



## **Florida Rule 69A-46**

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

41 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](http://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.

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