

SECOND REGULAR SESSION

HOUSE BILL NO. 2539

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WASSON.

Read 1st time April 1, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

5633L.01I

AN ACT

To amend chapter 320, RSMo, by adding thereto one new section relating to fire sprinkler installers and contractors.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 320, RSMo, is amended by adding thereto one new section, to be
2 known as section 320.100, to read as follows:

320.100. 1. As used in this section, the following terms shall mean:

2 **(1) "Fire sprinkler installer contractor", a person who has a level three certificate**
3 **in fire protection automatic fire sprinkler systems layout from the National Institute for**
4 **Certification in Engineering Technologies (NICET) and successfully passed an examination**
5 **required by the state fire marshal;**

6 **(2) "Fire sprinkler installer", a person who has a level three certificate in fire**
7 **protection automatic fire sprinkler systems layout from NICET or who has worked for the**
8 **last five years engaged in the practical installation, inspecting, testing, dismantling to**
9 **terminate service, maintenance, and repair of fire sprinkler systems acquiring a minimum**
10 **of two thousand verifiable hours of work experience in such field in the last five years and**
11 **who has successfully passed a test required by the state fire marshal;**

12 **(3) "Fire sprinkler installer assistant", a person who is engaging in learning and**
13 **assisting in the practical installation, inspecting, testing, dismantling to terminate service,**
14 **maintenance, and repair of fire sprinkler systems and who is under the direct supervision**
15 **of a licensed fire sprinkler installer contractor or licensed fire sprinkler installer.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 **2. The state fire marshal shall by rule or regulation establish the procedures for**
17 **licensing fire sprinkler installer contractors, fire sprinkler installers, and fire sprinkler**
18 **installer assistants. Such rules and regulations shall include but not be limited to**
19 **establishing licensing procedures, examination fees, and causes for suspension or**
20 **revocation of licenses or the levying of civil penalties for violations.**

21 **3. No person shall install, inspect, dismantle to terminate service, maintain, or**
22 **repair, any fire sprinkler system unless such person is licensed by the state fire marshal.**

23 **4. The provisions of this section shall not apply to any municipal county or state**
24 **employee while in the performance of their duties or anyone licensed as an engineer in this**
25 **state.**

26 **5. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,**
27 **that is created under the authority delegated in this section shall become effective only if**
28 **it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if**
29 **applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**
30 **and if any of the powers vested with the general assembly under chapter 536, RSMo, to**
31 **review, to delay the effective date, or to disapprove and annul a rule are subsequently held**
32 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
33 **after August 28, 2008, shall be invalid and void.**

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