



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB5511

by Rep. Jim Durkin

#### SYNOPSIS AS INTRODUCED:

225 ILCS 317/5  
225 ILCS 317/10  
225 ILCS 317/20  
225 ILCS 317/30  
225 ILCS 317/35

Amends the Fire Sprinkler Contractor Licensing Act. Provides that a designated certified person may be trained by the fire pump equipment manufacturer and deemed to be a fire pump manufacturer's authorized representative. Provides that an individual who performs inspection and testing duties may be certified by a nationally recognized fire pump manufacturer. Defines "fire pump manufacturer's authorized representative". Makes other changes. Effective immediately. Effective immediately.

LRB101 19105 SPS 68566 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Fire Sprinkler Contractor Licensing Act is  
5 amended by changing Sections 5, 10, 20, 30, and 35 as follows:

6 (225 ILCS 317/5)

7 Sec. 5. Legislative intent. It is declared that within the  
8 State of Illinois there are, and may continue to be, locations  
9 where the improper installation or repair of fire sprinkler  
10 systems creates conditions that may adversely affect the public  
11 health and general welfare. Therefore, the purpose of this Act  
12 is to protect, promote, and preserve the public health and  
13 general welfare by providing for the establishment of minimum  
14 standards for licensure of fire sprinkler installation  
15 contractors and fire pump manufacturer's authorized  
16 representatives.

17 (Source: P.A. 92-871, eff. 1-3-03.)

18 (225 ILCS 317/10)

19 Sec. 10. Definitions. As used in this Act, unless the  
20 context otherwise requires:

21 "Designated certified person" means an individual who has  
22 met the qualifications set forth under Section 20 of this Act.

1 "Fire protection system layout documents" means layout  
2 drawings, catalog information on standard products, and other  
3 construction data that provide detail on the location of  
4 risers, cross mains, branch lines, sprinklers, piping per  
5 applicable standard, and hanger locations. "Fire protection  
6 system layout documents" serve as a guide for fabrication and  
7 installation of a fire sprinkler system and shall be based upon  
8 applicable standards pursuant to Section 30 of this Act.

9 "Fire pump manufacturer's authorized representative" means  
10 a person who is certified by the fire pump equipment  
11 manufacturer and holds himself or herself out to be in the  
12 business of or contracts with a person to perform inspection,  
13 testing, and maintenance on fire pump systems, including the  
14 pump, driver, controller, and related components.

15 "Fire sprinkler contractor" means a person who holds  
16 himself or herself out to be in the business of or contracts  
17 with a person to install or repair a fire sprinkler system.

18 "Fire sprinkler system" means any water-based automatic  
19 fire extinguishing system employing fire sprinklers, including  
20 accessory fire pumps and associated piping, fire standpipes, or  
21 underground fire main systems starting at the connection to the  
22 water service after the approved backflow device is installed  
23 under the requirements of the Illinois Plumbing Code and ending  
24 at the most remote fire sprinkler. "Fire sprinkler system"  
25 includes but is not limited to a fire sprinkler system in a  
26 residential, commercial, institutional, educational, public,

1 or private occupancy. "Fire sprinkler system" does not include  
2 single sprinkler heads that are in a loop of the potable water  
3 system, as referenced in 77 Ill. Adm. Code 890.1130 and  
4 890.1200.

5 "Licensee" means a person or business organization  
6 licensed in accordance with this Act.

7 "NICET" means the National Institute for Certification in  
8 Engineering Technologies.

9 "Person" means an individual, group of individuals,  
10 association, trust, partnership, corporation, person doing  
11 business under an assumed name, the State of Illinois, or  
12 department thereof, any other state-owned and operated  
13 institution, or any other entity.

14 "Supervision" means the direction and management by a  
15 designated certified person of the activities of non-certified  
16 personnel in the installation or repair of fire sprinkler  
17 systems.

18 (Source: P.A. 94-367, eff. 1-1-06.)

19 (225 ILCS 317/20)

20 Sec. 20. Designated certified person requirements.

21 (a) A designated certified person must either be a current  
22 Illinois licensed professional engineer, ~~or~~ hold a valid NICET  
23 level 3 or higher certification in "fire protection technology,  
24 automatic sprinkler system layout", or have been trained by the  
25 fire pump equipment manufacturer and is deemed to be a fire

1 pump manufacturer's authorized representative.

