



Florida Rule 69A-46

Florida Statute 633

CHAPTER 69A-46

FIRE PROTECTION SYSTEM CONTRACTORS AND SYSTEMS

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69A-46.001 Scope.

The provisions of this part shall apply to those individuals wishing to be qualified by the State Fire Marshal as a contractor of fire protection systems in this state pursuant to the provisions of Section 633.318, F.S.

Rulemaking Authority 633.104 FS. Law Implemented 633.318, 633.328 FS. History—New 10-14-86, Formerly 4A-46.001.

69A-46.010 Submission of the Application.

(1) The applicant shall submit an application on a form furnished by the division which shall conform with Section 633.328, F.S.

(2) The application shall be accompanied by a fee as prescribed in Section 633.132, F.S.

(3)(a) As a prerequisite to challenging the examination as a Contractor I, II, or III, the applicant shall provide evidence of four (4) years proven experience in the employment of a Contractor I, II, or III, or a combination of experience and education equivalent thereto.

1. "Experience in the employment of a contractor," as required by Section 633.318(3), F.S., must be gained from full-time employment by a contractor licensed as provided in Section 633.318, F.S., relating to technical areas. For purposes of this rule chapter, "technical areas" means those activities engaged in by a contractor and participated in by the applicant which provide experience in laying out, fabricating, installing, inspecting, altering, repairing, or servicing fire protection systems. For purposes of this rule chapter, four (4) years proven experience as a certified plumbing contractor, licensed pursuant to the provisions of Section 489.115, F.S., may be offered toward the experience requirements for a Contractor I or II and shall be considered equivalent to two (2) years proven experience in the employment of a contractor. A certified plumbing contractor shall offer no more than 4 years as a certified plumbing contractor toward the 4 years experience requirement in Section 633.318, F.S. The applicant's experience must be verified by the contractor employing the applicant. The required verification shall be in the form of a letter from the employing contractor, on company stationery, attesting to the applicant's duties, the kinds of jobs he worked on; his dates of employment; and any other information reasonably calculated to

42 provide the division with an informed understanding of the applicant's work experience. An applicant
43 offering self-employment experience shall provide verification in the form of letters from customers, and
44 others familiar with his work. It is the applicant's responsibility to furnish the required verification. The
45 experience will be evaluated to determine an applicant's qualifications for the class of certificate
46 requested; or

47 2. The division will accept a current NICET Level III or IV certification as a Fire Protection Engineering
48 Technician in the subfield of Automatic Sprinkler System Layout, for contractor I and II applicants, and will
49 accept a current NICET Level III or IV certification as a Fire Protection Engineering Technician in the subfield
50 of Special Hazards System Layout, for Contractor III applicants, issued by the National Institute for
51 Certification in Engineering Technologies in Alexandria, Virginia; or

52 3. The applicant can provide evidence of a combination of experience and education equivalent to four (4)
53 years proven experience in the employment of a contractor. Acceptable education shall include, but not be
54 limited to, a bachelor degree from a four (4) year college or university with a major in mechanical
55 engineering, civil engineering, fire science engineering technology, or equivalent coursework; or an
56 associate degree (2 years) with a major in fire science engineering technology or fire protection
57 engineering technology. The applicant must furnish official transcripts to substantiate all degrees and
58 coursework. The curriculum, degree, date degree awarded, and all engineering, fire science, and fire
59 protection courses must be clearly identified on the transcripts. Acceptable experience to combine with
60 the education offered shall be provided in the same form as required under subparagraph 1., above. For
61 purposes of combining education and work experience, the number of hours worked in part-time
62 employment will be counted as the appropriate percentage of full-time employment.

63 4.a. Applicants for certification as a Contractor I who are offering 4 years proven experience as a certified
64 plumbing contractor as the equivalent of 2 years proven experience in the employment of a contractor
65 shall combine that experience with a NICET Level III or IV certificate; or with 18 credit hours from a 4-year
66 college or university, or a junior or community college in courses which teach the material in the National
67 Fire Protection Association standards on which the applicant will be tested; or with other equivalent
68 coursework.

69 b. Applicants for certification as a Contractor II who are offering 4 years proven experience as a certified
70 plumbing contractor as the equivalent of 2 years proven experience in the employment of a contractor
71 shall combine that experience with a NICET Level III or IV certificate; or with 15 credit hours from a 4-year
72 college or university, or a junior or community college in courses which teach the material in the National
73 Fire Protection Association standards on which the applicant will be tested; or with other equivalent
74 coursework.

75 (b) As a prerequisite to challenging the examination as a Contractor IV, the applicant shall provide
76 evidence of two (2) years proven experience in the employment of a Contractor I, II, or IV, or a
77 combination of equivalent education and experience, which combination need not include experience in
78 the employment of a contractor. For purposes of combining education and experience, education in the
79 areas described in subparagraph (3)(a)3., above, including at least 3 credit hours from a 4-year college or
80 university or junior or community college in courses which teach the material in the National Fire
81 Protection Association standards on which the applicant will be tested; or other equivalent coursework;
82 and experience in the areas described in subparagraph (3)(a)1., above, shall be provided. In addition, the
83 division will accept a current NICET Level III or IV Certification as a Fire Protection Engineering Technician
84 in the subfield of Automatic Sprinkler System Layout, issued by the National Institute for Certification in
85 Engineering Technologies in Alexandria, Virginia.

86 (c) As a prerequisite to challenging the examination as a Contractor V, the applicant shall provide evidence
87 of:

88 1. Licensing as a certified underground utility contractor, pursuant to the provisions of Chapter 489, F.S.,
89 which shall be submitted in the form of a copy of the license issued by the Department of Business and

90 Professional Regulation, accompanied by a statement that the applicant certifies that he is the person
91 named on the license; or

92 2. Four years experience in the employment of an individual licensed as a certified underground utility
93 contractor or plumbing contractor pursuant to the provisions of Section 489.115, F.S., which shall be
94 submitted in the form of a letter, on company stationery, signed by the certified underground utility
95 contractor or plumbing contractor, attesting to the applicant's duties; the kinds of jobs he worked on; his
96 dates of employment; and any other information reasonably calculated to provide the division with an
97 informed understanding of the applicant's work experience; or

98 3. A combination of education and experience equivalent to four (4) years proven experience in the
99 employment of a certified underground utility contractor or plumbing contractor. For purposes of
100 combining education and experience, education in the areas described in paragraph (a)3., above, including
101 at least 3 credit hours from a 4-year college or university or junior or community college in courses which
102 teach the material in the National Fire Protection Association standards on which the applicant will be
103 tested; or other equivalent coursework; and experience in the areas described in subparagraph (3)(a)1.,
104 (3)(c)1. or 2., above, shall be provided.

105 (d) For all classes of contractor applicants the division will accept other experience and education
106 combinations which are equivalent to those described above.

107 (4) The applicant shall not be approved to challenge a competency examination unless the applicant has
108 substantiated employment experience or a combination of employment and education. The applicant is
109 encouraged to submit documentation of all relevant experience and education since each instance of a
110 combination prerequisite must necessarily be decided individually. When the review of the application has
111 been completed the applicant will be notified in writing whether or not he has qualified to challenge the
112 competency examination in accordance with the provisions of Chapter 120, F.S.

113 Rulemaking Authority 633.104 FS. Law Implemented 633.318, 633.328 FS. History—New 10-14-86,
114 Amended 12-21-88, 10-20-93, Formerly 4A-46.010, Amended 5-18-08.

115 **69A-46.015 Testing.**

116 (1) An applicant who has been qualified to challenge an examination will be notified in writing of available
117 examination dates and examination locations. Upon receipt of a written request for a specific examination
118 date, the applicant will be sent a notice of the exam date, time and location at least seven days prior to the
119 scheduled exam. The applicant will be expected to challenge the exam on that day unless he or she
120 submits a written waiver of his or her right to challenge the exam on that day and requests a later date.

121 (2) The examinations are multiple choice and open book. The examinations are based on relevant Florida
122 and federal laws pertaining to the construction industry, safety standards, administrative procedures,
123 pertinent technical data, and on standards of the National Fire Protection Association (NFPA). An applicant
124 shall be notified of the study material required for the contractor class for which he has applied.

125 (3) Each applicant must provide his or her own NFPA standards and other resource materials for use during
126 the exam. Applicants will not be allowed to share standards or materials during an examination.

127 (4) NFPA standards may be obtained from the National Fire Protection Association, Batterymarch Park,
128 Quincy, Massachusetts 02169-7471. Sources for other materials will be listed on the information sheet
129 supplied to each applicant before the examination.

130 (5) The applicant must bring positive identification, including identification containing the applicant's
131 photograph, to the exam.

132 (6) Examination grades and papers are confidential. Applicants will be notified of examination scores in
133 writing only.

