

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

*As Engrossed: H3/9/99*

# A Bill

Act 1287 of 1999  
HOUSE BILL 2038

5 By: Representative Madison  
6

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE TITLE 20, CHAPTER 22,  
9 SUBCHAPTER 6 PERTAINING TO THE FIRE EXTINGUISHER  
10 BOARD; AND FOR OTHER PURPOSES."

## Subtitle

11  
12  
13 "AN ACT TO AMEND ARKANSAS CODE TITLE 20,  
14 CHAPTER 22, SUBCHAPTER 6 PERTAINING TO  
15 THE FIRE EXTINGUISHER BOARD."  
16

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
18

19 SECTION 1. Arkansas Code 20-22-602 is amended to read as follows:  
20 "20-22-602. Definitions.

21 As used in this subchapter, unless the context otherwise requires:

22 (1) 'Board' means the Arkansas Fire Protection Licensing Board  
23 created in this subchapter;

24 (2) 'Fire marshal' means the Office of State Fire Marshal;

25 (3) 'Firm' means any person, partnership, corporation, or  
26 association;

27 (4) 'Fixed fire extinguisher systems' means those fire  
28 extinguisher systems such as, but not limited to, those installed in exhaust  
29 systems designed for removal of smoke and grease-laden vapors from commercial  
30 cooking equipment and which protect the hoods and ducts and those listed or  
31 approved fire extinguisher systems installed and maintained according to the  
32 standards adopted in the rules and regulations of the board;

33 (5) 'Hydrostatic testing' means pressure testing by hydrostatic  
34 methods;

35 (6) 'Portable fire extinguisher' means any device that contains  
36 within it chemicals, fluids, powder, liquids, or gases for extinguishing

1 fires;

2 (7) 'Service and servicing' means servicing or physically  
3 installing portable fire extinguishers or fixed fire extinguisher systems by  
4 charging, filling, maintaining, recharging, refilling, repairing, hanging,  
5 locating, or retesting;

6 (8) 'Fire protection sprinkler system' means an assembly of  
7 underground or overhead piping or conduits that convey water with or without  
8 other agents to dispersal openings or devices to extinguish, control, or  
9 contain fire and so provide protection from exposure to fire or the products  
10 of combustion; ~~and~~

11 (9) 'Responsible managing employee' means an individual who is a  
12 full-time employee of a firm holding a certificate of registration for  
13 installing or servicing fire protection sprinkler systems and who is  
14 designated by the firm to be responsible for making sure all installations and  
15 servicing of fire protection sprinkler systems is done in accordance with the  
16 provisions of this subchapter;

17 (10) 'Fire Sprinkler Systems Inspector' means a person who is  
18 employed full time by a licensed Fire Sprinkler Contractor in the State of  
19 Arkansas, who has met the requirements to perform inspections of fire  
20 sprinkler systems in accordance with the provisions of this subchapter; and

21 (11) 'NICET' means National Institute for the Certification in  
22 Engineering Technologies."

23

24 SECTION 2. Arkansas Code 20-22-607(1) is amended by adding a new  
25 subdivision at the end thereof to read as follows:

26 "(F) The examination and licensing of persons desiring to be licensed  
27 as Fire Sprinkler Inspectors for the purpose of inspection of fire sprinkler  
28 systems."

29

30 SECTION 3. Arkansas Code 20-22-609(a) is amended by adding a new  
31 subdivision at the end thereof to read as follows:

32 "(8) Engage in the inspection of fire sprinkler systems without  
33 employing a fulltime licensed Fire Sprinkler Systems Inspector."

34

35 SECTION 4. Arkansas Code 20-22-610(b)(9) is amended to read as follows:

36 "(9) Each firm holding a certificate of registration for installing or

1 servicing fire protection sprinkler systems must have a licensed Fire  
2 Sprinkler Systems Inspector before engaging in the inspection of fire  
3 sprinkler systems, and shall employ at all times at least one (1) responsible  
4 managing employee who must obtain a license issued by the board and  
5 conditioned on the successful completion of the requirements prescribed by  
6 this subchapter and the rules and regulations adopted by the board and by  
7 payment of the following fees:

8 (A) An examination fee not to exceed one hundred dollars (\$100) per  
9 examination shall be paid each and every time an applicant takes an  
10 examination; and

11 (B) A license fee not to exceed three hundred dollars (\$300) shall be  
12 paid for issuance of the initial license and each renewal thereof."  
13

14 SECTION 5. Arkansas Code 20-22-611 is amended to read as follows:

15 "20-22-611. License, permit, or certificate - Qualifications.

16 (a) For a license to service portable fire extinguishers, a person  
17 must:

18 (1) Achieve a passing score on an examination based on the rules  
19 and regulations of the board; and

20 (2) Maintain in force at all times while licensed a public  
21 liability insurance policy covering their operations and completed operations,  
22 with a minimum limit of liability of three hundred thousand dollars (\$300,000)  
23 per occurrence for bodily injury and fifty thousand dollars (\$50,000) per  
24 occurrence for property damage, or a single limit of liability for bodily  
25 injury and property damage of three hundred thousand (\$300,000) per occurrence  
26 and file and maintain a certificate of insurance with the board.

27 (b) To obtain a license for a Fire Sprinkler Systems Inspector, an  
28 individual must be employed by a registered fire sprinkler contractor and pass  
29 an examination based on the rules and regulations adopted by the board.

30 ~~(b)(c)~~ This provision does not apply to fire departments licensed under  
31 § 20-22-603(a)(5). "  
32

33 SECTION 6. All provisions of this act of a general and permanent nature  
34 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
35 Revision Commission shall incorporate the same in the Code.  
36

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

SECTION 7. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 8. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 9. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 10. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 11. All laws and parts of laws in conflict with this act are hereby repealed.

*/s/ Madison*

APPROVED: 4/9/1999