

1 HB66  
2 181304-3  
3 By Representative Hanes  
4 RFD: Public Safety and Homeland Security  
5 First Read: 07-FEB-17  
6 PFD: 01/27/2017



1 managing owner, partner, officer or employee who is actively  
2 in charge of the work of the certified fire protection  
3 sprinkler contractor.

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

7 "~~(1)~~(3) FIRE PROTECTION SPRINKLER CONTRACTOR I. An  
8 individual, partnership, corporation, association, or joint  
9 venture engaged in the business of layout, installation,  
10 repair, alteration, addition, maintenance, or inspection of  
11 all fire protection sprinkler systems. This does not include  
12 local building officials, fire inspectors, or insurance  
13 inspectors when acting in their official capacity.

14 "(4) FIRE PROTECTION SPRINKLER CONTRACTOR II. An  
15 individual, partnership, corporation, association, or joint  
16 venture whose business is limited to the execution of  
17 contracts requiring the ability to layout, fabricate, install,  
18 inspect, alter, repair, and service single family potable  
19 water fire protection sprinkler systems for detached single  
20 family dwellings and manufactured housing in accordance with  
21 the latest edition of NFPA 13D or ICC IPC Chapter 29 Section  
22 P2904.

23 "(5) FIRE PROTECTION SPRINKLER SYSTEM. A a. An  
24 integrated system of underground and overhead piping designed  
25 in accordance with fire protection engineering standards. The  
26 system is supplied from a reliable, constant and sufficient  
27 water supply, such as a gravity tank, fire pump, reservoir or

1 pressure tank, and/or connection by underground piping to a  
2 city main. ~~The portion of the sprinkler system above ground is~~  
3 ~~considered the fire protection sprinkler system for purposes~~  
4 ~~of this chapter,~~ and is a network of specially sized or  
5 hydraulically designed piping installed in a building,  
6 structure, or area, generally overhead, and to which  
7 sprinklers are connected in a systematic pattern. The system  
8 includes a controlling valve and device for actuating an alarm  
9 when the system is in operation. The system is usually  
10 activated by heat from a fire and discharges water over the  
11 fire area. Fire protection sprinkler systems shall include the  
12 following types: Wet-pipe systems, dry-pipe systems,  
13 pre-action systems, deluge systems, combined dry-pipe and  
14 pre-action systems, antifreeze systems, and circulating closed  
15 loop systems, all as defined ~~in~~ by the National Fire  
16 Protection Association ~~Pamphlet,~~ NFPA 13, Standard for the  
17 Installation of Sprinkler Systems, latest edition, ~~or National~~  
18 ~~Fire Protection Association Pamphlet~~ NFPA 13D, Standard for  
19 the Installation of Sprinkler Systems in One and Two Family  
20 Dwellings and ~~Mobile~~ Manufactured Homes, latest edition.

21 "b. A sprinkler system, as defined by NFPA 13D or  
22 IRC Section P2904, which is appropriate for the protection  
23 against fire hazards in single family dwellings and  
24 manufactured homes, and does not include residential portions  
25 of any other type of building or occupancy that is protected  
26 by residential sprinklers in accordance with NFPA 13 or NFPA  
27 13R or other portions of a building that are protected in

1 accordance with NFPA 13 or NFPA 13R as appropriate for areas  
2 outside the dwelling unit. The system is supplied from a  
3 reliable, constant and sufficient water supply, such as a  
4 gravity tank, pump, reservoir or pressure tank, and/or  
5 connection by underground piping to a city main.

6 "(6) SINGLE FAMILY DWELLING. Any detached dwelling  
7 covered in the scope of the International Residential Code,  
8 latest edition.

9 "(4)(7) STATE FIRE MARSHAL'S PERMIT. The form issued  
10 by the State Fire Marshal to a any certified fire protection  
11 sprinkler contractor upon application being approved and fee  
12 paid. The permit shall be issued in the name of the certified  
13 fire protection sprinkler contractor, with the name of the  
14 certificate holder noted thereon.

15 "§34-33-2.

16 "The administration of this chapter is vested in the  
17 State Fire Marshal who shall have the power to make rules in  
18 relation to weekly fire pump testing and to set or make  
19 changes in the amount of the ~~fee~~ fees charged as necessary for  
20 the administration and enforcement of this chapter.

21 "§34-33-4.