134 (7) Reexaminations will be scheduled no sooner than 30 days after any administration of an examination
135 to an applicant. Each examination scheduled requires an examination fee as provided in Section 633.132,
136 F.S.

137 (8) Upon successful completion of a competency examination an applicant must submit evidence of
138 insurance coverage meeting the requirements of Section 633.318, F.S.

139 (9) Upon satisfactory completion of the application, testing and insurance requirements, a certificate will
140 be issued.

141 Rulemaking Authority 633.104 FS. Law Implemented 633.318 FS. History—New 10-14-86, Amended 12-21-
142 88, 8-1-90, 10-20-93, 10-2-96, 6-8-98, 11-21-01, Formerly 4A-46.015, Amended 5-18-08.

143 **69A-46.016 Insurance Requirements.**

144 Rulemaking Authority 633.104, 633.318(4) FS. Law Implemented 633.318(4) FS. History—New 10-20-93,
145 Amended 11-21-01, Formerly 4A-46.016, Amended 5-18-08, Repealed 10-8-14.

146 **69A-46.0165 Submission of the Application for a Water-Based Fire Protection Inspector Permit.**

147 (1) An individual employed by a Fire Protection System Contractor I or II who will be inspecting water
148 based fire protection systems must be issued a permit by the State Fire Marshal in accordance with
149 Section 633.318, F.S., to conduct such work.

150 (2) The applicant for a Water-Based Fire Protection Inspector Permit shall submit an application on Form
151 DFS-K3-1794, "Application for Water-Based Fire Protection Inspector Permit," (effective: 5-18-08),
152 incorporated herein by reference, and available from the Bureau of Fire Prevention, Regulatory Licensing
153 Section, 200 East Gaines Street, Tallahassee, Florida 32399-0342.

154 (3) The application shall be accompanied by a fee as prescribed in subsection 633.132(1), F.S.

155 (4) The application shall be accompanied by two current full-face color passport size photographs, and a
156 photocopy of the applicant's driver's license or identification card issued by the Florida Department of
157 Highway Safety and Motor Vehicles. Each photograph shall have the name of the applicant printed legibly
158 on the back of the photograph. Each application shall be accompanied by evidence that the applicant holds
159 a NICET Level II certification in a subfield of Inspection and Testing of Water-Based Systems. As an
160 alternative to holding a NICET Level II certification, the applicant may provide proof of equivalent
161 education and training approved by the State Fire Marshal and meeting the criteria outlined in this rule.

162 (5) Upon submission of a completed application, fee, and photographs, a permit and photo identification
163 card will be issued to the applicant.

164 (6) Permittees must have a valid and subsisting permit upon their persons at all times while engaging in
165 the inspection, testing, and maintenance of fire protection systems. The permit must be produced upon
166 demand. A permittee may perform only those services authorized under the Fire Protection System
167 Contractor I or II employing such permittee.

168 (7) A permit shall be valid solely for use by the holder thereof in his or her employment by the licensee
169 under whose license the permit was issued. A permittee changing his or her employer or place of
170 employment shall obtain a new permit under the license of the holder at the new place of employment.
171 The licensee shall notify the Regulatory Licensing Section, in writing, of the termination of a permittee
172 within fifteen days of the termination. A permit and photo identification card of an individual leaving the
173 employment of a Fire Protection System Contractor I or II becomes void and inoperative on the date of
174 termination, pursuant to Section 633.318, F.S.

175 (8) A Water-Based Fire Protection Inspector permittee must qualify and maintain a NICET Level II or
176 equivalent certification in a subfield of Inspection and Testing of Water-Based Systems as a condition to
177 renewal of the permit.

178 (9) Courses and certifications equivalent to NICET certification shall be reviewed and approved by the State
179 Fire Marshal. The State Fire Marshal shall approve any course or certification which meets the criteria
180 provided in this rule. Requests for approval shall be submitted to the State Fire Marshal in writing to the
181 address in subsection (2). All requests shall include, at a minimum:

- 182 (a) Passage scores and rates;
- 183 (b) An educational agenda;
- 184 (c) Required number of classroom hours;
- 185 (d) A work experience requirement and system of verification of that experience;
- 186 (e) Description of the minimum standards covered;
- 187 (f) Coverage of technical aspects;
- 188 (g) Formulation of a test bank and sample exam.

189 (10) Courses may include both NICET Level I and NICET Level II certification equivalents or may include only
190 a NICET Level II certification equivalent.

191 (11) Courses may be presented to the Florida Fire Safety Board for an advisory opinion as to the sufficiency
192 of any equivalent course or certification.

193 Rulemaking Authority 633.104, 633.318(11) FS. Law Implemented 633.318(4), (8), (10), (11), 633.332(4) FS.
194 History—New 5-18-08, Amended 9-25-12, 7-19-16.

195 **69A-46.017 Required Continuing Education.**

196 (1) Fire Protection System Contractors shall complete a continuing education course or combination of
197 courses in compliance with Section 633.332, F.S., within each biennial license period, except that a
198 contractor who completes the competency examination and receives a license issued for 1 year or less
199 shall be required to complete a continuing education course or combination of courses prorated at 50
200 percent of the required hours for a biennial license.

201 (2) The continuing education course or combination of courses shall be in a fire protection discipline
202 related to the Certificate of Competency held by the Fire Protection System Contractor. All licensed Fire
203 Protection System Contractors are required to complete an approved course or courses providing one
204 hour of workplace safety, one hour of business practices, and one hour of a workers' compensation as part
205 of the required continuing education for each biennial renewal period.

206 (3) The course or combination of courses shall be conducted by persons approved by the Regulatory
207 Licensing Section. Approval of such persons shall be based on the person's training, experience and
208 expertise in fire protection under Florida law. The instructor must be qualified by education or experience
209 to teach the course, or parts of a course, to which the instructor is assigned. Any person with a four year
210 college or graduate degree is qualified to teach any course in his or her field of study. Any state certified
211 fire protection system contractor with at least five years' experience may teach any technical course within
212 the scope of the contractor license held; however, no contractor whose license is suspended or revoked as
213 a result of administrative action shall teach or serve as a continuing education instructor. The Regulatory
214 Licensing Section is not permitted to reject a course based upon the proposed instructor, but is permitted
215 to approve a course contingent on certification that all instructors meet those minimum requirements
216 before conducting the course and before advertising that the course is approved for continuing education
217 credit.

218 (4) Written instructional materials and any audio-visual aids must provide instruction relevant to fire
219 protection under Florida law.

220 (5) The course or combination of courses shall be approved by the Regulatory Licensing Section. The
221 Regulatory Licensing Section shall approve any course, seminar, or conference in the technical areas

222 provided by any university, community college, vocational-technical center, public or private school, firm,
223 association, person, corporation or entity which meets the criteria provided in this rule.

224 (6) The number of contact hours assigned to any course shall be determined by the Regulatory Licensing
225 Section based on the course content and length of the course.

226 (a) Requests for approval shall be submitted on Form DFS-K3-1239 (3/00), "Request for Approval of Fire
227 Protection System Contractor Continuing Education Coursework" as adopted and incorporated herein by
228 reference.

229 (b) Forms are available from and submissions shall be sent to: Regulatory Licensing Section, 200 East
230 Gaines Street, Tallahassee, Florida 32399-0342.

231 (c) Each Fire Protection System Contractor shall be notified by the Regulatory Licensing Section, in writing,
232 if the coursework does not satisfy the continuing education requirement in Section 633.332, F.S. No
233 notification will be given over the telephone.

234 (d) The application shall include the total number of classroom or interactive distance learning hours, the
235 course syllabus, a detailed outline of the contents of the course, and the name and qualifications of all
236 instructors. The Regulatory Licensing Section shall approve continuing education courses which
237 appropriately relate to the technical skills required of fire protection contractors and contain sufficient
238 educational content to improve the quality of the contractor's performance and are taught by qualified
239 instructors. Continuing education coursework approval shall be valid for two years from the date of issue,
240 provided that no substantial change is made in the approved coursework.

241 (e) The number of classroom hours must be devoted to course content and does not include registration
242 periods, meals, and keynote speakers or similar nonsubstantive time periods.

243 (f) Examples of courses which will be approved if the criteria and procedures of this rule are met:

- 244 1. Florida Fire Sprinkler Association trainings and seminars;
- 245 2. American Fire Sprinkler Association trainings and seminars;
- 246 3. NFPA seminars; and,
- 247 4. Training sessions conducted by manufacturers.

248 (g) The Regulatory Licensing Section shall approve continuing education courses within 90 days from the
249 date of receipt. Such approval will be based upon the submission of coursework which relates to the
250 technical skills of the fire protection system contractors and which contains educational content to
251 improve the quality of work being performed.

