

1 **FIRE ALARM SYSTEM CERTIFICATION**

2 **REQUIREMENTS**

3 2006 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Joseph G. Murray**

6 **Senate Sponsor: Scott K. Jenkins**

7

8 **LONG TITLE**

9 **General Description:**

10 This bill modifies the Public Safety Code regarding fire safety.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ establishes a certification program for persons who inspect and test fire alarm
14 systems;

15 ▶ requires the Utah Fire Prevention Board by administrative rule to establish an
16 application fee and standards for certification, application, renewal, and revocation;

17 and

18 ▶ requires applicants to:

19 • submit a written application on the form prescribed by the board;

20 • provide evidence of competency; and

21 • submit the required fee.

22 **Monies Appropriated in this Bill:**

23 None

24 **Other Special Clauses:**

25 None

26 **Utah Code Sections Affected:**

27 AMENDS:



28 **53-7-204**, as last amended by Chapter 103, Laws of Utah 2003

29 ENACTS:

30 **53-7-225.6**, Utah Code Annotated 1953

31

32 *Be it enacted by the Legislature of the state of Utah:*

33 Section 1. Section **53-7-204** is amended to read:

34 **53-7-204. Duties of Utah Fire Prevention Board -- Local administrative duties.**

35 (1) The board shall:

36 (a) make rules in accordance with Title 63, Chapter 46a, Utah Administrative

37 Rulemaking Act:

38 (i) adopting a nationally recognized fire code and the specific edition of that fire code
39 as the state fire code to be used as the standard;

40 (ii) establishing minimum standards for the prevention of fire and for the protection of
41 life and property against fire and panic in any:

42 (A) publicly owned building, including all public and private schools, colleges, and
43 university buildings;

44 (B) building or structure used or intended for use as an asylum, a mental hospital, a
45 hospital, a sanitarium, a home for the aged, an assisted living facility, a children's home or day
46 care center, or any similar institutional type occupancy of any capacity; and

47 (C) place of assemblage where 50 or more persons may gather together in a building,
48 structure, tent, or room for the purpose of amusement, entertainment, instruction, or education;

49 (iii) establishing safety and other requirements for placement and discharge of display
50 fireworks based upon:

51 (A) the specific edition of the nationally recognized fire code selected by the board
52 under Subsection (1)(a)(i); and

53 (B) relevant publications of the National Fire Protection Association;

54 (iv) establishing minimum safety standards for retail storage, handling, and sale of
55 class C common state approved explosives;

56 (v) defining methods to establish proof of competence to place and discharge display
57 fireworks;

58 (vi) for deputizing qualified persons to act as deputy fire marshals, and to secure

- 59 special services in emergencies;
- 60 (vii) implementing Sections 53-7-106 and 53-7-205;
- 61 (viii) setting guidelines for use of funding; and
- 62 (ix) establishing criteria for training and safety equipment grants for fire departments
63 enrolled in firefighter certification;
- 64 (b) recommend to the commissioner a state fire marshal;
- 65 (c) develop policies under which the state fire marshal and his authorized
66 representatives will perform;
- 67 (d) provide for the employment of field assistants and other salaried personnel as
68 required;
- 69 (e) prescribe the duties of the state fire marshal and his authorized representatives;
- 70 (f) establish a statewide fire prevention, fire education, and fire service training
71 program in cooperation with the Board of Regents;
- 72 (g) establish a statewide fire statistics program for the purpose of gathering fire data
73 from all political subdivisions of the state;
- 74 (h) establish a fire academy in accordance with Section 53-7-204.2;
- 75 (i) coordinate the efforts of all people engaged in fire suppression in the state;
- 76 (j) work aggressively with the local political subdivisions to reduce fire losses;
- 77 (k) regulate the sale and servicing of portable fire extinguishers and automatic fire
78 suppression systems in the interest of safeguarding lives and property; ~~and~~
- 79 (l) establish a certification program for persons who inspect and test automatic fire
80 sprinkler systems[-]; and
- 81 (m) establish a certification program for persons who inspect and test fire alarm
82 systems.
- 83 (2) The board may incorporate in its rules by reference, in whole or in part, nationally
84 recognized and readily available standards and codes pertaining to the protection of life and
85 property from fire, explosion, or panic.
- 86 (3) (a) The board may only make amendments to the state fire code adopted under
87 Subsection (1)(a)(i) in accordance with Section 53-7-205.
- 88 (b) The amendments may be applicable to the entire state or within a city, county, or
89 fire protection district.

90 (4) The following functions shall be administered locally by a city, county, or fire
91 protection district:

92 (a) issuing permits, including open burning permits pursuant to Sections 11-7-1 and
93 19-2-114;

94 (b) creating a local board of appeals in accordance with the state fire code; and

95 (c) establishing, modifying, or deleting fire flow and water supply requirements.

96 Section 2. Section **53-7-225.6** is enacted to read:

97 **53-7-225.6. Inspection and testing of fire alarm systems.**

98 (1) (a) Each person engaged in the inspection and testing of fire alarm systems shall be
99 certified by the state fire marshal.

100 (b) The board shall by administrative rule prescribe:

101 (i) an application form; and

102 (ii) standards for certification qualification and for renewal and revocation.

103 (2) Applicants for certification as a fire alarm system inspector and tester shall:

104 (a) submit a written application on the form prescribed by the board;

105 (b) provide evidence of competency as required by the board; and

106 (c) submit the fee established under Subsection (3).

107 (3) The board may establish an application fee under Section 63-38-3.2.

Legislative Review Note
as of 1-13-06 11:22 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

State Impact

It is estimated that provisions of this bill will generate \$3,500 in FY 2007 and \$2,100 each fiscal year thereafter in revenues through fees collected. The Fire Marshal will require \$3,500 in FY 2007 and \$2,100 each fiscal year thereafter to implement provisions of the bill.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>
Dedicated Credits	\$3,500	\$2,100	\$3,500	\$2,100
TOTAL	\$3,500	\$2,100	\$3,500	\$2,100

Individual and Business Impact

Individuals who wish to become certified will pay a \$30 certification fee and a \$20 testing fee.

Office of the Legislative Fiscal Analyst