
2 135321-2
3 By Senator Taylor
4 RFD: Governmental Affairs
5 First Read: 16-FEB-12

1 SB336

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

10
11 Relating to fire protection and fire protection
12 sprinkler systems; to allow the State Fire Marshal to issue
13 permits to certified potable water single family dwelling fire
14 protection sprinkler contractors; and for such purposes, to
15 amend Sections 34-33-1, 34-33-2, 34-33-3, 34-33-4, and
16 34-33-5, Code of Alabama 1975.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. Sections 34-33-1, 34-33-2, 34-33-3,
19 34-33-4, and 34-33-5, Code of Alabama 1975, are amended to
20 read as follows:

21 "§34-33-1.

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

25 "(1) FIRE PROTECTION SPRINKLER CONTRACTOR. An
26 individual, partnership, corporation, association, or joint

1 venture engaged in the business of installation, repair,
2 alteration, addition, maintenance, or inspection of fire
3 protection sprinkler systems. This does not include local
4 building officials, fire inspectors, or insurance inspectors
5 when acting in their official capacity.

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

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

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

21 "~~(4)~~ (5) STATE FIRE MARSHAL'S PERMIT. The form issued
22 by the State Fire Marshal to a fire protection sprinkler
23 contractor or potable water single family dwelling fire
24 protection sprinkler contractor upon application being
25 approved and fee paid. The permit shall be issued in the name

1 of the fire protection sprinkler contractor, with the name of
2 the certificate holder noted thereon.

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

9 "~~(5)~~(7) FIRE PROTECTION SPRINKLER SYSTEM. ~~A~~ An
10 integrated system of underground and overhead piping designed
11 in accordance with fire protection engineering standards. ~~The~~
12 ~~system is supplied from a reliable, constant and sufficient~~
13 ~~water supply, such as a gravity tank, fire pump, reservoir or~~
14 ~~pressure tank, and/or connection by underground piping to a~~
15 ~~city main. The portion of the sprinkler system above ground is~~
16 ~~considered the fire protection sprinkler system for purposes~~
17 ~~of this chapter, and is a network of specially sized or~~
18 ~~hydraulically designed piping installed in a building,~~
19 ~~structure, or area, generally overhead, and to which~~
20 ~~sprinklers are connected in a systematic pattern. The system~~
21 ~~includes a controlling valve and device for actuating an alarm~~
22 ~~when the system is in operation. The installation includes at~~
23 ~~least one automatic water supply which supplies one or more~~
24 ~~systems. The portion of the sprinkler system above ground is a~~
25 ~~network of specially sized or hydraulically designed piping~~
26 ~~installed in a building, structure, or area, generally~~

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

19 "§34-33-2.

20 "The administration of this chapter is vested in the
21 State Fire Marshal who shall have the power to make rules in
22 relation to portable single family dwelling fire protection
23 sprinkler contractor training, and for weekly fire pump
24 testing, and to set or make changes in the amount of the fee
25 fees charged as necessary for the administration and
26 enforcement of this chapter.

1 "§34-33-3.

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

16 "§34-33-4.

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

1 Technology (NICET) as a Fire Protection Layout Technician -
2 Level III. A copy of the NICET letter of notification that
3 the proposed certificate holder has passed the competency test
4 shall be sufficient written proof. The State Fire Marshal,
5 shall issue, upon receipt of the application and fee, a State
6 Fire Marshal's Permit to a fire protection sprinkler
7 contractor who has a current State Fire Marshal's Permit, or
8 who produces evidence of having a current state permit from
9 another state, if such state shall have entered into an
10 agreement of reciprocity with the State of Alabama.

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

1 completed application and fee payment a State Fire Marshal's
2 permit.

3 "§34-33-5.

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

15 Section 2. Nothing in this act is intended to
16 authorize the State Fire Marshal to require the installation
17 of any fire-protection sprinkler system in any single-family
18 dwelling.

19 Section 3. This act shall become effective on the
20 first day of the third month following its passage and
21 approval by the Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate committee on Governmental Affairs.....	16-FEB-12
Read for the second time and placed on the calen- dar 1 amendment.....	21-FEB-12
Read for the third time and passed as amended	22-MAR-12

Yeas 25
Nays 0

Patrick Harris
Secretary