252 (h) Each approved course will be assigned a course number and the course will be identified by course title
253 as submitted and the number of continuing education hours awarded. A listing of approved courses will be
254 available from the Regulatory Licensing Section. The course list will include the course number, the course
255 title, the course submitter, and the type of course.

256 (i) Within 90 days of the conclusion of each approved course, the organization or person offering the
257 course shall inform the Regulatory Licensing Section that the course was completed and shall supply the
258 Regulatory Licensing Section with a sign-in sheet or roster. The sign-in sheet or roster shall contain:

- 259 1. The course name;
- 260 2. The course number;
- 261 3. The course provider;
- 262 4. The date the course was offered;
- 263 5. The duration of the course;
- 264 6. The contractor's name;

265 7. The contractor's license number;

266 8. The contractor's signature.

267 For interactive distance learning courses, in lieu of the original sign-in sheet required above, the course
268 provider shall maintain and provide a record of the registration login, course access log, and course
269 completion, which shall include the information required in subparagraphs 1. through 7., above. In lieu of
270 providing a document bearing the contractor's signature, the course provider shall provide the
271 contractor's identity verification data which shall include the contractor's password and the contractor's
272 mother's maiden name.

273 (j) Each person who completes an approved course shall be issued a certificate of completion by the
274 course provider. The certificate of completion shall contain the name of the person who completed the
275 course, the course provider's name, the course name as approved by the Regulatory Licensing Section, the
276 course number, the date the course was taken, and the number of continuing education hours awarded
277 for the course as approved for the course by the Regulatory Licensing Section. The course provider shall
278 maintain a list of the names and license number of each person who completes each course conducted by
279 the course provider for four years from the date of the course.

280 (7) Each Fire Protection System Contractor is responsible for attending the appropriate course or courses
281 and for maintaining proof of completion of the course or courses. Such proof shall be in the form of copies
282 of certificates of completion awarded. The Regulatory Licensing Section will not accept any proof of
283 completion except that submitted in accordance with subsection (8), below.

284 (8) Prior to the annual expiration of the Certificate of Competency, the Fire Protection System Contractor
285 shall submit proof of completion of the required course or courses to the Regulatory Licensing Section.
286 Submissions shall be submitted on a "Fire Protection System Contractor Continuing Education
287 Coursework" Form DFS-K3-1240 (5-18-08), as adopted and incorporated herein by reference. Forms are
288 available from and submissions shall be sent to: Regulatory Licensing Section, 200 East Gaines Street,
289 Tallahassee, Florida 32399-0342. Each Fire Protection System Contractor will be notified by the Regulatory
290 Licensing Section, in writing, if the coursework does not satisfy the continuing education requirement in
291 Section 633.332, F.S. No notification will be given over the telephone.

292 (9) Any Fire Protection System Contractor who does not complete the continuing education requirement
293 shall not have his or her certificate renewed. If the Fire Protection System Contractor is not renewed, the
294 contractor shall perform no work for which a license is required. A contractor wishing to become licensed
295 again shall meet the requirements of Section 633.318, F.S.

296 (10) A Water-Based Fire Protection Inspector shall complete 16 hours of approved continuing education
297 coursework in compliance with Section 633.332, F.S., within each biennial license period.

298 Rulemaking Authority 633.104 FS. Law Implemented 633.318, 633.332 FS. History—New 10-2-96, Amended
299 6-18-97, 6-8-98, 11-21-01, Formerly 4A-46.017, Amended 5-18-08, 7-19-16.

300 **69A-46.025 Scope.**

301 The provisions of this part shall apply to the lay out, fabrication, installation, inspection, alteration, repair,
302 or servicing on the fire protection systems.

303 Rulemaking Authority 633.104 FS. Law Implemented 633.102, 633.312, 633.332, 633.336, 633.344,
304 633.338 FS. History—New 12-21-88, Formerly 4A-46.025.

305 **69A-46.030 Definitions.**

306 (1) The definitions provided in Rule 69A-46.005, F.A.C., shall also apply to this rule chapter.

307 (2) Registered Professional Engineer. An individual who is registered to engage in the practice of
308 engineering as prescribed in Chapter 471, F.S.

309 (3) Deficiency. For the purposes of inspection, testing, and maintenance of a water-based fire protection
310 system, a condition that will or has the potential to adversely impact the performance of a system or
311 portion thereof but does not rise to the level of an impairment.

312 (a) Critical Deficiency. A deficiency that, if not corrected, can have a material effect on the ability of the fire
313 protection system or unit to function as intended in a fire event. NFPA 25, as adopted in rule Chapter 69A-
314 3, F.A.C., shall be utilized to determine if a system condition finding is considered a critical deficiency. In
315 addition, not performing required field service testing of sprinklers shall be considered a critical deficiency.

316 (b) Noncritical Deficiency. A deficiency that does not have a material effect on the ability of the fire
317 protection system or unit to function in a fire event, but correction is needed to meet the requirements of
318 the standard or for the proper inspection, testing, and maintenance of the system or unit. NFPA 25, as
319 adopted in rule Chapter 69A-3, F.A.C., shall be utilized to determine if a system condition finding is
320 considered a noncritical deficiency. In addition, failure to perform required 3 and 5 year testing
321 requirements shall be considered a noncritical deficiency.

322 (4) Impairment. A condition in a fire protection system or unit or portion thereof that may result in the fire
323 protection system or unit not functioning in a fire event. NFPA 25, as adopted in rule Chapter 69A-3, F.A.C.,
324 shall be utilized to determine if a system condition finding is considered an impairment.

325 Rulemaking Authority 633.104 FS. Law Implemented 633.102 FS. History—New 12-21-88, Amended 8-1-90,
326 Formerly 4A-46.030, Amended 7-19-16.

327 **69A-46.035 Standards of the National Fire Protection Association to be Complied With.**

328 The standards of the National Fire Protection Association which are adopted in rule Chapter 69A-3, F.A.C.,
329 including the editions as adopted therein, shall be complied with by all those holding certificates of
330 competency as fire protection system contractors pursuant to the provisions of chapter 633, F.S.

331 Rulemaking Authority 633.104 FS. Law Implemented 633.104, 633.306, 633.312 FS. History—New 12-21-88,
332 Amended 7-19-89, 8-1-90, 10-20-93, 10-2-96, 6-8-98, 11-21-01, Formerly 4A-46.035, Amended 7-19-16.

333 **69A-46.040 Installation Requirements for Automatic Sprinkler Systems Employing Water as the** 334 **Extinguishing Agent.**

335 (1) Fire protection system contractors installing an automatic sprinkler system employing water as the
336 extinguishing agent shall supervise and be responsible for the complete system in accordance with the
337 provisions of Section 633.334, F.S. The contractor shall be responsible for installing the complete system in
338 compliance with the National Fire Protection Association (NFPA) standards adopted in rule Chapter 69A-3,
339 F.A.C., except that if a contractor installs only the underground portion of the system from the point of
340 service to the aboveground connection flange, in compliance with Section 633.334(3), F.S., the contractor
341 shall be responsible for only that portion of the system, and the contractor installing the remaining portion
342 shall be responsible for the system from the point of connection to the underground throughout the
343 remainder of the system.

344 (2) The complete system begins at the point-of-service as defined in Section 633.102(24), F.S., and ends at
345 the most remote head inside the facility.

346 (3) In order to ensure that sufficient water is available at the point-of-service to provide the water inside
347 the facility as required by the plans, the contractor who installs the underground portion shall be
348 responsible for conducting the acceptance tests required by NFPA 13 and shall personally, sign and
349 maintain on file the Contractor's Material and Test Certificate for Underground Piping as specified in NFPA
350 13, as adopted in rule Chapter 69A-3, F.A.C. If the above ground pipe is installed by a contractor other than
351 the one who installed the underground, the contractor shall be responsible to obtain a copy of the
352 underground certificate from the underground contractor and maintain it on file before connection to the
353 underground is made. If the contractor is unable to obtain the certificate, the contractor shall notify the
354 Regulatory Licensing Section.

355 (4) Upon completion of the final installation of the aboveground piping, the contractor shall conduct the
356 tests and sign and maintain on file the Contractor's Material and Test Certificate for Aboveground Piping as
357 specified in NFPA 13, as adopted in Rule 69A-3.012, F.A.C.

358 (5) Failure to complete and maintain the two certificates described in subsections (3) and (4), above, shall
359 be grounds for disciplinary action as violations of Section 633.334, F.S.

360 (6) The contractor whose name appears on the application for the building permit shall be responsible for
361 the acceptance tests required in NFPA 13, as adopted in rule Chapter 69A-3, F.A.C. The contractor or
362 authorized agent shall complete all portions of the Contractor's Material and Test Certificate(s) that are
363 related to the system being tested. The contractor or authorized agent shall sign and date the test
364 certificates. In cases where there is no building permit, the contractor that supervised the installation shall
365 be responsible for the performance of these duties.

