

PUBLIC PROTECTION CABINET
Department of Housing, Buildings and Construction
(As Amended at ARRS, November 9, 2021)

815 KAR 7:080. Licensing of fire protection sprinkler contractors.

RELATES TO: KRS 198B.550 - 198B.630

STATUTORY AUTHORITY: KRS 198B.555

NECESSITY, FUNCTION, AND CONFORMITY: KRS 198B.555 requires the commissioner~~[Commissioner]~~ of the Department of Housing, Buildings and Construction to promulgate~~[adopt]~~ reasonable administrative regulations necessary for the administration of KRS 198B.550 through~~[to]~~ 198B.630~~[a Fire Protection Sprinkler Contractor's Law]~~. This administrative regulation establishes the qualifications, responsibilities, procedures, and fees for licensing fire protection sprinkler contractors and for certifying certificate of competency holders~~[those contractors. This amendment is necessary to increase contractor licensing and certificate of competency fees to support the program. These fees have not been increased since the program was established in 1984].~~

Section 1. Definitions. (1) "Department"~~["Office"]~~ is defined by~~[in]~~ KRS 198B.550(1).

(2) "Certificate of competency" means the certificate of registration issued by the department~~[office]~~ to an individual who demonstrates competency to design fire suppression systems by successfully completing the minimum requirements of this~~[the]~~~~[this]~~ administrative regulation.

(3) "Certificate holder" is defined by~~[in]~~ KRS 198B.550(5).

(4) Commissioner~~["Executive Director"]~~ is defined by~~[in]~~ KRS 198B.550(2).

(5) "Fire protection sprinkler contractor" is defined by~~[in]~~ KRS 198B.550(3).

(6) "Fire protection sprinkler system" is defined by~~[in]~~ KRS 198B.550(6).

(7) "Inspection" means a physical and visual examination of a sprinkler system installation.

(8) "Installation" means the initial placement of a system or its extension or alteration after initial placement.

~~(9) "NICET" is defined in KRS 198B.570.]~~

Section 2. Responsibilities of the Commissioner~~[Executive Director]~~. The commissioner ~~[executive director]~~ shall review applications, accept fees, and issue certificates and licenses to qualified persons and firms pursuant to this administrative regulation. He or she shall conduct investigations upon receipt of written complaints that~~[which]~~ allege that a certificate holder or licensed fire protection sprinkler contractor has acted in violation of KRS Chapter 198B or of this administrative regulation.

Section 3. Applicability. Except as exempted by KRS 198B.560, this administrative regulation shall apply to all firms and persons who engage in the business of design and preparation of technical drawings, installation, repair, alteration, extension, maintenance, or inspection of a fire protection sprinkler system.

Section 4. Application for Certificate of Competency. (1) An applicant for certificate of competency shall comply with the examination requirements in KRS 198B.570 for the type of system for which the applicant seeks certification.

(2) An applicant~~[Application]~~ for a fire protection sprinkler system certificate of competency shall submit to the department~~[be submitted on Forms FPS-SC-2 and 2a.]~~

(a) Completed forms FPS-SC-2 and 2a;

(b) Proof of current National Institute for Certificate in Engineering Technologies (NICET) certification in fire protection engineering technology automatic sprinkler system design, level III, or higher; and

(c) A nonrefundable, prorated certificate fee of \$125.

(3) An applicant~~[Application]~~ for a range hood suppression system certificate of competency shall submit to the department:

(a) Completed~~[Be submitted on]~~ Forms FPS-RC-2 and 2a;

(b) Proof of~~[Included]~~ current manufacturer's training certification; and~~[-]~~

(c) A nonrefundable, prorated certificate fee of \$125.

(4) Application for a chemical system certificate of competency shall be as **established in paragraphs (a) and (b) of this subsection.**~~[follows:]~~

(a) An applicant for a pre-engineered~~[For preengineered]~~ chemical systems (limited) certificate of competency shall submit to the department:

1. Completed~~[Submit application on]~~ Forms FPS-CC-2 and 2a;

2. Proof of~~[Include]~~ current manufacturer's training certification; and

3. A nonrefundable, prorated certificate fee of \$125.

(b) An applicant for~~[For]~~ an engineer chemical systems (unlimited) certificate of competency shall submit to the department:

1. Completed~~[Submit application on]~~ Forms FPS-CC-2 and 2a;

2. Proof of~~[Include]~~ current NICET certification in special hazard systems layout technician, level III; and

3. A nonrefundable, prorated certificate fee of \$125.

Section 5. Application for ~~[Licensed Fire Protection Sprinkler]~~ Contractor's License~~[Contractors]~~. (1) An applicant for a contractor's license~~[for licensure]~~ shall submit to the department:

