

IDAPA 18 – IDAHO DEPARTMENT OF INSURANCE

State Fire Marshal

18.08.02 – Fire Protection Sprinkler Contractors

Who does this rule apply to?

This rule applies to any person or entity involved in fire protection sprinkler systems.

What is the purpose of this rule?

The purpose of this rule specifies requirements of fire sprinkler systems by qualified personnel. This includes all facets of fire sprinklers and bonding of personnel and organizations.

What is the legal authority for the agency to promulgate this rule?

This rule implements the following statutes passed by the Idaho Legislature and International Fire Code:

- [41-254\(2\) and \(3\), Idaho Code](#) – Powers and Duties of State Fire Marshal — International Fire Code, Enforcement and Regulations — Report
- [Chapter 9, International Fire Code](#) -- Fire Protection and Life Safety Systems

Who do I contact for more information on this rule?

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18.08.02 – FIRE PROTECTION SPRINKLER CONTRACTORS

000. LEGAL AUTHORITY.

Title 41, Chapter 2, Section 41-254(2), (3) and Chapter 9. (3-28-23)

001. SCOPE.

This rule ensures that only qualified persons and organizations install and maintain fire sprinkler systems and their appurtenances. (3-28-23)

002. -- 009. (RESERVED)

010. DEFINITIONS.

01. Fire Protection Sprinkler System (FPS System). An integrated system of underground and overhead piping designed to meet fire protection engineering standards. This system includes a water supply, such as a gravity tank, fire pump, reservoir or pressure tank or connection by underground piping to a water supply. The part of the system above ground is a network of specially sized, or hydraulically designed, piping installed in a building, structure or area, generally overhead, and to which sprinklers are connected in a systematic pattern. The system includes a control valve and a device to activate an alarm when the system operates. The system usually is activated by heat from a fire and discharges water over the fire area. (3-28-23)

02. Fire Protection Sprinkler Contractor (FPS Contractor). Persons who contract to install, repair, modify, or maintain FPS Systems. (3-28-23)

03. Fitters. Persons who install and maintain FPS Systems while supervised by an FPS Contractor. (3-28-23)

04. Responsible Maintenance Employee. Anyone employed by an owner of premises with an FPS System, who regularly inspects and maintains the FPS System per the maintenance checklist provided by the State Fire Marshal. (3-28-23)

011. QUALIFICATIONS FOR FPS CONTRACTOR LICENSE.

Applicants for an FPS Contractor license will meet these minimum qualifications: (3-28-23)

01. Owner, Officer or Manager. The applicant is a sole proprietor or an owner, officer or manager of their company. (3-28-23)

02. Examination, Education or Experience. The applicant needs to: (3-28-23)

a. Pass an examination prescribed by the State Fire Marshal and provide proof the applicant has supervised or installed at least four (4) fire sprinkler systems of more than two hundred (200) heads each; or (3-28-23)

b. Provide proof of successful attainment of Level III Certification in fire protection, Automatic Sprinkler System Design from the National Institute for Certification in Engineering Technologies or equivalent. (3-28-23)

012. LICENSE REQUISITE.

No one may act or advertise as an FPS Contractor without a license. (3-28-23)

013. LICENSE, DISPLAY, RENEWALS, DUPLICATES, APPLICATIONS.

01. Time Period. Licenses are valid for up to one (1) year and expire on the 31st day of December of each year, regardless of the month issued. Unrestricted licenses may be renewed with proper fee. (3-28-23)

02. Bids Will Bear License Number. Written bids, proposals and offers, and shop and field installation drawings will bear the FPS Contractor's license number. (3-28-23)

03. Forms and Fees. License applications will be on forms prescribed by the State Fire Marshal and accompanied by the prescribed fee. (3-28-23)

014. ACTION ON APPLICATIONS AND LICENSE FEES.

01. Investigation of Applicants. Within one hundred and twenty (120) days after the applicant files a complete application and pays prescribed fees, the State Fire Marshall will investigate the applicant as the State Fire Marshal deems appropriate. (3-28-23)