22 "(a) Any individual, partnership, corporation,  
23 association, or joint venture desiring to engage in the  
24 business of fire protection sprinkler contractor I shall  
25 submit to the State Fire Marshal on standard forms provided by  
26 the State Fire Marshal a completed application. The applicant  
27 shall include a fee of ~~\$100.00~~ one hundred twenty dollars

1        (\$120) when making the application. The applicant shall  
2        designate in the application the name of the proposed  
3        certificate holder and provide written proof that such  
4        individual has passed a competency test administered by the  
5        National Institute for Certification in Engineering Technology  
6        (NICET) as a Fire Protection Layout Technician - Level III. A  
7        copy of the NICET letter of notification that the proposed  
8        certificate holder has passed the competency test shall be  
9        sufficient written proof. The State Fire Marshal, ~~shall issue,~~  
10       upon receipt of the application and fee, shall issue a State  
11       Fire Marshal's Permit to a fire protection sprinkler  
12       contractor I who has a current State Fire Marshal's Permit, or  
13       who produces evidence of having a current state permit from  
14       another state, if such state shall have entered into an  
15       agreement of reciprocity with the State of Alabama.

16                "(b) Any individual, partnership, corporation,  
17        association, or joint venture desiring to engage in the  
18        business of fire protection sprinkler contractor II shall  
19        submit to the State Fire Marshal on standard forms provided by  
20        the State Fire Marshal a completed application. The applicant  
21        shall designate in the application the name of the proposed  
22        certificate holder and provide written proof that the  
23        individual holds a valid master plumber certification issued  
24        by the Alabama Plumbers and Gas Fitters Examining Board. The  
25        applicant shall include a fee of one hundred twenty dollars  
26        (\$120) when making the application. The applicant shall obtain  
27        a minimum of 32 hours of training on residential fire

1 sprinkler systems that adequately covers NFPA 13D or ICC P2904  
2 provided by a third party agency approved by the State Fire  
3 Marshal's office, pass the ICC Residential Fire Sprinkler  
4 Design/Installation Test, be capable of producing plans for a  
5 13D or P2904 Home Fire Sprinkler System, and provide proof of  
6 insurance. The State Fire Marshal, upon receipt of the  
7 completed and compliant application and fee, shall issue a  
8 State Fire Marshal's permit to a fire protection sprinkler  
9 contractor II. The State Fire Marshal, upon receipt of the  
10 application and fee, shall issue a State Fire Marshal's Permit  
11 to a fire protection sprinkler contractor II who produces  
12 evidence of having a current state permit from another state,  
13 if such state shall have entered into an agreement of  
14 reciprocity with the State of Alabama.

15 "(c) Prior to a certificate holder being issued a  
16 permit under this section to provide residential fire  
17 protection sprinkler services, the certificate holder must  
18 provide to the State Fire Marshal an active certificate of  
19 insurance covering such work with a policy value no less than  
20 one million dollars (\$1,000,000). The certificate holder must  
21 complete a minimum of eight hours of CEU's in residential fire  
22 sprinklers every year. Classes must be approved by the Alabama  
23 State Fire Marshal's Office.

24 "§34-33-5.

25 "(a) If the required fee has been paid, satisfactory  
26 written proof from NICET has been provided that the competency  
27 test was passed when required by this chapter, all of the

1 requirements set forth in this chapter for obtaining the  
2 requested permit have been met, and the proposed certificate  
3 holder is found to be at present a responsible, managing  
4 owner, partner, officer, or employee of the fire protection  
5 sprinkler contractor I, the State Fire Marshal ~~shall,~~ within  
6 30 days, shall issue a State Fire Marshal's permit in the name  
7 of the fire protection sprinkler contractor I with the name of  
8 the certificate holder noted thereon.

9 "(b) If the required fee has been paid, satisfactory  
10 written proof from ICC has been provided that the competency  
11 test was passed when required by this chapter, and the  
12 proposed certificate holder is found to be at present a  
13 responsible, managing owner, partner, officer, or employee of  
14 the fire protection sprinkler contractor II, the State Fire  
15 Marshal, within 30 days, shall issue a State Fire Marshal's  
16 permit in the name of the fire protection sprinkler contractor  
17 II with the name of the certificate holder noted thereon.

18 "§34-33-6.

19 "In no case shall a certificate holder be allowed to  
20 obtain a State Fire Marshal's permit for more than one fire  
21 protection sprinkler contractor at a time. If the certificate  
22 holder should leave the employment of the fire protection  
23 sprinkler contractor, he or she must notify the State Fire  
24 Marshal within 30 days. The certificate holder shall not be  
25 eligible to obtain a State Fire Marshal's permit for more than  
26 one other fire protection sprinkler contractor for a period of  
27 12 months thereafter. If the certificate holder should leave



1 the employment of the fire protection sprinkler contractor, or  
2 die, the fire protection sprinkler contractor shall have nine  
3 months to submit a new application proposing designation of  
4 another individual as the certificate holder for the  
5 applicant. If such application is not received and a new  
6 permit issued within the allotted time, the State Fire Marshal  
7 shall revoke the permit of the fire protection sprinkler  
8 contractor.

9 "§34-33-7.

