



## State Board of Examiners of Plumbing, Heating & Fire Sprinkler Contractors

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### PROPOSED CHANGES IN FIRE SPRINKLER CONTRACTOR RULES COMMENTS AND EXPLANATION

Joe Harrison, Chairman

#### BACKGROUND

The regulation of fire sprinkler contractors by the Board of Examiners began in 1991 with the enactment of G.S. 87-21(a)(11) which defined fire sprinkler systems and limited the license requirement to systems relying upon water, including wet pipe, dry pipe, preaction, water spray, foam water, foam water spray, non-freeze and circulating closed loop systems. Under G.S. 87-21(a)(5) anyone who "lays out, fabricates, installs, alters or restores" fire sprinklers is engaging in the business and is required to have a license. In contrast to plumbing and heating systems, repairs, replacements or modifications to an already installed fire sprinkler system are not exempt from the license requirement under G.S. 87-21(c).

Experience with application of the language since 1991 makes it clear that there is substantial activity loosely characterized as maintenance or inspection which is not being carried out by licensed fire sprinkler contractors. When the foregoing definitions are reviewed there can be little doubt that many tasks such as making repairs after inspections, replacing heads, or setting off, purging, and resetting systems is covered by the licensing statute. As a practical matter there are many people involved in these activities that appear to be pretty good at what they are doing. Unfortunately, as in any industry, there are persons without licenses (and a few people with licenses) who do not know what they are doing. The public expects a system of regulation that will comply with the law and provide adequate assurance systems that will work in event of fire, with no more red tape than necessary.

It became clear to the Board that

enforcement of the present system of statutes and rules would require every task associated with a fire sprinkler system to be carried out by a fire sprinkler contractor with an unlimited license, resulting in unnecessary disruption of existing patterns and practice. On the other hand, a blanket exemption of all testing, repairs, replacement, and maintenance would expose the public to substantial risk of injury on account of marginal operators who do not know as much as they should.

The Board set about to use its authority to create limited licenses so as to allow protection of the public while avoiding the necessity to require an unlimited fire sprinkler contractor to carry out every task related to a fire sprinkler system. Certain limited license categories were previously created and are already in effect.

#### PRESENT RULES AND EXISTING LIMITED LICENSES

Quite apart from the changes discussed at public hearing September 15, 2003, the Board already has rules that create limited license for some categories of fire sprinkler work.

Present rules adopted in 2002 include Board rule 21 NCAC 50.0301(d), 21 NCAC 50.0301(e), 21 NCAC 50.0306(e) and 21 NCAC 50.0306(f).

Rule .0301(d) creates a limited license for people who carry out fire sprinkler system inspection and testing. This category was created in order to allow people involved in inspection and testing of fire sprinkler systems to avoid the requirement of becoming an unlimited fire sprinkler contractor. In order to avoid surprise, allow a phase-in of this limited

*(continued on page 2 Proposed changes)*

2003  
**6**  
Four of  
NC Code  
CE Hours

#### Inside this issue:

Proposed Changes In Fire Sprinkler Rules	1-2 & 5
New Flash	4
Examination Update	5
Consent Agreement Report	6
Permit Warning Letters	6
Attention Licensees	7
2004 Winter/Spring Schedule - <i>Insert</i>	

#### TAKE NOTE:

- ♦ You must have 4 of your 6 CE hours in Board approved classes dealing with NC Code by 12/31/2003.
- ♦ Check your CE hours online by clicking "Continuing Education" at [www.nclicensing.org](http://www.nclicensing.org)

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