02. Fees. License fees for FPS Contractors are: (3-28-23)

a. Examination Fee -- Twenty-five dollars (\$25). (3-28-23)

b. License Fee -- Four hundred dollars (\$400). (3-28-23)

c. Annual License Renewal Fee -- One hundred dollars (\$100). (3-28-23)

d. Duplicate License Fee -- Ten dollars (\$10). (3-28-23)

e. Branch Office Fee -- One hundred dollars (\$100). (3-28-23)

f. Examination fees, when paid, are not subject to refund. (3-28-23)

03. Branch Office License. Branch offices of a licensed firm doing business in Idaho need to obtain a branch office license. Each license needs to provide a shop or a vehicle as a place of business properly equipped and subject to the authority's inspection. A separate license is needed for each business location. An advertisement for installing or maintaining an FPS System is prima facie evidence that the premises, building, room, shop, store, or establishment in or upon which it appears or to which it refers, is a separate business location. (3-28-23)

015. FINANCIAL RESPONSIBILITY.

01. Bonding. (3-28-23)

a. Each FPS Contractor and applicant for an FPS Contractor's license will put up at least a two thousand dollars (\$2,000) bond in favor of the state of Idaho by a surety company authorized to do business in Idaho. (3-28-23)

b. The bond exists until the State Fire Marshal releases it or the surety cancels it. Without prejudicing liability previously incurred, the surety may cancel the bond with thirty (30) days advance notice to the contractor and State Fire Marshal. (3-28-23)

02. Insurance. Before the FPS Contractor license issues, the applicant will obtain a full-term comprehensive general liability insurance policy from an insurance company authorized to do business in Idaho. The policy will have aggregate limits of at least two hundred fifty thousand dollars (\$250,000) and include provisions as requested by the SFM. (3-28-23)

016. REVOCATION, SUSPENSION, AND NON-RENEWAL OF LICENSE.

01. Causes for Revocation, Suspension, or Refusal to Renew License. The State Fire Marshal may suspend, revoke, or refuse to renew an FPS Contractor's license for reasons including: (3-28-23)

a. Fraud, bad faith, misrepresentation, or bribery, either in securing a license or in conducting business under a license. (3-28-23)

b. Making a false statement as to a material matter in any license application. (3-28-23)

c. Not performing their contract with the property owner. (3-28-23)

d. Manipulating assets or accounts covering the subject matter of this rule, or by fraud or bad faith. (3-28-23)

e. Not securing or maintaining workers' compensation insurance unless authorized to act as a self-

insurer. (3-28-23)

f. Knowingly contracting with an unregistered contractor for work or activity that requires an FPS Contractor's license. (3-28-23)

g. The licensee has been convicted of a felony. (3-28-23)

h. Violating any provision of this rule. (3-28-23)

02. Length of Suspension. No license will be suspended for more than two (2) years. (3-28-23)

03. Eligibility to Reapply After Revocation. A person whose license was revoked will not apply for a new license for two (2) years from the revocation date. (3-28-23)

017. HEARINGS.

Whenever it is proposed to refuse to grant a license, revoke a license, or to refuse to renew a license, the State Fire Marshal will notify the applicant or licensee and provide them a hearing, if requested. (3-28-23)

018. APPROVED EQUIPMENT AND MATERIALS.

No component or devices of an automatic fire sprinkler system may be sold, leased, or installed in Idaho unless approved, labeled, or listed by Underwriters Laboratories, Inc., Underwriters Laboratories of Canada, Factory Mutual Laboratories, or other testing laboratories approved by the State Fire Marshal. (3-28-23)

01. Sprinklers. Only new standard commercial or other listed sprinklers may be used when installing a sprinkler system. (3-28-23)

02. Minimum Requirements. Automatic fire sprinkler systems in Idaho will meet the minimum NFPA standards. The local fire department or State Fire Marshall needs to approve partial installations intended to comply with life safety codes. (3-28-23)