2 (b) At least one member of every firm, association, or  
3 partnership and at least one corporate officer of every  
4 corporation engaged in the installation and repair of fire  
5 sprinkler systems must be a designated certified person.

6 (c) A designated certified person must be employed by the  
7 licensee at a business location with a valid license.

8 (d) A designated certified person must perform his or her  
9 normal duties at a business location with a valid license.

10 (e) A designated certified person may only be the  
11 designated certified person for one business location and one  
12 business entity.

13 (f) A designated certified person must be directly involved  
14 in supervision. The designated certified person does not,  
15 however, have to be at the site of the installation or repair  
16 of the fire sprinkler system at all times.

17 (Source: P.A. 92-871, eff. 1-3-03.)

18 (225 ILCS 317/30)

19 (Text of Section before amendment by P.A. 101-626)

20 Sec. 30. Requirements for the installation, repair,  
21 inspection, and testing of fire protection systems.

22 (a) Equipment shall be listed by a nationally recognized  
23 testing laboratory, such as Underwriters Laboratories, Inc. or  
24 Factory Mutual Laboratories, Inc., or shall comply with  
25 nationally accepted standards. The State Fire Marshal shall

1 adopt by rule procedures for determining whether a laboratory  
2 is nationally recognized, taking into account the laboratory's  
3 facilities, procedures, use of nationally recognized  
4 standards, and any other criteria reasonably calculated to  
5 reach an informed determination.

6 (b) Equipment shall be installed in accordance with the  
7 applicable standards of the National Fire Protection  
8 Association and the manufacturer's specifications.

9 (c) The contractor shall furnish the user with operating  
10 instructions for all equipment installed, together with a  
11 diagram of the final installation.

12 (d) All fire sprinkler systems shall have a backflow  
13 prevention device or, in a municipality with a population over  
14 500,000, a double detector check assembly installed by a  
15 licensed plumber before the fire sprinkler system connection to  
16 the water service. Connection to the backflow prevention device  
17 or, in a municipality with a population over 500,000, a double  
18 detector assembly shall be done in a manner consistent with the  
19 Department of Public Health's Plumbing Code.

20 (e) This licensing Act is not intended to require any  
21 additional fire inspections at State level.

22 (f) Inspections and testing of existing fire sprinkler  
23 systems and control equipment must be performed by a licensee  
24 or an individual employed or contracted by a licensee. Any  
25 individual who performs inspection and testing duties under  
26 this subsection (f) must possess proof of (i) certification by

1 a nationally recognized certification organization at an  
2 appropriate level, such as NICET Level II in Inspection and  
3 Testing of Water Based Systems or the equivalent, by January 1,  
4 2009, (ii) certification by a nationally recognized fire pump  
5 manufacturer, or (iii) ~~(ii)~~ satisfactory completion of a  
6 certified sprinkler fitter apprenticeship program approved by  
7 the U.S. Department of Labor. State employees who perform  
8 inspections and testing on behalf of State institutions and who  
9 meet all other requirements of this subsection (f) need not be  
10 licensed under this Act or employed by a licensee under this  
11 Act in order to perform inspection and testing duties under  
12 this subsection (f). The requirements of this subsection (f) do  
13 not apply to individuals performing inspections or testing of  
14 fire sprinkler systems on behalf of a municipality, a county, a  
15 fire protection district, or the Office of the State Fire  
16 Marshal. This subsection (f) does not apply to cursory weekly  
17 and monthly inspections of gauges and control valves conducted  
18 in accordance with the standards of the National Fire  
19 Protection Association.

20 A copy of the inspection report for an inspection performed  
21 pursuant to this subsection (f) must be forwarded by the entity  
22 performing the inspection to the local fire department or fire  
23 protection district in which the sprinkler system is located.  
24 The inspection report must include the NICET Level II  
25 Inspection and Testing of Water Based Systems certification  
26 number or journeymen number of the person performing the

1 inspection, or certificate from a nationally recognized fire  
2 pump manufacturer.

3 (Source: P.A. 96-256, eff. 1-1-10; 97-112, eff. 7-14-11.)