10 "The State Fire Marshal's permit shall expire  
11 annually at midnight on September 30. At least 30 days prior,  
12 the fire protection sprinkler contractor I or II must submit a  
13 renewal application. A renewal fee must be submitted with the  
14 application. Failure to renew the permit prior to the  
15 expiration shall cause the permit to be null and void as of  
16 the expiration date, and it shall be unlawful under this  
17 chapter for any individual, partnership, corporation,  
18 association, or joint venture to engage in the business of  
19 installing, repairing, altering, adding, maintaining, or  
20 inspecting a fire protection sprinkler system without a valid  
21 State Fire Marshal's permit. The permit may be reinstated by  
22 making application as before, and payment of the fee; however,  
23 until such time as a new permit is issued, it shall be  
24 unlawful for the fire protection sprinkler contractor I or II  
25 to engage in installing, repairing, altering, adding,  
26 maintaining, or inspecting fire protection sprinkler systems.

27 "§34-33-9.

1           "Nothing in this chapter limits the power of a  
2 municipality, county, or the state to regulate the quality and  
3 character of work performed by ~~contractors~~ a fire protection  
4 sprinkler contractor I or II, through a system of permits,  
5 fees, and inspections, which are designed to assure compliance  
6 with, and aid in the implementation of, state and local  
7 building laws or to enforce other local laws for the  
8 protection of the public health and safety. Nothing in this  
9 chapter limits the power of a municipality, county, or the  
10 state to adopt any system of permits requiring submission to  
11 and approval by the municipality, county, or the state, of  
12 plans and specifications for work to be performed by  
13 ~~contractors~~ a fire protection sprinkler contractor I or II  
14 before commencement of the work. If plans for a fire  
15 protection sprinkler system are required to be submitted to  
16 and approved by any municipality, county, or the state (or  
17 any departments or agencies thereof), the plans must bear the  
18 permit number of the certified fire protection sprinkler  
19 contractor or proof that the person, firm, or corporation that  
20 designed such fire protection sprinkler system is an exempt  
21 owner under Section 34-33-3. The official authorized to issue  
22 building or other related permits shall ascertain that the  
23 fire protection sprinkler contractor I or II is duly certified  
24 by requiring evidence of a valid State Fire Marshal's permit.

25           "§34-33-10.

26           "(a) This chapter also applies to any fire  
27 protection sprinkler contractor I or II performing work for

1 any municipality, county, or the state. Officials of any  
2 municipality, county, or the state are required to determine  
3 compliance with this chapter before awarding any contracts for  
4 the installation, repair, alteration, addition, or inspection  
5 of a fire protection sprinkler system. Bids for such shall be  
6 accompanied by a copy of a valid State Fire Marshal's permit.

7 "(b) All architects and engineers preparing plans  
8 and specifications for work involving fire protection  
9 sprinkler systems to be contracted in the State of Alabama  
10 shall include in their invitations to bidders and their  
11 specifications a copy of this chapter or such portions thereof  
12 as are deemed necessary to convey to the invited bidder,  
13 whether he or she is a resident or nonresident of this state  
14 and whether a license has been issued to him or her or not,  
15 the information that it will be necessary for him or her to  
16 show evidence of license before his or her bid is considered.

17 "(c) A certified licensed engineer shall design the  
18 plans for any residential fire protection sprinkler system and  
19 approve any changes made to the system design."

20 Section 2. Nothing in this act is intended to  
21 authorize the State Fire Marshal to require the installation  
22 of any fire protection sprinkler system in any single family  
23 dwelling.

24 Section 3. (a) The State Fire Marshal shall collect  
25 and publish data on all residential structural fires in  
26 Alabama in a report that includes all of the following  
27 information:

- 1 (1) The type of structure.
- 2 (2) The age of the structure.
- 3 (3) The code enforced when the structure was
- 4 constructed.
- 5 (4) The cause of the fire.
- 6 (5) Whether the cause of the fire was the result of
- 7 a criminal or suspicious event.
- 8 (6) The materials used in the construction of the
- 9 structure.
- 10 (7) The type and amount of damage to the structure.
- 11 (8) The type and number of functional smoke
- 12 detectors and fire sprinklers installed in the structure.

13 (b) (1) All information collected pursuant to this  
14 section shall be made available to the public, free of charge,  
15 on the website of the State Fire Marshal.

16 (2) The information shall be recorded and published  
17 on a monthly basis and maintained thereafter in a sortable  
18 electronic format on the website of the State Fire Marshal.

19 Section 4. 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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House of Representatives

Read for the first time and re-  
ferred to the House of Representa-  
tives committee on Public Safety  
and Homeland Security..... . . . . . 07-FEB-17

Read for the second time and placed  
on the calendar 1 amendment ..... . . . . . 16-FEB-17

Read for the third time and passed  
as amended..... . . . . . 07-MAR-17

Yeas 93, Nays 1, Abstains 3

Jeff Woodard  
Clerk