

"AN ACT TO AMEND VARIOUS SECTIONS OF ACT 743 OF 1977, AS AMENDED [ARK. STATS. 82-832--82-854] RELATING TO THE REGULATION AND LICENSING OF PERSONS AND BUSINESSES SELLING, INSTALLING, AND/OR SERVICING PORTABLE FIRE EXTINGUISHERS, AND FIXED FIRE EXTINGUISHER SYSTEMS AND FIRE PROTECTION SPRINKLER SYSTEMS; AND FOR OTHER PURPOSES."

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

SECTION 1. It is the purpose and intent of this Act to provide for monitoring the sale, installation and/or servicing of portable fire extinguishers and the sale, installation and/or servicing of fixed fire extinguisher systems and the sale, installation and/or servicing of fire protection sprinkler systems and to provide for the registration and licensure of businesses and persons providing such services, in order to protect and promote public safety by minimizing personal injury and property damages which might result from inadequate, unreliable and unsafe or improperly installed or maintained portable fire extinguishers, fixed fire extinguisher systems, or fire protection sprinkler systems.

SECTION 2. Subsection (g) of Section 2 of Act 743 of 1977, as amended, the same being Arkansas Statute 82-833(g), is hereby amended to read as follows:

"(g) 'Portable Fire Extinguisher' means any device that contains within it chemicals, fluids, powder, liquids or gases for extinguishing fires."

SECTION 3. Section 4 of Act 743 of 1977, as amended, the same being Arkansas Statute 82-835, is hereby amended to read as follows:

"Section 4. The State Fire Marshal shall advise with and assist the Board in the adoption of policies and procedures for the effective monitoring of the sale, installation, and/or servicing of portable fire extinguishers and the sale, installation and/or servicing of fixed fire extinguisher systems and the sale, installation and/or servicing of fire protection sprinkler systems and for the registration and licensing of businesses and persons providing such services."

SECTION 4. Subsection (a) of Section 8 of Act 743 of 1977, as amended, the same being Arkansas Statute 82-839(a), is hereby amended to read as follows:

"(a) No portable fire extinguisher or fixed fire extinguisher system may be sold or installed in this State unless it carries a label of approval of a nationally recognized testing laboratory, approved by the Board, provided that, the Board may allow the installation of a fixed fire extinguisher system other than those enumerated in Section 2(D) of this Act."

SECTION 5. Subsection (e) of Section 9 of Act 743 of 1977, as amended, the same being Arkansas Statute 82-840(e), is hereby amended to read as follows:

"(e) firms engaged in the retail or wholesale selling of portable fire extinguishers as defined in Section 2, but not engaged in the installing, servicing or recharging of them shall only be exempt from the registration and licensing provisions as outlined in Section 5 of this Act, but all other provisions of the Act shall apply."

SECTION 6. Subsection (f) of Section 11 of Act 743 of 1977, as amended, the same being Arkansas Statute 82-842(f), is hereby amended to read as follows:

"(f) Sell, service or install portable fire extinguishers or fixed fire extinguisher systems, or fire protection sprinkler systems contrary to the provisions of this Act or the policies formulated and administered under the authority of this Act."

SECTION 7. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: 4/1/87

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