**Section** **251.220 Fire Equipment Distributor License**

a) No person or business shall act as a fire equipment distributor or *as an agency licensed under the Act, or advertise or assume to act as such, or use any title* thatsuggests the *person is engaged in such practice* or occupation*, unless licensed by the* Office in accordance with the terms of this Part. [225 ILCS 217/10(a)]

b) Any person or business that services, recharges, installs, inspects, maintains, alters, repairs or replaces fire equipment must be licensed as a fire equipment distributor. If the person or business has more than one business location from which it will service fire equipment, each business location shall require a separate license.

c) A person who engages in hydrostatic testing of fire equipment but does not service, recharge, install, inspect, maintain, alter, repair, or replace fire equipment is not required to be licensed as a fire equipment distributor. Such person must have a current RIN issued by USDOT PHMSA and shall provide proof of such qualifications upon request of the AHJ.

d) License Relationship

1) A fire equipment distributor shall have at least one fire equipment employee licensed in the fire equipment employee classification corresponding to each distributor classification for which the fire equipment distributor holds a license.

2) A fire equipment distributor shall follow the process in Section 251.240 regarding notice to the Office of the termination of a fire equipment employee's employment.

3) A fire equipment distributor that fails to maintain a fire equipment employee for a distributor classification shall have that classification of license suspended. The distributor license for that classification of license will be reinstated upon the licensing of a fire equipment employee in the fire equipment employee classification corresponding to the distributor classification for which the fire equipment distributor held the license; submission of a reinstatement application form; and payment of a reinstatement fee established in Section 251.250. If a previously suspended license has since expired, an application must be submitted for a new license.

e) Application for Licensure as a Fire Equipment Distributor

1) An applicant for fire equipment distributor license shall:

A) Submit a completed application form to the Office in a manner prescribed by the Office.

i) The application shall include the name, phone number, valid email address, and address of the business.

ii) The address shall be an actual street address and shall include the city, state and zip code. A post office box number is not acceptable as an address.

B) Provide evidence of current registration as an Illinois corporation in good standing with the Illinois Secretary of State or evidence of compliance with the Assumed Business Name Act [805 ILCS 405].

C) Provide a list of current officers.

D) Provide evidence of financial responsibility in a minimum amount of $1,000,000 through liability insurance, self-insurance, group insurance, group self-insurance or risk retention group.

E) Provide evidence of compliance with the Illinois Workers’ Compensation Act [820 ILCS 305].

F) Provide either:

i) a copy of the Requalifier Identification Number issued to the applicant by the USDOT PHMSA, if engaged in hydrostatic testing or visually inspecting fire suppression devices or systems utilizing USDOT PHMSA specification cylinders; or

ii) an affirmative statement from an entity with a Requalifier Identification Number issued by the USDOT PHMSA that will provide hydrostatic testing and/or will visually inspect fire suppression devices or systems, utilizing USDOT PHMSA specification cylinders service, on behalf of the applicant.

G) Provide a copy of the fire equipment employee license, or application for a fire equipment employee license, of a fire equipment employee that corresponds to the desired class of fire equipment distributor license.

H) Provide a list of each license issued to the applicant by any state, local or federal governmental entity in the previous 3 years to engage in the work of a fire equipment distributor.

I) Provide a statement of whether the applicant is currently subject to disciplinary action or has been adjudicated to have violated conditions of a license in any jurisdiction.

2) An application for fire equipment distributor license and application for fire equipment employee license may be submitted simultaneously.

3) Upon submission of the completed application, including all requisite information and documentation, the Office will review the application for licensure. The Office shall verify that the applicant is in good standing with the Illinois Department of Revenue.

A) During review of the application for licensure, the Office shall consider past history of the applicant. Past history of the applicant includes, but is not limited to, any citations or other discipline imposed by any jurisdiction or any occurrences of unlicensed work by the applicant or any person known by the Office to be associated with the applicant, such as a previous or predecessor company.

B) In addition to any other reason for refusal specified in this Part, the Office may refuse to issue a fire equipment distributor license on the basis of the past history of the applicant.

4) Failure to submit a completed application within 30 calendar days of initial receipt of the application by the Office will cause the application to expire and a new, completed application must be submitted for review.

5) After reviewing the applicant's completed application, the Office will invoice the applicant who meets all conditions for licensure for the fee amount in accordance with Section 251.250. No license shall be issued until the applicable fees have been paid.

