



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: August 20, 2019

TIME: 5:11 PM

WSR 19-17-080

Agency: Washington State Patrol

Subject of possible rule making: Fire Sprinkler Systems Contractors

Statutes authorizing the agency to adopt rules on this subject: 18.270.900 and 18.160.030

Reasons why rules on this subject may be needed and what they might accomplish: To add the American Society of Sanitary Engineering 15010 Field Technician Certification as an alternative prerequisite certification for Inspection and Testing Technician.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: N/A

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study

Other (describe) WSP welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, the WSP will file a Proposed Rule Making (CR-102) with the Office of the Code Reviser with a notice of proposed rulemaking. A copy of the proposal will be sent to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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Additional comments:

Date: August 20, 2019

Name: John R. Batiste

Title: Chief

Signature:

WAC 212-80-093 Certificate holder certification. (1) **How do I become a certificate holder?** The issuance of a certificate is dependent on employment with a licensed contractor. All applications for a certificate must be submitted with the fire protection sprinkler system contractor's license application. A certificate application will not be processed without the fire protection sprinkler system contractor's license application. All applications must be made on the forms provided by the director and include the required fees provided by WAC 212-80-098 and documentation for the required level of certification as provided by this section.

(a) **For Level 1 design certification,** the applicant must:

(i) Have satisfactorily passed with a final score of eighty percent or better an examination administered by the director, or present a copy of a current certificate from the National Institute for Certification in Engineering Technologies showing that the applicant has achieved Level 2 certification in the field of water-based fire protection system layout; or

(ii) Be a Washington licensed professional engineer.

(b) **For Level 2 design certification,** the applicant must:

(i) Present a copy of a current certificate from the National Institute for Certification in Engineering Technologies showing that the applicant has achieved a Level 2 in the field of water-based fire protection systems layout; or

(ii) Be a Washington licensed professional engineer.

(c) **For Level 3 design certification,** the applicant must either:

(i) Present a copy of a current certificate from the National Institute for Certification in Engineering Technologies showing that the applicant has achieved a Level 3 in the field of water-based fire protection systems layout; or

(ii) Be a Washington licensed professional engineer.

(d) **For Level U certification,** the applicant must have satisfactorily passed with a final score of eighty percent or better an examination administered by the director.

(e) **For inspection and testing technician certification,** the applicant must:

(i) Possess a National Institute for Certification and Engineering Technologies Inspection, Testing and Maintenance Level 2 or Level 3 certification or American Society of Sanitary Engineers 15010 Field Technician Certification; and

(ii) Perform work consistent with the employing contractor's licensing level.

(f) **For journey-level sprinkler fitter certification,** the applicant must:

(i) Provide evidence on the forms provided by the director of at least eight thousand hours of trade related fire protection sprinkler system experience in installation and repair;

(ii) Not have more than three thousand hours of the required eight thousand hours of experience in residential sprinkler fitting; and

(iii) Satisfactorily pass an examination provided by the director with a final score of eighty percent.

(g) **For residential sprinkler fitter certification,** the applicant must:

(i) Provide evidence on the forms provided by the director, of at least four thousand hours of trade related fire protection sprinkler system experience in installation, repair, and maintenance; and

(ii) Satisfactorily pass an examination provided by the director with a final score of eighty percent.

(h) **For journey- or residential-level sprinkler fitter training certification**, except as provided by (g)(i) of this subsection, the applicant must:

(i) Provide evidence to the director, on the forms provided by the director, of trade related employment by a licensed contractor;

(ii) Remain employed by a licensed contractor to maintain trainee status; and

(iii) Only engage in the fire protection sprinkler system trade when under the supervision of a certified journey level or residential installer.

(i) **For a professional engineer** to act as a Level 1, 2, or 3 certificate of competency holder and be issued a stamp, the professional engineer must:

(i) Be licensed by the department of licensing;

(ii) Obtain a Level 1, Level 2, or Level 3 certificate;

(iii) Properly register with the department of licensing;

(iv) Complete the application process for certification provided by WAC 212-80-093;

(v) Pay fees provided by WAC 212-80-073;

(vi) Supply the director with proof that he or she holds a current, valid state of Washington registration as a professional engineer; and

(vii) Otherwise the professional engineer is exempt from certification when acting solely in a professional capacity as an engineer.

