

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

HOUSE BILL 2038

5 By: Representative Madison
6

7 **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."

11
12 **Subtitle**

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:
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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."

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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). "
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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.
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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