366 (7) The contractor shall maintain on file all Contractor's Material and Test Certificates, and shall provide
367 such to the State Fire Marshal upon his request.

368 (8) Upon successful completion of acceptance tests, newly installed fire protection systems shall not
369 require a tag until the first inspection occurs in accordance with Rule 69A-46.041, F.A.C.

370 Rulemaking Authority 633.104 FS. Law Implemented 633.306, 633.334, 633.338 FS. History—New 12-21-88,
371 Amended 8-1-90, 10-20-93, 11-21-01, Formerly 4A-46.040, Amended 5-18-08, 7-19-16.

372 **69A-46.041 Inspection Requirements for Fire Protection Systems.**

373 (1) A Fire Protection Contractor, contracting to perform inspecting, testing, and maintenance (ITM) service
374 on a fire protection system must comply with the requirements of Chapter 633, F.S., and the applicable
375 standards in NFPA 25, Standard for the Inspection, Testing, and Maintenance of Water-Based Fire
376 Protection Systems, which is incorporated by reference in Rule 69A-3.012, F.A.C. When an inspection/test
377 is required to be performed at a specified frequency, up to and including annually, by NFPA 25, all
378 inspection/tests required more frequently than the specified frequency are also required to be performed,
379 e.g., performance of an annual inspection/test would include the inspection/test required on a daily,
380 weekly, monthly, quarterly and semi-annual frequency.

381 (2) Each system that has been inspected, tested, or maintained by a Fire Protection Contractor, or his or
382 her permitted Water-Based Fire Protection Inspector, must have a record tag of durable and weather
383 resistant material placed on the system's main water control valve.

384 (a) For sprinkler systems, including water spray fixed systems and foam-water sprinkler systems, the main
385 water control valve is defined as the valve upstream of the water flow alarm device that controls the
386 entire system.

387 (b) For standpipe system risers or combination standpipes in a single building, one record tag can be
388 located for all such systems at the main water control valve at the base of the standpipe that is supplying
389 water to all such systems.

390 (c) For private fire service mains, the main water control valve shall be the first indicating gate valve
391 downstream of the connection to the water source.

392 (d) Each fire hydrant on a private fire service main shall have a record tag affixed to the hydrant in a
393 manner not to impede operation of the hydrant.

394 (e) For fire pumps, the main water control valve is defined as the first indicating gate valve downstream of
395 the connection to the water prior to the pump. For multiple fire pumps, one record tag shall be placed at
396 each indicating gate valve prior to each individual fire pump.

397 (f) For water storage tanks, the main water control valve is defined as the tank discharge valve. For
398 multiple water storage tanks one record tag shall be placed at each tank discharge valve.

399 (g) For water mist systems, the main water control valve is defined as the first control valve upstream of
400 the water mist system. For multiple water mist systems, one record tag shall be placed at each control
401 valve upstream of each individual system.

402 (3) Inspection Tags.

403 (a) After inspection and testing, an inspection tag shall be completed indicating all work that has been
404 done, and then attached to the system's main water control valve in such a position as to permit
405 convenient inspection and not hamper activation or operation. A new inspection tag must be attached to
406 the system's main water control valve each time an inspection and test service is performed.

407 (b) Inspection tags must be a minimum dimension of 133 mm (5 1/4 inches) in height and 89 mm (3 1/2
408 inches) in width, and a maximum dimension of 178 mm (7 inches) in height and 102 mm (4 inches) in
409 width.

410 (c) Inspection tags must bear the following information in an easy-to-read format:

- 411 1. 'DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL.' This particular information must be in a
412 minimum of 10-point type and in all capital letters;
- 413 2. The licensed Fire Protection System Contractor I or II's name and licensed physical address;
- 414 3. The license number of the Fire Protection System Contractor I or II;
- 415 4. The permit number of the Water-Based Fire Protection Inspector;
- 416 5. The permitted Water-Based Fire Protection Inspector's signature;
- 417 6. The day, month and year (to be punched); and,
- 418 7. The facility name and address.
- 419 8. Affixing this tag shall not be construed to invalidate the owner's responsibility to maintain the system as
420 provided in Section 633.312, F.S.
- 421 9. The reverse of the RED or YELLOW tag must include at least four separate boxes for the listing of repair
422 work as follows:
 - 423 a. Date of Repair;
 - 424 b. Repaired by (Signature);
 - 425 c. Print Name;
 - 426 d. Type of Repair;
 - 427 e. Permit Number (if repair is made by a Water Based Fire Protection Inspector, Permit Number must be
428 noted.).

429 (d) Inspection tags may be printed and established for a five-year period of time.

430 (e) An inspection tag shall only be removed by the Fire Protection System Contractor or his or her
431 permitted Water-Based Fire Protection Inspector.

432 (f) Compliance and Non-compliance Tags that are greater than 1-year old shall be removed from the
433 system except those tags used for 3 and 5-year inspection/tests. The Compliance and Non-compliance
434 Tags shall remain on the system until replaced with the next 3 or 5-year inspection/test tag. Water Based
435 Fire Protection Inspectors shall not remove Compliance and Non-compliance Tags from the system when
436 the tags are less than 1-year old.

437 (g) A fire protection system that has been repaired to correct a noted deficiency or impairment
438 documented during an inspection and test service is not required to be reinspected by a Water Based Fire
439 Protection Inspector until the next inspection and test scheduled in accordance with NFPA 25. The repair

440 must be documented on the reverse side of the RED or YELLOW tag and a retagging of the system is not
441 required.

442 (4) Compliance and Non-compliance Tag.

443 (a) If a fire protection system is found to be in compliance with the applicable NFPA ITM standards, a
444 GREEN Compliance Tag must be attached to the main water control valve in such a manner as to be plainly
445 visible and not more than 60 inches above the finished floor. GREEN tags shall not be placed on a system if
446 deficiencies or impairments still exist from a previous inspection.

447 (b) If a fire protection system is found to have noncritical deficiencies and is not in compliance with the
448 applicable NFPA ITM standards, a completed YELLOW Non-compliance Tag must be attached to the main
449 water control valve of the system to indicate that corrective action is necessary. The building owner or
450 authorized representative must be notified by copy of the NFPA 25 inspection report within 30 days of the
451 inspection. If the building owner or authorized representative has not contracted with the inspecting
452 contractor so that the noncritical deficiencies are corrected within 90 days from the date of the inspection,
453 or the inspecting contractor has not received confirmation from the building owner or authorized
454 representative that the corrections have been performed by another licensed contractor, the inspecting
455 contractor must notify the local authority having jurisdiction (AHJ).

456 (c) If the system has critical deficiencies or is found to be impaired, a completed RED Non-Compliance Tag
457 must be attached to the main water control valve of the system, and the contractor or inspector must
458 notify the building owner or authorized representative within 24 hours of the time of the inspection. If the
459 building owner or authorized representative has not contracted with the inspecting contractor so that the
460 critical deficiencies are corrected within 30 days from the date of the inspection, or the inspecting
461 contractor has not received confirmation from the building owner or authorized representative that the
462 corrections have been performed by another licensed contractor, the inspecting contractor must notify
463 the local AHJ. If a system is found to be impaired, the inspecting contractor must notify the local AHJ
464 within 72 hours of the time of the inspection if the impairment has not been corrected within 72 hours of
465 the finding.

466 (d) If a system is found to have noncritical deficiencies or critical deficiencies, and the building tenant(s) is
467 different from the building owner, the building owner must notify the tenant(s) within 30 days of receipt
468 of the NFPA 25 inspection report.

469 (e) If a system is found to have impairments, and the building tenant(s) is different from the building
470 owner, the building owner must notify the tenant(s) within 72 hours of receiving notification of the
471 impairment.

472 (5) The contractor shall maintain all records of any fire protection system having been inspected, serviced
473 and maintained as per the applicable NFPA ITM standards. Inspection reports shall be maintained by the
474 contractor for at least 10 years.

475 (6) These records shall be made available to the State Fire Marshal upon request in the records storage
476 format utilized by the contractor.

477 (7) Form DFS-K3-2015, Uniform Inspection, Testing, and Maintenance (ITM) Report (Eff. 03/2021) must be
478 provided to the local AHJ by the contractor, as mutually agreed between the contractor and the local AHJ,
479 using one of the following means: (a) by United States mail; (b) by hand delivery; (c) by electronic
480 submission; or (d) through a third-party vendor that collects the reports on behalf of the local AHJ. Form
481 DFS-K3-2015 is hereby incorporated by reference and is available on the following link:
482 <http://www.flrules.org/Gateway/reference.asp?No=Ref-13339>; or on the Division's website at:
483 myfloridacfo.com/Division/SFM; or by contacting the Regulatory Licensing Section, Bureau of Fire
484 Prevention, Division of State Fire Marshal, 200 E. Gaines Street, Tallahassee, Florida 32399-0342, Phone:
485 (850)413-3610.

