

Title 20. Public Health and Welfare

Chapter XXXI. Arkansas Fire Protection Licensing Board, Department of Labor and Licensing

Subchapter A. Generally

Part 901. Sprinkler Rules

Subpart 1. General Provisions

20 CAR § 901-101. Title.

This part shall be known and may be cited as the "Sprinkler Rules" and shall be administered by and through the Arkansas Fire Protection Licensing Board.

Authority. Arkansas Code § 20-22-607.

20 CAR § 901-102. Purpose.

The purpose of this part is to regulate persons engaged in the business of planning, selling, installing, maintaining, inspecting, or servicing fire protection sprinkler systems in the interest of safeguarding lives and property pursuant to Arkansas Code § 20-22-601 et seq.

Authority. Arkansas Code § 20-22-607.

20 CAR § 901-103. Applicability of rules.

(a) Unless otherwise provided by law, this part shall apply to all firms and individuals engaged in the business of planning, selling, installing, maintaining, inspecting, or servicing fire protection sprinkler systems.

(b) Any firm performing a project for an NFPA 13D system that meets all of the following conditions shall not be subject to this part:

- (1) System is for a single-family dwelling;
- (2) System is designed and approved by the equipment manufacturer or a professional engineer; and

(3) Fitter is trained and certified by the equipment manufacturer.

(c)(1) This part shall have uniform force and effect throughout the state.

(2) Municipalities or counties may require additional certificates of registration or licenses or may require certified firms to obtain permits or pay fees beyond the scope of this part.

(d)(1) This part does not apply to a person or organization that only:

(A) Sells or supplies products or materials to a certified firm;

(B) Is a special agent fire suppression system;

(C) Is a certified firm employee who does not perform work that requires licensure;

(D) Performs inspection activities conducted as part of an insurance or engineering survey;

(E) Performs inspection activities performed by a government official as part of code enforcement activities; and

(F) Performs routine observation of the condition of fire sprinkler equipment by the maintenance staff of the owner or tenant.

(2) Nothing herein shall be deemed to limit or restrict the practice of engineering by licensed or certified professional engineers.

Authority. Arkansas Code § 20-22-607.

Codification Notes. NFPA 13D is the Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes published by the National Fire Protection Association.

20 CAR § 901-104. Notice.

Notice by the Arkansas Fire Protection Licensing Board as required by any provisions of statute or of this part must be given by personal service or mail, postage prepaid, addressed to the person to be notified at his or her last known address of residence or business as it appears in the board's records.

Authority. Arkansas Code § 20-22-607.

20 CAR § 901-105. Severability.

(a) If any provision of this part or the application thereof to any person or circumstance is held invalid for any reason, the invalidity shall not affect the other provisions or any other application of this part which can be given effect without the invalid provisions or application.

(b) To this end all provisions of this part are declared to be severable.

Authority. Arkansas Code § 20-22-607.

20 CAR § 901-106. Definitions.

As used in this part:

(1) "AFSA" means American Fire Sprinkler Association, a nationally recognized trade organization;

(2) "AHJ" means Authority Having Jurisdiction;

(3) "Apprentice" means a qualified person:

(A) Enrolled as required in an apprenticeship program recognized by the Arkansas Fire Protection Licensing Board; and

(B) Who may perform work entitled by the licensee under the direct supervision of a licensed employee;

(4) "Authority Having Jurisdiction" means the organization, office, or individual responsible for:

(A) Enforcing the requirements of a code or standard; or

(B) Approving equipment, materials, and installation, or a procedure;

(5)(A) "Branch office" means an office that has a different location but the same name and tax identification number as the primary applicant.

(B) If a certified firm obtained a certificate of registration for a separate business location or locations or office or offices on or before the effective date of this

rule, the Arkansas Fire Protection Licensing Board will consider that separate business location or office to be a branch office as defined by this part;

(6) "Certificate" means the certificate of registration issued by the Arkansas Fire Protection Licensing Board to any firm for the purpose of granting permission to such firm to perform any act for which the law requires a certificate of registration;

(7) "Certified firm" means any business owned by an individual, partnership, corporation, or association holding a current certificate of registration issued by the Arkansas Fire Protection Licensing Board;

(8) "Deficiency" means, for the purposes of inspecting, testing, and maintenance of water-based fire protection sprinkler systems, a condition that will, or has the potential to, adversely impact the performance of a system or portion thereof but does not rise to the level of an impairment;

(9) "Demarcation" means a point of a service, an isolating valve downstream of the domestic meter service where the fire service line becomes a dedicated fire protection sprinkler system supply line installed, or serviced by, a fire protection sprinkler system firm under the direct supervision and responsibility of a fire protection sprinkler system firm as herein defined;