019. SERVICE EVIDENCE.

01. Submitting Plans. Where automatic fire sprinkler systems are installed, the installer completes the FPS Contractor's material and test certificates NFPA 13 1-10.1. All systems will be supervised by an FPS Contractor or a R.M.E., who will properly test and inspect them at prescribed intervals and have general charge of all alterations and additions to the systems under their supervision. (3-28-23)

02. Conforming to Standards. A service tag conforming to the requirements of this chapter will be attached to all systems. (3-28-23)

020. DESIGN REQUIREMENTS.

01. Submission of Plans. Detailed plans in accordance with applicable NFPA standards are submitted by a licensed contractor for approval to the local fire department and to the State Fire Marshal. (3-28-23)

02. Conformance to Standards. The specifications will state that the installation will conform to the applicable standards listed in this rule and be approved by the local fire department and the State Fire Marshal. (3-28-23)

03. Tests. The specifications need to include the specific tests needed to meet the standards for approval of the local fire department and the State Fire Marshal. (3-28-23)

04. Scale. Plans need to be drawn to an indicated scale or be suitably dimensioned, and made so they can be easily reproduced. (3-28-23)

05. Detail. Plans need to contain sufficient detail to evaluate the effectiveness of the system. (3-28-23)

06. Prior Approval of Plans. Plans need to be submitted to the State Fire Marshal and the local fire department and approved, before work starts. Work may start before final plans are submitted based on conceptual drawings if approved by the local fire department and the State Fire Marshal. A plan's review fee of two dollars (\$2) per sprinkler head up to one thousand (1000) heads per fire protection sprinkler system (maximum two thousand dollars (\$2,000)) or one hundred dollars (\$100) per fire protection sprinkler system if less than fifty (50) sprinkler heads. The applicable fee needs to accompany the plans sent to the State Fire Marshal. Two (2) sprinkler heads on an arm-over will be considered as one (1) sprinkler head for fee purposes. (3-28-23)

07. Corrected Plans. Where field conditions necessitate any substantial change from the approved plan, the corrected plan showing the system as installed needs to be submitted to the local fire department and the State Fire Marshal for approval. (3-28-23)

08. Exemption. A City or County may request an exemption from the requirements of this Section that plans be submitted to the State Fire Marshal for review and approval. An exemption request will be made in writing signed by the Fire Chief, designated representative, or elected local official and set forth the reasons for the request. An exemption will not apply to plans or inspections relating to structures owned, leased or controlled by the state or a state agency. (3-28-23)

021. SERVICE TAG.

01. Form. Automatic fire sprinkler service tags need to be in a form prescribed by the State Fire Marshal and a new tag installed each time work is performed on the system. (3-28-23)

02. Control Valve Not Electrically Supervised. If the control valve is not electrically supervised, the service tag will serve as a seal for the valve. (3-28-23)

03. Electrically Supervised Control Valve. If the control valve is electrically supervised, the service tag will be attached so the valve may be closed for testing of the supervision without removing the tag. (3-28-23)

022. FITTERS.

All fitters may be licensed under this rule as follows: (3-28-23)

01. Examination. Show proof by affidavit signed by a licensed FPS Contractor that he has worked as a fitter for at least one thousand (1,000) hours per year for three (3) consecutive years and then take and pass a written examination given by the State Fire Marshal, and pay the appropriate fee. (3-28-23)

02. Fees. No examination will be taken or license issued pursuant to this rule until the appropriate fees, as listed above, are paid. Examination fees, when paid, are earned and are not subject to refund. The State Fire Marshal collects in advance fees as follows: (3-28-23)

a. Examination Fee -- Twenty-five dollars (\$25). (3-28-23)

b. Original License Fee -- Fifty dollars (\$50). (3-28-23)

c. Annual License Renewal Fee -- Twenty-five dollars (\$25). (3-28-23)

d. Duplicate License Fee -- Ten dollars (\$10). (3-28-23)

03. Period of Time. No fitters license is valid for more than one (1) year and expires on the 31st of December of each year regardless of the month issued, at which point it may be renewed. (3-28-23)

023. -- 999. (RESERVED)