486 (8) The contractor or his or her permitted Water-Based Fire Protection Inspector must complete the
487 inspection reports as required in NFPA 25, which is incorporated by reference in Rule 69A-3.012, F.A.C.,

488 that outlines all points of the inspection, test, and maintenance as required by the applicable NFPA ITM
489 standards. A copy of the NFPA 25 inspection report must be provided to the owner at the completion of
490 each inspection performed.

491 (9) The NFPA 25 inspection report must include a detailed explanation of every deficiency, and indicate if
492 the inspection is a weekly, monthly, quarterly or annual inspection. The NFPA 25 inspection report must
493 include the name of the permitted Water-Based Fire Protection Inspector, the inspector permit number,
494 the inspector's signature, the date and time of the inspection, and the signature of the owner or the
495 owner's representative.

496 (10) Pursuant to the provisions of Section 633.312, F.S., it is the owner's responsibility to maintain the fire
497 protection system and notify the tenant(s) of deficiencies and impairments in accordance with this rule.
498 Affixing an inspection tag as required herein does not eliminate responsibility nor will a transfer of risk be
499 construed.

500 (11) A contractor or licensee that performs ITM services in accordance with the applicable NFPA ITM
501 standards and this rule will be deemed to have performed to the required standard of care in performing
502 such services.

503 Rulemaking Authority 633.104, 633.308, 633.312 FS. Law Implemented 633.306, 633.308, 633.312,
504 633.338 FS. History—New 10-20-93, Amended 11-21-01, Formerly 4A-46.041, Amended 5-18-08, 7-19-16,
505 9-1-21.

506

507

509 **633.102 Definitions.**—As used in this chapter, the term:

510 (1) “Board” means the Florida Fire Safety Board.

511 (2) “Contracting” means engaging in business as a contractor.

512 (3)(a) “Contractor I” means a contractor whose business includes the execution of contracts requiring the
513 ability to lay out, fabricate, install, inspect, alter, repair, and service all types of fire protection systems,
514 excluding preengineered systems.

515 (b) “Contractor II” means a contractor whose business is limited to the execution of contracts requiring
516 the ability to lay out, fabricate, install, inspect, alter, repair, and service water sprinkler systems, water
517 spray systems, foam-water sprinkler systems, foam-water spray systems, standpipes, combination
518 standpipes and sprinkler risers, all piping that is an integral part of the system beginning at the point of
519 service as defined in this section, sprinkler tank heaters, air lines, thermal systems used in connection with
520 sprinklers, and tanks and pumps connected thereto, excluding preengineered systems.

521 (c) “Contractor III” means a contractor whose business is limited to the execution of contracts requiring
522 the ability to fabricate, install, inspect, alter, repair, and service carbon dioxide systems, foam extinguishing
523 systems, dry chemical systems, and Halon and other chemical systems, excluding preengineered systems.

524 (d) “Contractor IV” means a contractor whose business is limited to the execution of contracts requiring
525 the ability to lay out, fabricate, install, inspect, alter, repair, and service automatic fire sprinkler systems for
526 detached one-family dwellings, detached two-family dwellings, and mobile homes, excluding
527 preengineered systems and excluding single-family homes in cluster units, such as apartments,
528 condominiums, and assisted living facilities or any building that is connected to other dwellings. A
529 Contractor IV is limited to the scope of practice specified in NFPA 13D.

530 (e) “Contractor V” means a contractor whose business is limited to the execution of contracts requiring
531 the ability to fabricate, install, alter, repair, and service the underground piping for a fire protection system
532 using water as the extinguishing agent beginning at the point of service as defined in this act and ending no
533 more than 1 foot above the finished floor. A Contractor V may inspect underground piping for a water-
534 based fire protection system under the direction of a Contractor I or Contractor II.

535 This subsection may not be construed to include engineers or architects within the defined terms and does
536 not limit or prohibit a licensed fire protection engineer or architect with fire protection design experience
537 from designing any type of fire protection system. A distinction is made between system design concepts
538 prepared by the design professional and system layout as defined in this section and typically prepared by
539 the contractor. However, a person certified under this chapter as a Contractor I or Contractor II may design
540 new fire protection systems of 49 or fewer sprinklers; may design the alteration of an existing fire sprinkler
541 system if the alteration consists of the relocation, addition, or deletion of 49 or fewer sprinklers,
542 notwithstanding the size of the existing fire sprinkler system; or may design the alteration of an existing fire
543 sprinkler system if the alteration consists of the relocation or deletion of 249 or fewer sprinklers,
544 notwithstanding the size of the existing fire sprinkler system, if there is no change of occupancy of the
545 affected areas, as defined in the Florida Building Code and the Florida Fire Prevention Code, and there is no
546 change in the water demand as defined in NFPA 13, “Standard for the Installation of Sprinkler Systems,”
547 and if the occupancy hazard classification as defined in NFPA 13 is reduced or remains the same as a result
548 of the alteration. Conflicts between the Florida Building Code and the Florida Fire Prevention Code shall be
549 resolved pursuant to s. 553.73(1)(d). 1A person certified as a Contractor I, Contractor II, or Contractor IV
550 may design a new fire protection system or design the alteration of an existing fire protection system, the
551 scope of which complies with NFPA 13D, “Standard for the Installation of Sprinkler Systems in One- and
552 Two-Family Dwellings and Manufactured Homes,” as adopted by the State Fire Marshal, notwithstanding
553 the number of fire sprinklers. Contractor-developed plans may not be required by any local permitting
554 authority to be sealed by a registered professional engineer.

- 555 (4) “Department” means the Department of Financial Services.
- 556 (5) “Division” means the Division of State Fire Marshal within the Department of Financial Services.
- 557 (6) “Explosives” means any chemical compound or mixture that has the property of yielding readily to
558 combustion or oxidation upon the application of heat, flame, or shock and is capable of producing an
559 explosion and is commonly used for that purpose, including but not limited to dynamite, nitroglycerin,
560 trinitrotoluene, ammonium nitrate when combined with other ingredients to form an explosive mixture,
561 blasting caps, and detonators; but the term does not include cartridges for firearms or fireworks as defined
562 in chapter 791.
- 563 (7)(a) “Fire equipment dealer Class A” means a licensed fire equipment dealer whose business is limited
564 to servicing, recharging, repairing, installing, or inspecting all types of fire extinguishers and conducting
565 hydrostatic tests on all types of fire extinguishers.
- 566 (b) “Fire equipment dealer Class B” means a licensed fire equipment dealer whose business is limited to
567 servicing, recharging, repairing, installing, or inspecting all types of fire extinguishers, including recharging
568 carbon dioxide units and conducting hydrostatic tests on all types of fire extinguishers, except carbon
569 dioxide units.
- 570 (c) “Fire equipment dealer Class C” means a licensed fire equipment dealer whose business is limited to
571 servicing, recharging, repairing, installing, or inspecting all types of fire extinguishers, except recharging
572 carbon dioxide units, and conducting hydrostatic tests on all types of fire extinguishers, except carbon
573 dioxide units.
- 574 (d) “Fire equipment dealer Class D” means a licensed fire equipment dealer whose business is limited to
575 servicing, recharging, repairing, installing, hydrotesting, or inspecting of all types of preengineered fire
576 extinguishing systems.
- 577 (8) “Fire extinguisher” means a cylinder that:
- 578 (a) Is portable and can be carried or is on wheels.
- 579 (b) Is manually operated.
- 580 (c) May use a variety of extinguishing agents that are expelled under pressure.
- 581 (d) Is rechargeable or nonrechargeable.
- 582 (e) Is installed, serviced, repaired, recharged, inspected, and hydrotested according to applicable
583 procedures of the manufacturer, standards of the National Fire Protection Association, and the Code of
584 Federal Regulations.
- 585 (f) Is listed by a nationally recognized testing laboratory.
- 586 (9) “Firefighter” means an individual who holds a current and valid Firefighter Certificate of Compliance
587 or Special Certificate of Compliance issued by the division under s. 633.408.
- 588 (10) “Fire hydrant” means a connection to a water main, elevated water tank, or other source of water
589 for the purpose of supplying water to a fire hose or other fire protection apparatus for fire suppression
590 operations. The term does not include a fire protection system.
- 591 (11) “Fire protection system” means a system individually designed to protect the interior or exterior of a
592 specific building or buildings, structure, or other special hazard from fire. Such systems include, but are not
593 limited to, water sprinkler systems, water spray systems, foam-water sprinkler systems, foam-water spray
594 systems, carbon dioxide systems, foam extinguishing systems, dry chemical systems, and Halon and other
595 chemical systems used for fire protection use. Such systems also include any overhead and underground
596 fire mains; fire hydrants and hydrant mains; standpipes and hoses connected to sprinkler systems; sprinkler