4 (Text of Section after amendment by P.A. 101-626)

5 Sec. 30. Requirements for the installation, repair,  
6 inspection, and testing of fire protection systems.

7 (a) Equipment shall be listed by a nationally recognized  
8 testing laboratory, such as Underwriters Laboratories, Inc. or  
9 Factory Mutual Laboratories, Inc., or shall comply with  
10 nationally accepted standards. The State Fire Marshal shall  
11 adopt by rule procedures for determining whether a laboratory  
12 is nationally recognized, taking into account the laboratory's  
13 facilities, procedures, use of nationally recognized  
14 standards, and any other criteria reasonably calculated to  
15 reach an informed determination.

16 (b) Equipment shall be installed in accordance with the  
17 applicable standards of the National Fire Protection  
18 Association and the manufacturer's specifications.

19 (c) The contractor shall furnish the user with operating  
20 instructions for all equipment installed, together with a  
21 diagram of the final installation.

22 (d) All fire sprinkler systems shall have a backflow  
23 prevention device or, in a municipality with a population over  
24 500,000, a double detector check assembly installed by a  
25 licensed plumber before the fire sprinkler system connection to



1 the water service. Connection to the backflow prevention device  
2 or, in a municipality with a population over 500,000, a double  
3 detector assembly shall be done in a manner consistent with the  
4 Department of Public Health's Plumbing Code.

5 (e) This licensing Act is not intended to require any  
6 additional fire inspections at State level.

7 (f) Before January 1, 2022, inspection and testing of  
8 existing fire sprinkler systems and control equipment must be  
9 performed by a licensee or an individual employed or contracted  
10 by a licensee. Any individual who performs inspection and  
11 testing duties under this subsection (f) must possess proof of  
12 (i) certification by a nationally recognized certification  
13 organization at an appropriate level, such as NICET Level II in  
14 Inspection and Testing of Water Based Systems or the  
15 equivalent, (ii) a valid ASSE 15010 certification in  
16 "inspection, testing and maintenance for water-based fire  
17 protection systems", or (iii) satisfactory completion of a  
18 certified sprinkler fitter apprenticeship program approved by  
19 the U.S. Department of Labor. State employees who perform  
20 inspections and testing on behalf of State institutions and who  
21 meet all other requirements of this subsection (f) need not be  
22 licensed under this Act or employed by a licensee under this  
23 Act in order to perform inspection and testing duties under  
24 this subsection (f). The requirements of this subsection (f) do  
25 not apply to individuals performing inspections or testing of  
26 fire sprinkler systems on behalf of a municipality, a county, a

1 fire protection district, or the Office of the State Fire  
2 Marshal. This subsection (f) does not apply to a stationary  
3 engineer, operating engineer, or other individual employed on a  
4 full-time basis by the facility owner or owner's representative  
5 performing weekly and monthly inspections and tests in  
6 accordance with applicable National Fire Protection  
7 Association standards.

8 Before January 1, 2022, a copy of the inspection report for  
9 an inspection performed pursuant to this subsection (f) must be  
10 forwarded by the entity performing the inspection to the local  
11 fire department or fire protection district in which the  
12 sprinkler system is located. The inspection report must include  
13 the NICET Level II Inspection and Testing of Water Based  
14 Systems certification number, ASSE 15010 certification number  
15 for "inspection, testing and maintenance for water-based fire  
16 protection systems", or journeymen number of the person  
17 performing the inspection.

18 After December 31, 2021, inspection and testing of existing  
19 fire sprinkler systems and control equipment must be performed  
20 by a licensee or an individual employed or contracted by a  
21 licensee. Any individual who performs inspection and testing  
22 duties under this subsection (f) must possess proof of (i)  
23 certification by a nationally recognized certification  
24 organization at an appropriate level, such as NICET Level III  
25 in Inspection and Testing of Water Based Systems or the  
26 equivalent, (ii) a valid ASSE 15010 certification in

1 "inspection, testing and maintenance for water-based fire  
2 protection systems", (iii) certification by a nationally  
3 recognized fire pump manufacturer, or (iv) ~~(iii)~~ satisfactory  
4 completion of a certified sprinkler fitter apprenticeship  
5 program approved by the United States Department of Labor.  
6 State employees who perform inspections and testing on behalf  
7 of State institutions and who meet all other requirements of  
8 this subsection (f) need not be licensed under this Act or  
9 employed by a licensee under this Act in order to perform  
10 inspection and testing duties under this subsection (f). The  
11 requirements of this subsection (f) do not apply to individuals  
12 performing inspections or testing of fire sprinkler systems on  
13 behalf of a municipality, a county, a fire protection district,  
14 or the Office of the State Fire Marshal. This subsection (f)  
15 does not apply to a stationary engineer, operating engineer, or  
16 other individual employed on a full-time basis by the facility  
17 owner or owner's representative performing weekly and monthly  
18 inspections and tests in accordance with applicable National  
19 Fire Protection Association standards.

