

Senate Bill 771

Sponsored by COMMITTEE ON BUSINESS AND GENERAL GOVERNMENT

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

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

1
2 Relating to water-based fire suppression systems.

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

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

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

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

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

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

17 **(b) An endorsement authorizing fire sprinkler system work on one- and two-family**
18 **dwelling and on multifamily residential structures four stories or less above grade.**

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

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

24 **(e) An endorsement authorizing the inspection and testing of water-based fire sup-**
25 **pression systems.**

26 **(4) A residential contractor or commercial contractor may perform fire sprinkler system**
27 **work described in subsection (3)(a) or (b) of this section if the contractor or at least one**
28 **full-time employee of the contractor holds an appropriate endorsement under subsection**
29 **(3)(a) or (b) of this section. A residential contractor or a full-time employee of a residential**
30 **contractor may not perform fire sprinkler system work described in subsection (3)(c) to (e)**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 of this section.

2 (5) A commercial contractor may perform fire sprinkler system work described in sub-
 3 section (3)(a) to (c) of this section if the contractor or at least full-time employee of the
 4 contractor holds an appropriate endorsement under subsection (3)(c) of this section. A com-
 5 mercial contractor may perform fire sprinkler system work described in subsection (3)(d) of
 6 this section if the contractor or at least one full-time employee of the contractor holds an
 7 appropriate endorsement under subsection (3)(c) or (d) of this section. A commercial con-
 8 tractor may perform fire sprinkler system work described in subsection (3)(e) of this section
 9 if each individual who physically performs the work holds an endorsement under section
 10 (3)(e) of this section.

11 (6) A contractor may not subcontract work requiring an endorsement under this section
 12 unless the subcontractor holds appropriate endorsement under this section for the work.

13 (7) An applicant for endorsement as a fire sprinkler system professional shall:

14 (a) Submit an application in a form acceptable to the board and containing information
 15 required by the board;

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

17 (c) Provide evidence of any education, training or experience required by the board.

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

20 (9) The board shall, for purposes of administering and enforcing the endorsement pro-
 21 gram, give consideration to any relevant standards of national organizations for fire pro-
 22 tection or engineering technologies.

23 (10) An endorsement as a fire sprinkler system professional is a personal privilege that
 24 is nontransferrable.

25 (11) An individual who is acting within the scope of an endorsement issued under this
 26 section is not required to be licensed under ORS 447.010 to 447.156, 671.010 to 671.220 or
 27 672.002 to 672.325 or ORS chapter 693 to design a water-based fire suppression system.

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

34 (2) If an individual holding an endorsement as a fire sprinkler professional ceases to be
 35 a full-time employee of a construction contractor, the construction contractor shall send
 36 notice to the board no later than 180 days after the individual holding the endorsement
 37 ceases to be a full-time employee of the contractor. A notice that the contractor send to the
 38 board under this section must:

39 (a) Verify that the contractor or at least one full-time employee of the contractor holds
 40 an endorsement as a fire sprinkler professional appropriate for the fire sprinkler work en-
 41 gaged in by the contractor; or

42 (b) Verify that the contractor is not actively engaged in fire sprinkler system work and
 43 will not undertake fire sprinkler system work unless the contractor or a full-time employee
 44 holds an appropriate endorsement for the work.

45 (3) The board may adopt rules regarding the form, content and delivery method for no-

1 tices required under this section.

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

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

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

8 (4) Notwithstanding sections 2 and 3 of this 2019 Act, the board may issue a contractor
9 a temporary authorization to perform fire sprinkler system work without holding an
10 endorsement under section 1 of this 2019 Act if the contractor is performing fire sprinkler
11 system work on the effective date of this 2019 Act and the board determines that the con-
12 tractor has the competency to properly perform the work. A temporary authorization must
13 specify the classes of fire sprinkler system work that are within the scope of the temporary
14 authorization. A temporary authorization under this subsection shall expire three years after
15 issuance and may not be renewed. A determination of competency under this subsection ap-
16 plies only to the temporary authorization and does not establish competency for purposes
17 of any subsequent application for endorsement under section 2 of this 2019 Act.

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