- 597 tank heaters; air lines; thermal systems used in connection with fire sprinkler systems; tanks providing
598 water supply or pump fuel, including piping for such tanks; and pumps connected to fire sprinkler systems.
- 599 (12) “Fire safety inspector” means an individual who holds a current and valid Fire Safety Inspector
600 Certificate of Compliance issued by the division under s. 633.216 who is officially assigned the duties of
601 conducting fire safety inspections of buildings and facilities on a recurring or regular basis on behalf of the
602 state or any county, municipality, or special district with fire safety responsibilities.
- 603 (13) “Fire service provider” means a municipality or county, the state, the division, or any political
604 subdivision of the state, including authorities and special districts, that employs firefighters or uses
605 volunteer firefighters to provide fire extinguishment or fire prevention services for the protection of life
606 and property. The term includes any organization under contract or other agreement with such entity to
607 provide such services.
- 608 (14) “Fire service support personnel” means an individual who does not hold a current and valid
609 certificate issued by the division and who may only perform support services.
- 610 (15) “Handling” means touching, holding, taking up, moving, controlling, or otherwise affecting with the
611 hand or by any other agency.
- 612 (16) “Highway” means every way or place of whatever nature within the state open to the use of the
613 public, as a matter of right, for purposes of vehicular traffic and includes public streets, alleys, roadways, or
614 driveways upon grounds of colleges, universities, and institutions and other ways open to travel by the
615 public, notwithstanding that the same have been temporarily closed for the purpose of construction,
616 reconstruction, maintenance, or repair. The term does not include a roadway or driveway upon grounds
617 owned by a private person.
- 618 (17) “Hot zone” means the area immediately around an incident where serious threat of harm exists,
619 which includes the collapse zone for a structure fire.
- 620 (18) “Keeping” means possessing, holding, retaining, maintaining, or having habitually in stock for sale.
- 621 (19) “Layout” means the layout of risers, cross mains, branch lines, sprinkler heads, sizing of pipe, hanger
622 locations, and hydraulic calculations in accordance with the design concepts established through the
623 Responsibility Rules adopted by the Board of Professional Engineers.
- 624 (20) “Manufacture” means the compounding, combining, producing, or making of anything or the
625 working of anything by hand, by machinery, or by any other agency into forms suitable for use.
- 626 (21) “Minimum firesafety standard” means a requirement or group of requirements adopted pursuant to
627 s. 633.208 by a county, municipality, or special district with firesafety responsibilities, or by the State Fire
628 Marshal pursuant to s. 394.879, for the protection of life and property from loss by fire which shall be met,
629 as a minimum, by every occupancy, facility, building, structure, premises, device, or activity to which it
630 applies.
- 631 (22) “Minimum Standards Course” means training of at least 360 hours as prescribed by rule adopted by
632 the division which is required to obtain a Firefighter Certificate of Compliance under s. 633.408.
- 633 (23) “Motor vehicle” means any device propelled by power other than muscular power in, upon, or by
634 which any individual or property is or may be transported or drawn upon a highway, except a device
635 moved or used exclusively upon stationary rails or tracks.
- 636 (24) “Point-of-service” means the point at which the underground piping for a fire protection system as
637 defined in this section using water as the extinguishing agent becomes used exclusively for the fire
638 protection system.
- 639 (25)(a) “Preengineered system” means a fire suppression system which:

- 640 1. Uses any of a variety of extinguishing agents.
- 641 2. Is designed to protect specific hazards.
- 642 3. Must be installed according to pretested limitations and configurations specified by the manufacturer
643 and applicable National Fire Protection Association (NFPA) standards. Only those chapters within the
644 National Fire Protection Association standards which pertain to servicing, recharging, repairing, installing,
645 hydrotesting, or inspecting any type of preengineered fire extinguishing system may be used.
- 646 4. Must be installed using components specified by the manufacturer or components that are listed as
647 equal parts by a nationally recognized testing laboratory such as Underwriters Laboratories, Inc., or Factory
648 Mutual Laboratories, Inc.
- 649 5. Must be listed by a nationally recognized testing laboratory.
- 650 (b) Preengineered systems consist of and include all of the components and parts providing fire
651 suppression protection, but do not include the equipment being protected, and may incorporate special
652 nozzles, flow rates, methods of application, pressurization levels, and quantities of agents designed by the
653 manufacturer for specific hazards.
- 654 (26) "Private carrier" means a motor vehicle, aircraft, or vessel operating intrastate in which there is
655 identity of ownership between freight and carrier.
- 656 (27) "Sale" means the act of selling; the act whereby the ownership of property is transferred from one
657 person to another for a sum of money or, loosely, for any consideration. The term includes the delivery of
658 merchandise with or without consideration.
- 659 (28) "Sprinkler system" means a type of fire protection system, manual or automatic, using water as an
660 extinguishing agent and installed in accordance with applicable National Fire Protection Association
661 standards.
- 662 (29) "Storing" means accumulating, laying away, or depositing for preservation or as a reserve fund in a
663 store, warehouse, or other source from which supplies may be drawn or within which they may be
664 deposited. The term is limited in meaning and application to storage having a direct relationship to
665 transportation.
- 666 (30) "Support services" means those activities that a fire service provider has trained an individual to
667 perform safely outside the hot zone of an emergency scene, including pulling hoses, opening and closing
668 fire hydrants, driving and operating apparatus, carrying tools, carrying or moving equipment, directing
669 traffic, manning a resource pool, or similar activities.
- 670 (31) "Suspension" means the temporary withdrawal of a license, certificate, or permit issued pursuant to
671 this chapter.
- 672 (32) "Transportation" means the conveying or carrying of property from one place to another by motor
673 vehicle (except a motor vehicle subject to s. 316.302), aircraft, or vessel, subject to such limitations as are
674 set forth in s. 552.12, in which only the motor vehicles, aircraft, or vessels of the Armed Forces and other
675 federal agencies are specifically exempted.
- 676 (33) "Uniform firesafety standard" means a requirement or group of requirements for the protection of
677 life and property from loss by fire which shall be met by every building and structure specified in s.
678 633.206, and is not weakened or exceeded by law, rule, or ordinance of any other state agency or political
679 subdivision or county, municipality, or special district with firesafety responsibilities.
- 680 (34) "Use" means application, employment; that enjoyment of property which consists of its
681 employment, occupation, exercise, or practice.

682 (35) “Volunteer firefighter” means an individual who holds a current and valid Volunteer Firefighter
683 Certificate of Completion issued by the division under s. 633.408.

684
685 **633.082** Inspection of fire control systems, fire hydrants, and fire protection systems.

686 (1) The State Fire Marshal shall have the right to inspect any fire control system during and after
687 construction to determine that such system meets the standards set forth in the laws and rules of the
688 state.

689 (2) Fire hydrants and fire protection systems installed in public and private properties, except one-
690 family or two-family dwellings, shall be inspected following procedures established in the nationally
691 recognized inspection, testing, and maintenance standards publications NFPA-24 and NFPA-25 as set
692 forth in the edition adopted by the State Fire Marshal. Quarterly, annual, 3-year, and 5-year inspections
693 consistent with the contractual provisions with the owner shall be conducted by the certificateholder or
694 permittees employed by the certificateholder pursuant to s. [633.521](#), except that:

695 (a) Public fire hydrants owned by a governmental entity shall be inspected following procedures
696 established in the inspection, testing, and maintenance standards adopted by the State Fire Marshal or
697 equivalent standards such as those contained in the latest edition of the American Water Works
698 Association’s Manual M17, “Installation, Field Testing, and Maintenance of Fire Hydrants.”

699 (b) County, municipal, and special district utilities may perform fire hydrant inspections required
700 by this section using designated employees. Such designated employees need not be certified under this
701 chapter. However, counties, municipalities, or special districts that use designated employees are
702 responsible for ensuring that the designated employees are qualified to perform such inspections.

703 (3) The inspecting contractor shall provide to the building owner or hydrant owner and the local
704 authority having jurisdiction a copy of the applicable inspection report established under this chapter. The
705 maintenance of fire hydrant and fire protection systems as well as corrective actions on deficient systems
706 is the responsibility of the owner of the system or hydrant. Equipment requiring periodic testing or
707 operation to ensure its maintenance shall be tested or operated as specified in the Fire Prevention Code,
708 Life Safety Code, National Fire Protection Association standards, or as directed by the agency having
709 jurisdiction, provided that such agency shall not require a sprinkler system not required by the Fire
710 Prevention Code, Life Safety Code, or National Fire Protection Association standards to be removed
711 regardless of its condition. This section does not prohibit governmental entities from inspecting and
712 enforcing firesafety codes.