20 After December 31, 2021, a copy of the inspection report  
21 for an inspection performed pursuant to this subsection (f)  
22 must be forwarded by the entity performing the inspection to  
23 the local fire department or fire protection district in which  
24 the sprinkler system is located. The inspection report must  
25 include the NICET Level III Inspection and Testing of Water  
26 Based Systems certification number, ASSE 15010 certification

1 number for "inspection, testing and maintenance for  
2 water-based fire protection systems", ~~or~~ journeymen number of  
3 the person performing the inspection, or certificate from a  
4 nationally recognized fire pump manufacturer.

5 (Source: P.A. 101-626, eff. 6-1-20.)

6 (225 ILCS 317/35)

7 Sec. 35. Fees, renewals, continuing education, and  
8 required insurance.

9 (a) The fees for an original license and each renewal and  
10 for duplicate copies of licenses shall be determined by the  
11 State Fire Marshal by rule.

12 (b) Each license must be renewed every 2 years. Each  
13 licensee must complete 16 hours of continuing education in the  
14 2-year period following his or her renewal or initial licensure  
15 after the effective date of this amendatory Act of the 97th  
16 General Assembly. Current licensure as a professional  
17 engineer, certification by a nationally recognized fire pump  
18 manufacturer, or proof of current NICET certification in Level  
19 III or IV shall satisfy this requirement for designated  
20 certified persons. Continuing education offered through  
21 nationally recognized building and fire code organizations and  
22 their affiliates; nationally recognized fire sprinkler  
23 organizations and their affiliates; institutions of higher  
24 education; educational bodies specializing in automatic fire  
25 suppression system technology; fire pump equipment

1 manufacturers; as well as other entities approved by the State  
2 Fire Marshal shall be also acceptable. All continuing education  
3 entities seeking to be approved providers of continuing  
4 education shall make application to the State Fire Marshal and  
5 offer programs that:

6 (1) contribute to the advancement, extension, or  
7 enhancement of the professional skills or technical  
8 knowledge of the licensee in the practice of fire sprinkler  
9 contracting; and

10 (2) are developed and presented by persons with  
11 education or experience in the subject manner of the  
12 program.

13 (c) Any person who fails to file a renewal application by  
14 the date of expiration of a license shall be assessed a late  
15 filing charge, which shall be determined by the State Fire  
16 Marshal by rule.

17 (d) All fees shall be paid by check or money order. Any fee  
18 required by this Act is not refundable in the event that the  
19 original application or application for renewal is denied.

20 (e) Every application for an original license shall be  
21 accompanied by a certificate of insurance issued by an  
22 insurance company authorized to do business in the State of  
23 Illinois or by a risk retention or purchasing group formed  
24 pursuant to the federal Liability Risk Retention Act of 1986,  
25 which provides primary, first dollar public liability coverage  
26 of the applicant or licensee for personal injuries for not less

1 than \$500,000 per person or \$1,000,000 per occurrence, and, in  
2 addition, for not less than \$1,000,000 per occurrence for  
3 property damage. The insurance policy shall be in effect at all  
4 times during the license year and a new certificate of  
5 insurance shall be filed with the State Fire Marshal within 30  
6 days after the renewal of the insurance policy.

7 (Source: P.A. 97-112, eff. 7-14-11.)

8 Section 95. No acceleration or delay. Where this Act makes  
9 changes in a statute that is represented in this Act by text  
10 that is not yet or no longer in effect (for example, a Section  
11 represented by multiple versions), the use of that text does  
12 not accelerate or delay the taking effect of (i) the changes  
13 made by this Act or (ii) provisions derived from any other  
14 Public Act.

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law.