

# DRAFT

## SUMMARY

Requires Construction Contractors Board to establish endorsement program for construction contractors and employees engaging in work on water-based fire suppression system. Requires contractor or employee to hold appropriate type of endorsement prior to contractor performing work on water-based fire suppression system.

### A BILL FOR AN ACT

Relating to water-based fire suppression systems.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1. Sections 2 and 3 of this 2019 Act are added to and made a part of ORS chapter 701.**

**SECTION 2. (1) As used in this chapter, “fire sprinkler system work” means design, installation, testing and maintenance of a water-based fire suppression system.**

**(2) A contractor may not perform work on a water-based fire suppression system unless the Construction Contractors Board has issued the contractor or a full-time employee of the contractor a fire sprinkler system professional endorsement under this section that is appropriate for the work.**

**(3) The board shall establish a program for the certification of qualified individuals as fire sprinkler system professionals. The board shall establish:**

**(a) An endorsement authorizing fire sprinkler system work on one- and two-family dwellings and on any underground mains dedicated for supplying water-based fire suppression systems in one- and two-family**

1 **dwelling.**

2 **(b) An endorsement authorizing fire sprinkler system work on one-**  
3 **and two-family dwellings and on multifamily residential structures**  
4 **four stories or less above grade.**

5 **(c) An endorsement authorizing fire sprinkler system work on a**  
6 **structure of any type, and on any underground mains dedicated for**  
7 **supplying the water-based fire suppression system in a structure of**  
8 **any type.**

9 **(d) An endorsement authorizing the installation of underground**  
10 **mains dedicated for supplying the water-based fire suppression system**  
11 **in a structure of any type.**

12 **(e) An endorsement authorizing the inspection and testing of**  
13 **water-based fire suppression systems.**

14 **(4) A residential contractor or commercial contractor may perform**  
15 **fire sprinkler system work described in subsection (3)(a) or (b) of this**  
16 **section if the contractor or at least one full-time employee of the**  
17 **contractor holds an appropriate endorsement under subsection (3)(a)**  
18 **or (b) of this section. A residential contractor or a full-time employee**  
19 **of a residential contractor may not perform fire sprinkler system work**  
20 **described in subsection (3)(c) to (e) of this section.**

21 **(5) A commercial contractor may perform fire sprinkler system**  
22 **work described in subsection (3)(a) to (c) of this section if the con-**  
23 **tractor or at least full-time employee of the contractor holds an ap-**  
24 **propriate endorsement under subsection (3)(c) of this section. A**  
25 **commercial contractor may perform fire sprinkler system work de-**  
26 **scribed in subsection (3)(d) of this section if the contractor or at least**  
27 **one full-time employee of the contractor holds an appropriate**  
28 **endorsement under subsection (3)(c) or (d) of this section. A commer-**  
29 **cial contractor may perform fire sprinkler system work described in**  
30 **subsection (3)(e) of this section if each individual who physically per-**  
31 **forms the work holds an endorsement under section (3)(e) of this sec-**

1 **tion.**

2 **(6) A contractor may not subcontract work requiring an endorse-**  
3 **ment under this section unless the subcontractor holds appropriate**  
4 **endorsement under this section for the work.**

5 **(7) An applicant for endorsement as a fire sprinkler system profes-**  
6 **sional shall:**

7 **(a) Submit an application in a form acceptable to the board and**  
8 **containing information required by the board;**

9 **(b) Pass an examination approved by the board; and**

10 **(c) Provide evidence of any education, training or experience re-**  
11 **quired by the board.**

12 **(8) The board may establish reasonable fees for applications and the**  
13 **issuance or renewal of endorsements under this section.**

14 **(9) The board shall, for purposes of administering and enforcing the**  
15 **endorsement program, give consideration to any relevant standards**  
16 **of national organizations for fire protection or engineering technolo-**  
17 **gies.**

18 **(10) An endorsement as a fire sprinkler system professional is a**  
19 **personal privilege that is nontransferrable.**

20 **(11) An individual who is acting within the scope of an endorsement**  
21 **issued under this section is not required to be licensed under ORS**  
22 **447.010 to 447.156, 671.010 to 671.220 or 672.002 to 672.325 or ORS chapter**  
23 **693 to design a water-based fire suppression system.**

24 **SECTION 3. (1) An individual may not be considered, for purposes**  
25 **of section 2 of this 2019 Act, to be the full-time employee of more than**  
26 **one construction contractor at the same time. If an individual holding**  
27 **an endorsement as a fire sprinkler professional ceases to be a full-time**  
28 **employee of a construction contractor, the individual shall notify the**  
29 **Construction Contractors Board of the change no later than 30 days**  
30 **after ceasing to be a full-time employee of the contractor.**

31 **(2) If an individual holding an endorsement as a fire sprinkler pro-**

1 **fessional ceases to be a full-time employee of a construction contrac-**  
2 **tor, the construction contractor shall send notice to the board no later**  
3 **than 180 days after the individual holding the endorsement ceases to**  
4 **be a full-time employee of the contractor. A notice that the contractor**  
5 **send to the board under this section must:**

6 **(a) Verify that the contractor or at least one full-time employee of**  
7 **the contractor holds an endorsement as a fire sprinkler professional**  
8 **appropriate for the fire sprinkler work engaged in by the contractor;**  
9 **or**

10 **(b) Verify that the contractor is not actively engaged in fire sprin-**  
11 **kler system work and will not undertake fire sprinkler system work**  
12 **unless the contractor or a full-time employee holds an appropriate**  
13 **endorsement for the work.**

14 **(3) The board may adopt rules regarding the form, content and de-**  
15 **livery method for notices required under this section.**

16 **SECTION 4. (1) The Construction Contractors Board shall make fire**  
17 **sprinkler system professional endorsements available for issuance un-**  
18 **der section 2 of this 2019 Act no later than January 1, 2021.**

19 **(2) The board may not assert a violation of section 2 of this 2019**  
20 **Act for fire sprinkler system work that a construction contractor**  
21 **commences prior to January 1, 2022.**

22 **(3) Section 3 of this 2019 Act becomes operative January 1, 2021.**

23 **(4) Notwithstanding sections 2 and 3 of this 2019 Act, the board may**  
24 **issue a contractor a temporary authorization to perform fire sprinkler**  
25 **system work without holding an endorsement under section 1 of this**  
26 **2019 Act if the contractor is performing fire sprinkler system work on**  
27 **the effective date of this 2019 Act and the board determines that the**  
28 **contractor has the competency to properly perform the work. A tem-**  
29 **porary authorization must specify the classes of fire sprinkler system**  
30 **work that are within the scope of the temporary authorization. A**  
31 **temporary authorization under this subsection shall expire three years**

1 **after issuance and may not be renewed. A determination of compe-**  
2 **tency under this subsection applies only to the temporary authori-**  
3 **zation and does not establish competency for purposes of any**  
4 **subsequent application for endorsement under section 2 of this 2019**  
5 **Act.**

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