(a) 1. Proof of having~~[Have]~~ a certificate holder in his or her employ; and

2.~~[(b)]~~ Proof~~[Show proof]~~ of financial responsibility as required by KRS 198B.595.[]

~~(2) Application shall be made as follows:]~~

~~(b)~~~~[(c)]~~ (a) For fire protection sprinkler contractors, a completed~~[contractor on]~~ Form FPS-SL-1;

~~(c)~~~~[(d)]~~ (b) For rangehood suppression system contractors, a completed~~[contractor on]~~ Form FPS-RL-1; **and**

~~(d)~~~~[(e)]~~ (c) For chemical suppression system contractors a completed~~[on]~~ Form FPS-CL-1.

(3)(a) Each application shall be accompanied by a fee of \$250.~~[;]~~

(b) The initial license fee shall be prorated ~~[on a quarterly basis upon the first renewal]~~.

Section 6. Certificate Holder Seal. Each certificate holder shall obtain and use a seal for all work prepared by him or her or under his or her direct supervision. The design shall be as follows:



Section 7. Certification and Licensure.

(1) Upon completion of the requirements of KRS 198B.595, the certificate of competency

shall be issued by the commissioner [~~executive director~~] in the name of the [~~certificate holder~~] applicant.

(2) All fire protection sprinkler contractor licenses shall be issued in the name of the firm listed on the application and shall state the name of the certificate holder on the face of the license.

(3) Each license and certificate shall expire on the last day of the licensee or certificate holder's birth month [~~June 30 of each year~~].

(4) To renew [~~Renewal of~~] a certificate of competency, a certificate holder shall submit to the department [~~be submitted~~]:

(a) The completed applicable form [~~Using the appropriate application forms~~] listed in Section 4(1)(a)-(c) of this administrative regulation; and

(b) A renewal fee of ~~\$125~~ ~~/\$250~~ [\$125] for each certificate.

(5) To renew [~~Renewal of~~] a contractor's license, a licensee shall submit to the department [~~be submitted~~]:

(a) The completed applicable form [~~Using the appropriate application forms~~] listed in Section 5(2)(a) ~~through~~ (c) of this administrative regulation; and

(b) A renewal fee of \$250 for each license.

Section 8. Duties and Responsibilities of a Licensed Contractor and [a] Certificate Holder.

(1) A person shall not represent himself as a fire protection sprinkler contractor without first being licensed by the department [~~office~~] in accordance with this administrative regulation.

(2) The design of a system shall be prepared [~~and submitted~~] by either a licensed professional engineer or a licensed fire protection sprinkler contractor as required by KRS 198B.565.

(3) A person other than a certificate holder shall not engage in any activity listed in Section 3(1) of this administrative regulation unless he or she is supervised by or has in his or her employ, a lawfully authorized certificate holder.

Section 9. Procedures for Administrative Disciplinary Hearings. Disciplinary action authorized by KRS 198B.620 shall **be conducted as established in subsections (1) and (2) of this section.** [~~conform to the following procedures:~~]

(1) Upon receipt of a written complaint that a licensee or certificate holder has engaged in any prohibited behavior or failed to satisfy [~~his~~] responsibilities as **established** [~~set forth~~] in this administrative regulation, the commissioner [~~executive director~~] shall cause an investigation to be made of the matter.

(2) If the commissioner [~~executive director~~] determines that there is reason [~~probable cause~~] to believe the violations [~~charges~~] alleged, the commissioner [~~executive director~~] shall conduct a hearing in accordance with KRS Chapter 13B.

Section 10. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) Form FPS-SC-2 and 2a, Application for Certificate of Competency; Fire Protection Sprinkler Systems, May 2021 [~~2004~~];

(b) Form FPS-SL-1, Application for Contractor License; Fire Protection Sprinkler Systems, May, 2001;

(c) Form FPS-RC-2 and 2a, Application for Certificate of Competency; Fire Protection Rangehood, May 2021 [~~2004~~];

(d) Form FPS-RL-1, Application for Contractor License; Fire Protection Rangehood, May 2001;

(e) Form FPS-CC-2 and 2a, Application for Certificate of Competency; Fire Protection

Chemical, May, ~~2021~~[2004]; and

(f) Form FPS-CL-1, Application for Contractor License; Fire Protection Chemical, May, 2001.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department[~~Office~~] of Housing, Buildings and Construction, 500 Mero Street, Frankfort, Kentucky 40601, between 8 a.m. and 4:30 p.m., Monday through Friday.

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