713 (4) At least once each year, each fire hydrant shall be opened fully and the water allowed to flow until all
714 foreign materials have cleared the hydrant. The flow shall be maintained for not less than 1 minute.

715 (5) If a fire hydrant is made nonfunctional by the closing of a water supply valve, the valve must
716 immediately be tagged with a red tag that is boldly marked “nonfunctional” and the local fire authority
717 notified that the hydrant is nonfunctional.

718
719 **633.312** Inspection of fire control systems, fire hydrants, and fire protection systems.—

720
721 (1) The State Fire Marshal shall have the right to inspect any fire control system during and after
722 construction to determine that such system meets the standards set forth in the laws and rules of the
723 state.

724 (2) Fire hydrants and fire protection systems installed in public and private properties, except one-family
725 or two-family dwellings, shall be inspected following procedures established in the nationally recognized
726 inspection, testing, and maintenance standards publications NFPA-24 and NFPA-25 as set forth in the

727 edition adopted by the State Fire Marshal. Quarterly, annual, 3-year, and 5-year inspections consistent with
728 the contractual provisions with the owner shall be conducted by the certificateholder or permittees
729 employed by the certificateholder pursuant to s. 633.318, except that:

730 (a) Public fire hydrants owned by a governmental entity shall be inspected following procedures
731 established in the inspection, testing, and maintenance standards adopted by the State Fire Marshal or
732 equivalent standards such as those contained in the latest edition of the American Water Works
733 Association's Manual M17, "Installation, Field Testing, and Maintenance of Fire Hydrants."

734 (b) County, municipal, and special district utilities may perform fire hydrant inspections required by this
735 section using designated employees. Such designated employees need not be certified under this chapter.
736 However, counties, municipalities, or special districts that use designated employees are responsible for
737 ensuring that the designated employees are qualified to perform such inspections.

738 (3)(a) The inspecting contractor shall provide to the building owner or hydrant owner and the local
739 authority having jurisdiction a copy of the applicable uniform summary inspection report established under
740 this chapter. The local authority having jurisdiction may accept uniform summary inspection reports by
741 United States mail, by hand delivery, by electronic submission, or through a third-party vendor that collects
742 the reports on behalf of the local authority having jurisdiction.

743 (b) The State Fire Marshal shall adopt rules to implement a uniform summary inspection report and
744 submission procedures to be used by all third-party vendors and local authorities having jurisdiction. For
745 purposes of this section, a uniform summary inspection report must record the address where the fire
746 protection system or hydrant is located, the company and person conducting the inspection and their
747 license number, the date of the inspection, and the fire protection system or hydrant inspection status,
748 including a brief summary of each deficiency, critical deficiency, noncritical deficiency, or impairment
749 found. A contractor's detailed inspection report is not required to follow the uniform summary inspection
750 report format. The State Fire Marshal shall establish by rule a submission procedure for each means
751 provided under paragraph (a) by which a local authority having jurisdiction may accept uniform summary
752 inspection reports. Each of the submission procedures must allow a contractor to attach additional
753 documents with the submission of a uniform summary inspection report, including a physical copy of the
754 contractor's detailed inspection report. A submission procedure may not require a contractor to submit
755 information contained within the detailed inspection report unless the information is required to be
756 included in the uniform summary inspection report.

757 (4) The maintenance of fire hydrant and fire protection systems as well as corrective actions on deficient
758 systems is the responsibility of the owner of the system or hydrant. Equipment requiring periodic testing or
759 operation to ensure its maintenance shall be tested or operated as specified in the Fire Prevention Code,
760 Life Safety Code, National Fire Protection Association standards, or as directed by the appropriate
761 authority, provided that such appropriate authority may not require a sprinkler system not required by the
762 Fire Prevention Code, Life Safety Code, or National Fire Protection Association standards to be removed
763 regardless of its condition. This section does not prohibit governmental entities from inspecting and
764 enforcing firesafety codes.

765 (5) At least once each year, each fire hydrant shall be opened fully and the water allowed to flow until all
766 foreign materials have cleared the hydrant. The flow shall be maintained for not less than 1 minute.

767 (6) If a fire hydrant is made nonfunctional by the closing of a water supply valve, the valve must
768 immediately be tagged with a red tag that is boldly marked "nonfunctional" and the local fire authority
769 notified that the hydrant is nonfunctional.

770

771 **633.521** Certificate application and issuance; permit issuance; examination and investigation of applicant.—

772 (1) To obtain a certificate, an applicant shall submit to the State Fire Marshal an application in writing,
773 on a form provided by the State Fire Marshal containing the information prescribed, which shall be

774 accompanied by the fee fixed herein, containing a statement that the applicant desires the issuance of a
775 certificate and stating the class of certificate requested.

776 (2)(a) Examinations shall be administered by the State Fire Marshal and held at times and places within the
777 state as the State Fire Marshal determines, but there shall be at least two examinations a year. Each
778 applicant shall take and pass an objective, written examination of her or his fitness for a certificate in the
779 class for which the application is requested. There shall be a type of examination for each of the classes of
780 certificates defined in s. [633.021](#)(5). The examination shall test the applicant's ability to lay out, fabricate,
781 install, alter, repair, and inspect fire protection systems and their appurtenances and shall test the
782 applicant's fitness in business and financial management. The test shall be based on applicable standards
783 of the National Fire Protection Association and on relevant Florida and federal laws pertaining to the
784 construction industry, safety standards, administrative procedures, and pertinent technical data.

785 (b) A passing grade on the examination is 70 percent, and such examinations may be
786 developed by an independent professional testing agency. The tests shall be prepared, administered,
787 and scored in compliance with generally accepted professional testing standards.

788 (c) The division shall solicit suggestions from affected persons regarding the content of
789 examinations.

790 (d) A reexamination may not be scheduled sooner than 30 days after any administration of an
791 examination to an applicant.

792 (e) An applicant may not be examined more than four times during 1 year for certification as a
793 contractor pursuant to this section unless the person is or has been certified and is taking the
794 examination to change classifications. If an applicant does not pass one or more parts of the examination,
795 she or he may take any part of the examination three more times during the 1-year period beginning
796 upon the date she or he originally filed an application to take the examination. If the applicant does not
797 pass the examination within that 1-year period, she or he must file a new application and pay the
798 application and examination fees in order to take the examination or a part of the examination again.
799 However, the applicant may not file a new application sooner than 6 months after the date of her or his
800 last examination. An applicant who passes the examination but does not meet the remaining
801 qualifications as provided in applicable statutes and rules within 1 year after the application date must file
802 a new application, pay the application and examination fee, successfully complete a prescribed training
803 course approved by the State Fire College or an equivalent course approved by the State Fire Marshal,
804 and retake and pass the written examination.

805 (3)(a) As a prerequisite to taking the examination for certification as a Contractor I, the applicant must be
806 at least 18 years of age, be of good moral character, and possess 4 years' proven experience in the
807 employment of a fire protection system Contractor I or a combination of equivalent education and
808 experience in both water-based and chemical fire suppression systems.

809 (b) As a prerequisite to taking the examination for certification as a Contractor II, the applicant
810 must be at least 18 years of age, be of good moral character, and have 4 years of verifiable employment
811 experience with a fire protection system as a Contractor I or Contractor II, or a combination of equivalent
812 education and experience in water-based fire suppression systems.

813 (c) Required education and experience for certification as a Contractor I, Contractor II,
814 Contractor III, or Contractor IV includes training and experience in both installation and system layout as
815 defined in s. [633.021](#).

816

817 (d) As a prerequisite to taking the examination for certification as a Contractor III, the
818 applicant must be at least 18 years of age, be of good moral character, and have 4 years of verifiable
819 employment experience with a fire protection system as a Contractor I or Contractor II, or a
820 combination of equivalent education and experience in chemical fire suppression systems.

821 (e) As a prerequisite to taking the examination for certification as a Contractor IV, the applicant
822 must be at least 18 years old, be of good moral character, be licensed as a certified plumbing contractor
823 under chapter 489, and successfully complete a training program acceptable to the State Fire Marshal of
824 not less than 40 contact hours regarding the applicable installation standard used by the Contractor IV as
825 described in NFPA 13D. The State Fire Marshal may adopt rules to administer this subsection.

