

FIRE SPRINKLER INSTALLATION CERTIFICATION

AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ashlee Matthews

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the requirements to install a fire sprinkler system.

Highlighted Provisions:

This bill:

- ▶ requires an individual who seeks to obtain a certification in fire sprinkler fitting to:
 - complete certain training requirements; and
 - pass the Star fire sprinklerfitting mastery examination;
- ▶ provides a grace period for a licensed general building contractor to comply with the new certification requirements; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-55-308, as last amended by Laws of Utah 2020, Chapter 339

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



28 Section 1. Section **58-55-308** is amended to read:

29 **58-55-308. Scope of practice -- Installation, repair, maintenance, or replacement**
30 **of gas appliance, combustion system, or automatic fire sprinkler system -- Rules.**

31 (1) (a) The commission, with the concurrence of the director, may adopt reasonable
32 rules pursuant to Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to define and
33 limit the scope of practice and operating standards of the classifications and subclassifications
34 licensed under this chapter in a manner consistent with established practice in the relevant
35 industry.

36 (b) The commission and the director may limit the field and scope of operations of a
37 licensee under this chapter in accordance with the rules and the public health, safety, and
38 welfare, based on the licensee's education, training, experience, knowledge, and financial
39 responsibility.

40 (2) (a) The work and scope of practice covered by this Subsection (2) and Subsection
41 (3) is the installation, repair, maintenance, cleaning, or replacement of a residential or
42 commercial gas appliance or combustion system.

43 (b) The provisions of this Subsection (2) apply to any:

44 (i) licensee under this chapter whose license authorizes the licensee to perform the
45 work described in Subsection (2)(a); and

46 (ii) person exempt from licensure under Section [58-55-305](#).

47 (c) Any person described in Subsection (2)(b) that performs work described in
48 Subsection (2)(a):

49 (i) must first receive training and certification as specified in rules adopted by the
50 commission, with the concurrence of the director, in accordance with Title 63G, Chapter 3,
51 Utah Administrative Rulemaking Act; and

52 (ii) shall ensure that any employee authorized under other provisions of this chapter to
53 perform work described in Subsection (2)(a) has first received training and certification as
54 specified in rules adopted by the division.

55 (d) The division may exempt from the training requirements adopted under Subsection
56 (2)(c) a person that has adequate experience, as determined by the division.

57 (3) The division may exempt the following individuals from the certification
58 requirements adopted under Subsection (2)(c):

59 (a) a person who has passed a test equivalent to the level of testing required by the
60 division for certification, or has completed an apprenticeship program that teaches the
61 installation of gas line appliances and is approved by the Federal Bureau of Apprenticeship
62 Training; and

63 (b) a person working under the immediate one-to-one supervision of a certified natural
64 gas technician or a person exempt from certification.

65 (4) (a) The work and scope of practice covered by this Subsection (4) is the
66 installation, repair, maintenance, or replacement of an automatic fire sprinkler system.

67 (b) The provisions of this Subsection (4) apply to an individual acting as a qualifier for
68 a business entity in accordance with Section 58-55-304, where the business entity seeks to
69 perform the work described in Subsection (4)(a).

70 (c) ~~Before~~ Except as provided in Subsection (4)(d), before a business entity described
71 in Subsection (4)(b) may perform the work described in Subsection (4)(a), the qualifier for the
72 business entity shall ~~[(i) be a licensed general building contractor; or (ii)]~~ obtain a certification
73 in fire sprinkler fitting from the division by providing evidence to the division that the qualifier
74 has ~~[met the following requirements]:~~

75 (i) (A) ~~[completing]~~ completed a Department of Labor federally approved apprentice
76 training program; or ~~[completing]~~

77 (B) completed two-years experience under the immediate supervision of a licensee who
78 has obtained a certification in fire sprinkler fitting; and

79 ~~[(B)]~~ (ii) ~~[passing]~~ passed the Star fire sprinklerfitting mastery examination offered by
80 the National Inspection Testing and Certification Corporation or an equivalent examination
81 approved by the division.

82 (d) (i) As used in this Subsection (4)(d), "legacy qualifier" means an individual who:

83 (A) as of May 4, 2022, is acting as a qualifier for a business entity licensee in
84 accordance with Section 58-55-304;

85 (B) is a licensed general building contractor; and

86 (C) does not meet the requirements described in Subsection (4)(c).

87 (ii) A legacy qualifier may perform the work described in Subsection (4)(a) before
88 January 1, 2026.

89 (iii) On or after January 1, 2026, before a legacy qualifier performs the work described

90 in Subsection (4)(a), the legacy qualifier shall obtain a certification in fire sprinkler fitting from
91 the division:

92 (A) in accordance with Subsection (4)(c); or

93 (B) by passing the examination described in Subsection (4)(c)(ii) and providing to the
94 division proof of work experience that demonstrates the legacy qualifier installed six or more
95 sprinkler systems in the preceding three years.

96 [~~(d)~~] (e) The division may also issue a certification in fire sprinkler fitting to a qualifier
97 for a business entity who has received training and experience equivalent to the requirements of
98 Subsection (4)(c), as specified in rules adopted by the commission, with the concurrence of the
99 director, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

100 (5) This section does not prohibit a licensed specialty contractor from accepting and
101 entering into a contract involving the use of two or more crafts or trades if the performance of
102 the work in the crafts or trades, other than that in which the contractor is licensed, is incidental
103 and supplemental to the work for which the contractor is licensed.