(2) Proof of competency to the satisfaction of the director is mandatory.

| Certificate of Competency Holder Requirements | | | | |
|---|----------------------|---|--------------|--|
| Certificate of Competency Level | Application Required | Certification or Exam Required | Stamp Issued | Type of work performed by Certificate Holder |
| Level 1 | Yes | NICET Level 2 or pass an exam (See WAC 212-80-093 (1)(a)) | Yes | Designs NFPA 13D fire sprinkler systems or inspection, testing, maintenance (NFPA 25) for NFPA 13D |
| Level 2 | Yes | NICET Level 2 (See WAC 212-80-093 (1)(b)) | Yes | Designs NFPA 13D, 13R or certain NFPA 24 (Restricted to only certain NFPA 13R systems, see WAC 212-80-018 (1)(b)) fire sprinkler systems or inspection, testing, maintenance (NFPA 25) for NFPA 13D or 13R |
| Level 3 | Yes | NICET Level 3 or 4 (See WAC 212-80-093 (1)((b))) (c) | Yes | Designs NFPA 13, 13D, 13R or 24 fire sprinkler systems or inspection, testing, maintenance (NFPA 25) for NFPA 13, 13D or 13R |

| Certificate of Competency Holder Requirements | | | | |
|--|--|--|---|---|
| Certificate of Competency Level | Application Required | Certification or Exam Required | Stamp Issued | Type of work performed by Certificate Holder |
| Level "U" | Yes | Pass an exam (See WAC 212-80-093 (1) ((e)) (d)) | Yes | Supervises or performs the underground installation of fire sprinkler system piping |
| Inspection, Testing Technician (ITT) Employed by an Inspection & Testing Contractor | Yes | NICET Level 2 or ASSE 15010 (See WAC 212-80-093 (1) ((f)) (e)) | No | Performs inspection or testing on NFPA 13R or 13, wet and dry pipe fire protection systems only |
| Inspection, Testing Technician (ITT) Employed by a Level 2 Contractor | Yes | NICET Level 2 or ASSE 15010 (See WAC 212-80-093 (1) ((f)) (e)) | No | Performs inspection, testing and maintenance on NFPA 13R or 13, wet and dry pipe fire protection systems only |
| Inspection, Testing Technician (ITT) Employed by a Level 3 Contractor | Yes | NICET Level 2 or ASSE 15010 (See WAC 212-80-093 (1) ((f)) (e)) | No | Same as ITT above and includes the testing of other fire protection systems such as preaction, deluge, foam, or fire pump |
| Journey Sprinkler Fitter | Yes | Pass an exam (See WAC 212-80-093 (1) ((e)) (f)) | No | Installs and repairs NFPA 13D, 13R, or 13 fire sprinkler systems |
| Residential Sprinkler Fitter | Yes | Pass an exam (See WAC 212-80-093 (1) ((f)) (g)) | No | Installs, repairs, and performs maintenance on fire sprinkler systems in residential occupancies |
| Professional Engineer (P.E.) Licensed in Washington State | Only if acting as a Level 1, 2 or 3 certificate of competency holder | Licensed with department of licensing | By DOL unless acting as a Level 1, 2, or 3 certificate of competency holder | Designs, evaluates or consults on fire protection fire sprinkler systems |

(3) All information submitted by an applicant to the director to apply for a certificate must be true and accurate. If the director finds that information or documents submitted by an applicant is false, misleading, or has been altered in an effort to meet the requirements provided by this chapter, the finding will constitute a level 3 violation.

(4) A violation of this section that involves a contractor allowing an employee to engage in performing fire protection sprinkler system work:

(a) Without a license or certificate, or with a license or certificate that has been expired for one or more years is a level 3 violation.

(b) With a license or certificate that has been expired for more than ninety days and less than one year is a level 2 violation.

(c) With a license or certificate that has been expired less than ninety days is a level 1 violation.

(d) By engaging in the trade of fire sprinkler fitting without having a valid sprinkler fitter certificate of competency issued for the work being conducted is a level 3 violation.

(e) By a trainee sprinkler fitter engaging in the trade of fire sprinkler fitting without the direct supervision of a certified residential or journey sprinkler fitter is a level 3 violation.

(f) As a trainee without a trainee certificate but with the direct supervision of a certified residential or journey sprinkler fitter is a level 1 violation.