826 (f) As a prerequisite to taking the examination for certification as a Contractor V, the applicant
827 must be at least 18 years old, be of good moral character, and have been licensed as a certified
828 underground utility and excavation contractor or certified plumbing contractor pursuant to chapter 489,
829 have verification by an individual who is licensed as a certified utility contractor or certified plumbing
830 contractor pursuant to chapter 489 that the applicant has 4 years' proven experience in the employ of a
831 certified underground utility and excavation contractor or certified plumbing contractor, or have a
832 combination of education and experience equivalent to 4 years' proven experience in the employ of a
833 certified underground utility and excavation contractor or certified plumbing contractor.

834 (g) Within 30 days after the date of the examination, the State Fire Marshal shall inform the
835 applicant in writing whether she or he has qualified or not and, if the applicant has qualified, that she or
836 he is ready to issue a certificate of competency, subject to compliance with the requirements of
837 subsection (4).

838 (4) As a prerequisite to issuance of a certificate, the State Fire Marshal shall require the applicant to
839 submit satisfactory evidence that she or he has obtained insurance providing coverage for comprehensive
840 general liability for bodily injury and property damages, products liability, completed operations, and
841 contractual liability. The State Fire Marshal may adopt rules providing for the amount of insurance, but
842 such amount shall not be less than \$500,000 for a Contractor I, Contractor II, Contractor III, or Contractor
843 V and shall not be less than \$250,000 for a Contractor IV. An insurer which provides such coverage shall
844 notify within 30 days the State Fire Marshal of any material change in coverage or any termination,
845 cancellation, or nonrenewal of such coverage. An insurer which fails to so notify the State Fire Marshal's
846 office shall be subject to the penalties provided under s. [624.4211](#).

847
848 (5) Upon satisfaction of the requirements of subsections (1), (2), (3), and (4), the certificate shall be
849 issued forthwith. However, no certificate shall remain in effect if, after issuance, the certificateholder
850 fails to maintain the insurance coverage required by this section.

851 (6) If an applicant for an original certificate, after having been notified to do so, does not appear for
852 examination or does not pass the examination within 1 year from the date of filing her or his application,
853 the fee paid by the applicant shall be forfeited. New applications for a certificate shall be accompanied by
854 another application fee fixed by this chapter.

855 (7) The State Fire Marshal may, at any time subsequent to the issuance of the certificate or its renewal,
856 require, upon demand and in no event more than 30 days after notice of the demand, the
857 certificateholder to provide proof of insurance coverage on a form provided by the State Fire Marshal
858 containing confirmation of insurance coverage as required by this chapter. Failure to provide proof of
859 insurance coverage as required, for any length of time, shall result in the immediate suspension of the
860 certificate until proof of insurance is provided to the State Fire Marshal.

861 (8) An individual employed by a Contractor I or Contractor II certificateholder, as established in this
862 section, who will be inspecting water-based fire protection systems as required under s. [633.082](#), must be
863 issued a permit by the State Fire Marshal to conduct such work. The permit is valid solely for use by the
864 holder thereof in his or her employment by the certificateholder named in the permit. A permittee must
865 have a valid and subsisting permit upon his or her person at all times while engaging in inspecting fire
866 protection systems, and a permitholder must be able to produce such a permit upon demand. In
867 addition, a permittee shall, at all times while performing inspections, carry an identification card
868 containing his or her photograph and other identifying information as prescribed by the State Fire
869 Marshal, and the permittee must produce the identification card and information upon demand. The
870 permit and the identification may be one and the same. A permittee is limited as to the specific type of
871 work performed, depending upon the class of certificate held by the certificateholder under whom the
872 permittee is working. The permit class shall be known as a Water-Based Fire Protection Inspector whose
873 permit allows the holder to inspect water sprinkler systems, water spray systems, foam-water sprinkler
874 systems, foam-water spray systems, standpipes, combination standpipes and sprinkler systems, all piping
875 that is an integral part of the system beginning at the point where the piping is used exclusively for fire
876 protection, sprinkler tank heaters, air lines, thermal systems used in connection with sprinklers, and tanks
877 and pumps connected thereto, excluding preengineered systems.

878 (9) It is the intent of the Legislature that the inspections and testing of automatic fire sprinkler systems
879 for detached one-family dwellings, detached two-family dwellings, and mobile homes be accomplished by
880 the owner, who is responsible for requesting service from a contractor when necessary. It is further
881 intended that the NFPA-25 inspection of exposed underground piping and any attached appurtenances
882 supplying a fire protection system be conducted by a Contractor I or Contractor II.

883 (10) The State Fire Marshal shall require the National Institute of Certification in Engineering
884 Technologies (NICET), Sub-field of Inspection and Testing of Fire Protection Systems Level II or
885 equivalent training and education as determined by the division as proof that the permitholders
886 are knowledgeable about nationally accepted standards for the inspection of fire protection
887 systems.

888 (11) It is intended that a certificate holder, or a permitholder who is employed by a certificateholder,
889 conduct inspections required by this chapter. It is understood that after July 1, 2008, employee turnover
890 may result in a depletion of personnel who are certified under the NICET Sub-field of Inspection and
891 Testing of Fire Protection Systems Level II or equivalent training and education as required by the Division
892 of State Fire Marshal. A certificateholder may obtain a provisional permit with an endorsement for
893 inspection, testing, and maintenance of water-based fire extinguishing systems for an employee if the
894 employee has initiated procedures for obtaining Level II certification from the National Institute for
895 Certification in Engineering Technologies Sub-field of Inspection and Testing of Fire Protection Systems
896 and achieved Level I certification or an equivalent level as determined by the State Fire Marshal through
897 verification of experience, training, and examination. The State Fire Marshal may establish rules to
898 administer this subsection. After 2 years of provisional certification, the employee must have achieved
899 NICET Level II certification or obtain equivalent training and education as determined by the division, or
900 cease performing inspections requiring Level II certification. The provisional permit is valid only for the 2
901 calendar years after the date of issuance, may not be extended, and is not renewable. After the initial 2-
902 year provisional permit expires, the certificateholder must wait 2 additional years before a new
903 provisional permit may be issued. The intent is to prohibit the certificateholder from using employees
904 who never reach NICET Level II status, or equivalent training and education as determined by the division,
905 by continuously obtaining provisional permits.

906

907 **633.539** Requirements for installation, inspection, and maintenance of fire protection systems.—

908 (1) The requirements for installation of fire protection systems are as follows:

909 (a) Contractors of fire protection systems shall be certified under s. [633.521](#).

910 (b) Equipment shall be listed by a nationally recognized testing laboratory, such as
911 Underwriters Laboratories, Inc., or Factory Mutual Laboratories, Inc., or shall comply with nationally
912 accepted standards. The State Fire Marshal shall adopt by rule procedures for determining whether a
913 laboratory is nationally recognized, taking into account the laboratory's facilities, procedures, use of
914 nationally recognized standards, and any other criteria reasonably calculated to reach an informed
915 determination.

916 (c) Equipment shall be installed in accordance with the applicable standards of the National
917 Fire Protection Association and the manufacturer's specifications.

918 (d) Each piece of equipment supplied shall be guaranteed for a period of 1 year against defects in
919 material or operations.

920 (e) The contractor shall furnish the user with operating instructions for all equipment installed,
921 together with a diagram of the final installation.

922 (2) Equipment shall be inspected, serviced, and maintained in accordance with the manufacturer's
923 maintenance procedures and with applicable National Fire Protection Association standards. The
924 inspection of fire protection systems shall be conducted by a certificate holder or holder of a permit
925 issued by the State Fire Marshal. The permit holder may perform inspections on fire protection systems
926 only while employed by the certificate holder. This section does not prohibit the authority having
927 jurisdiction or insurance company representatives from reviewing the system in accordance with
928 acceptable oversight standards.

929 (3) For contracts written after June 30, 2005, the contractor who installs the underground piping from
930 the point of service is responsible for completing the installation to the aboveground connection flange,
931 which by definition in this chapter is no more than 1 foot above the finished floor, before completing the
932 Contractor's Material and Test Certificate for Underground Piping document. Aboveground contractors
933 may not complete the Contractor's Material and Test Certificate for Underground Piping document for
934 underground piping or portions thereof which have been installed by others.

935 (4) The Contractor V may install the cross-connection backflow prevention device as defined in this
936 chapter on new installations. The retrofitting of a backflow device on an existing fire protection system
937 will cause a reduction in available water pressure and probable system malfunction. The development of
938 aboveground fire protection system hydraulic calculations is a task of the Contractor I and II, as defined in
939 this chapter. Accordingly, a Contractor V is expressly prohibited from retrofitting cross-connection
940 backflow prevention devices on an existing fire protection system, and only a Contractor I or Contractor II
941 who is tasked to recalculate the system and take corrective actions to ensure that the system will function
942 with the available water supply may retroactively install these backflow devices on existing fire protection
943 systems.