6) Upon submission of the requisite fee amount, the applicant will be assigned a fire equipment distributor license number and issued a certificate of licensure. The certificate shall be prominently displayed in the business location of the fire equipment distributor, or in a location where the AHJ may readily verify the fire equipment distributor is licensed. The certificate will bear the following information:

A) Name and street address of the fire equipment distributor;

B) Fire equipment distributor license number;

C) One or more classifications as outlined in Section 251.210; and

D) Date of issue and date of expiration.

f) Renewal of Fire Equipment Distributor License

1) The expiration and renewal dates for each fire equipment distributor license under this Part shall be at three-year intervals. The Office will notify the fire equipment distributor, by issuance of a notice, 90 calendar days prior to the expiration of the license. Failure of a licensee to receive the notice is not a valid reason for operating without a current license.

2) The fire equipment distributor shall follow the process in subsection (e) to apply for renewal of the license. The fire equipment distributor shall ensure that the information provided for initial licensure or previous renewal is still correct, or shall update any incorrect information and provide any additional information requested at the time of renewal.

3) An expired license may be renewed within 60 calendar days after the expiration date without a reinstatement fee. However, a person or business working on an expired license shall be considered to be operating without a current license and shall be subject to the applicable discipline and penalties.

4) Failure to renew within 60 calendar days after the expiration date shall make the license inactive. An inactive license may not be reinstated until an application is submitted and all fees, including the renewal and reinstatement fees, are paid (see Section 251.250).

5) Failure to reinstate an inactive license within one year after the expiration date of the license shall terminate the license. A terminated license may not be renewed or reinstated. A person or business with a terminated license may apply for a new license.

6) *Renewal and reinstatement fees shall be waived for* individuals *who did not renew while on active duty in the military and who file for renewal or reinstatement within one year after discharge from such service.* [225 ILCS 217/60(c)]

g) Maintaining Conditions of Licensure

1) A fire equipment distributor is required to maintain in effect the conditions under which the fire equipment distributor was licensed or *the license shall automatically be suspended*. [225 ILCS 217/62(b)] When a fire equipment distributor's license is suspended, the fire equipment employee licenses for fire equipment employees of that distributor shall also be suspended.

2) A fire equipment distributor whose required items and documentation under subsection (e) expires or loses effect prior to the date of license expiration shall submit proof of replacement to the Office prior to the date on which the items or documentation expire or lose effect. These items/documentation are:

A) evidence of registration as an Illinois corporation in good standing with the Illinois Secretary of State or evidence of compliance with the Assumed Business Name Act [805 ILCS 405];

B) a list of current officers;

C) evidence of financial responsibility in a minimum amount of $1,000,000 through liability insurance, self-insurance, group insurance, group self-insurance or risk retention group;

D) evidence of compliance with Illinois Workers' Compensation Act [820 ILCS 305];

E) a current Requalifier Identification Number issued by the USDOT PHMSA or agreement with an entity with a current Requalifier Identification Number (RIN) issued by the USDOT PHMSA; and

F) documentation of employment of a licensed fire equipment employee.

3) A person or business working on a suspended license shall be considered to be operating without a current license and shall be subject to the applicable discipline and penalties.

h) Amending Current Fire Equipment Distributor Licenses

1) Any fire equipment distributor that changes its address or other contact information (phone, email, etc.), shall inform the Office in writing within 10 business days after the change and pay any requisite processing fees under Section 251.250.

2) Adding Classifications

A) Any fire equipment distributor that applies for an additional classification prior to the expiration date of the current license, shall apply in accordance with subsection (e) for the classifications to be added.

B) The expiration date of the license for an added classification of fire equipment distributor license shall be the same as for the existing classifications of the fire equipment distributor license. For example, for a fire equipment distributor license with a license expiration date of October 1, 2025, when adding a classification of license on February 1, 2025, all classifications of license would expire on October 1, 2025.

C) Any fire equipment distributor that applies for additional classifications at the time of renewal shall apply in accordance with subsection (e). The expiration date of added classifications shall be the same as for the renewed license.

i) Changes Requiring Application for a New License

1) Any fire equipment distributor must apply for a new license within 10 business days after:

A) Any change in the name of the fire equipment distributor;

B) Any change in business organization; or

C) Any transfer of 51% or more of the equity of the fire equipment distributor during a single licensing period.

2) At any time when a fire equipment distributor must apply for a new license, the fire equipment distributor must also apply for new licenses for any related fire equipment employees.

(Source: Added at 47 Ill. Reg. 16058, effective October 26, 2023)