

CHAPTER 104**(HB 461)**

AN ACT relating to fire protection sprinkler system design and installation.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 198B.550 is amended to read as follows:

As used in KRS 198B.555 to 198B.630, unless the context requires otherwise:

- (1) "Department" means the Department of Housing, Buildings and Construction.
- (2) "Commissioner" means the commissioner of the department.
- (3) A "fire protection sprinkler contractor" is a person engaged in the preparation of technical drawings, installation, repair, alteration, extension, maintenance or inspection of fire protection sprinkler systems and has in his or her employment a certificate holder.
- (4) A "fire protection sprinkler contractor's license" is the license issued by the commissioner to a fire protection sprinkler contractor upon application being approved, fee paid and the satisfactory completion of the requirements of KRS 198B.580. The license shall be issued in the name of the fire protection sprinkler contractor with the name or names of the certificate holder noted thereon.
- (5) A "certificate holder" is an individual who has satisfactorily met and has received a certificate from the commissioner under the provisions of KRS 198B.570.
- (6) A "fire protection sprinkler system" is a system of piping for which technical drawings have been prepared by or preparation supervised by a certificate holder in accordance with fire protection engineering standards. The system is supplied from a reliable, constant, and sufficient water, gas, or chemical supply, such as a gravity tank, fire pump, reservoir, or pressure tank, or connection by underground piping to a city, county, municipal water district, authorized water main, or both. The sprinkler system is considered the fire protection sprinkler system for purposes of KRS 198B.550 to 198B.630, and is a network of specially sized or hydraulically designed piping *and includes installations* ~~installed~~ overhead and underground in a building, structure, or area, and to which sprinklers are connected in systematic pattern. The system includes a controlling valve and a device for actuating an alarm when a system is in operation. The system is usually activated by heat from a fire and causes the discharge of water, gas, or chemical over the fire area. Fire protection sprinkler systems shall include the following types: wet-pipe systems, dry-pipe systems, pre-action systems, deluge systems, combined dry-pipe and pre-action systems, antifreeze systems and circulating closed loop systems, systems utilizing gasses or chemicals, and any other fire suppression system approved by the state fire marshal or the chief building code official of the department.

➔Section 2. KRS 198B.560 is amended to read as follows:

- (1) Except as provided in subsection (2) of this section, no person *other than* ~~unless supervised by~~ a certificate holder *or an employee of a certificate holder* shall engage in the preparation of technical drawings, installation, repair, alteration, extension, maintenance or inspection of a fire protection sprinkler system or use any title, sign, card or device indicating, or intending to indicate, or represent in any manner that he is a certified fire protection sprinkler contractor without first obtaining the fire protection sprinkler contractor's license or certificate under the provisions of KRS 198B.570 or 198B.580; it being the purpose of KRS 198B.550 to 198B.630 to safeguard life, health, property, and welfare of the public.
- (2) KRS 198B.550 to 198B.630 shall not apply to state or local building officials, fire marshals, fire inspectors, or insurance inspectors when acting in their official capacities.
- (3) This chapter shall not apply to professional engineers in the preparation of plans or construction inspection pursuant to KRS Chapter 322.
- (4) This chapter shall not apply to limited area sprinkler systems served by a domestic water supply consisting of ten (10) sprinkler heads or less in one (1) structure.

➔Section 3. KRS 198B.990 is amended to read as follows:

- (1) Any person who violates any provision of KRS 198B.140, 198B.6671, or 198B.6672, the Uniform State Building Code, the Uniform State Residential Code, or any directive or order issued pursuant thereto, shall be

fined not less than ten dollars (\$10) nor more than one thousand dollars (\$1,000). Each day the violation continues shall constitute a separate offense.

- (2) Any person who violates the provisions of KRS 198B.310 to 198B.330 shall be fined not less than fifty dollars (\$50) nor more than five hundred dollars (\$500), or be imprisoned for not more than one (1) year, or both.
- (3) Any person who violates any provision of KRS 198B.410 to 198B.540, or regulation issued thereunder, shall be fined a sum of five hundred dollars (\$500) for each offense.
- (4) *Any person who violates any provision of KRS 198B.550 to 198B.630 or 198B.6401 to 198B.6417 shall be fined not less than one hundred dollars (\$100) or more than one thousand dollars (\$1,000). Each day the violation continues shall constitute a separate offense.*

➔Section 4. This Act takes effect January 1, 2013.

Signed by Governor April 11, 2012.