(10) "Direct supervision" means on-site coordination, instruction, and evaluation given by a licensed fitter, inspector, or RME to ensure that all work is installed per any adopted codes and standards;

(11) "Fire protection sprinkler system" means:

(A) An assembly of underground or overhead piping or conduits that convey water, with or without agents, to dispersal openings or devices to:

(i) Extinguish, control, or contain fire; and

(ii) Provide protection from exposure to fire or the products of combustion; and

(B) A standpipe and hose system as defined under the provisions of National Fire Protection Association pamphlet Number 14: Standard for The Installation for Standpipe and Hose Systems;

(12) "Fire protection sprinkler system firm" or "firm" means a person,

partnership, corporation, or association engaged in the planning, fire protection layout, selling, installing, maintaining, inspecting, or servicing of fire protection sprinkler systems, including, without limitation:

- (A) Standpipes;
- (B) Hose stations; and
- (C) Fire pumps;

(13)(A) "Fitter" means a licensed employee:

- (i) Responsible for the initial installation of the fire sprinkler; and
- (ii) Whose responsibilities are more fully described in this part.

(B) A licensed inspector or RME is authorized to perform the duties of a licensed fitter;

(14) "Full-time" means an employee is considered to work full time if the employee works an average of at least thirty (30) hours per week;

(15)(A) "Impairment" means a condition where a fire protection system or unit or portion thereof is out of order, and the condition can result in the fire protection system or unit not functioning in a fire event.

(B) The two (2) types of impairments are emergency and preplanned and are fully described in 20 CAR § 901-508(b);

(16) "Inspection" means a visual examination of a sprinkler system or portion thereof to verify it appears to be in operating condition and free from physical damage, per such standards referenced by the required Inspection Form;

(17) "Inspector" means a qualified person who:

(A) Is employed by a licensed fire protection sprinkler firm in the State of Arkansas;

(B) Has met the requirements to perform inspections of fire protection sprinkler systems in accordance with the law; and

(C) May perform corrections of deficiencies or impairments from an inspection;

(18) "Installation" means the initial placement of a system or its extension, modification, or alteration after initial placement;

(19) "License" means a written document issued by the Arkansas Fire Protection Licensing Board to any individual for the purpose of granting permission to such individual to perform any act for which the law requires a license;

(20) "Licensee" means a specific:

(A) Individual to whom a license has been issued by the Arkansas Fire Protection Licensing Board; and

(B) Firm to which a certificate of registration has been issued by the Arkansas Fire Protection Licensing Board;

(21) "NFPA" means the National Fire Protection Association, Inc., a nationally recognized standard-making organization;

(22) "Plan" means to lay out, detail, draw, calculate, devise, or arrange an assembly of underground or overhead piping and appurtenances in accordance with either adopted fire protection standards or specifications specially designed by an engineer;

(23) "Responsible Managing Employee" means a full-time licensed employee of a certified fire protection sprinkler system firm who is designated by that firm to be responsible for ensuring that all fire protection sprinkler system layouts, installations, servicing, and inspections of fire protection sprinkler systems are performed in accordance with all applicable:

(A) Rules;

(B) Codes; and

(C) Standards;

(24) "RME" means Responsible Managing Employee;

(25) "Service" means to inspect, test, or repair fire sprinkler equipment in order to furnish or return the fire protection sprinkler system to operational condition;

(26) "Standards" means nationally recognized standards adopted herein; and

(27) "Test" means to subject a fire protection sprinkler system to any procedure necessary to ensure its proper operation or installation.

Authority. Arkansas Code § 20-22-607.

20 CAR § 901-107. Standards and roles.

(a) Adopted code and standards.

(1) The Arkansas Fire Protection Licensing Board adopts the current edition of the Arkansas Fire Prevention Code in its entirety, along with the reference standards noted in the reference section.

(2) A copy of the codes shall be kept available for public inspection in the office of the State Fire Marshal.

(b)(1) The AFSA or National Fire Sprinkler Association sample forms referenced in the Appendix of NFPA 25 are approved forms in the State of Arkansas along with all forms provided in the NFPA documents.

(2) Other forms are permitted if they fully comply with all the requirements in the NFPA standards.

(c) **Approved certification organizations.** The board approves the National Institute for Certification in Engineering Technologies as a nationally recognized testing and certification organization.

(d) **Approved apprenticeship program.** The board approves the United States Department of Labor Fire Protection Apprenticeship Program for certifying fire sprinkler fitters.

(e) All AHJ requirements that deviate from NFPA standards or the adopted fire code must be in writing, otherwise, the licensee or licensees will be held responsible for failure to adhere to the adopted code or standards.

Authority. Arkansas Code § 20-22-607.

Subpart 2. Registration and Licensing

20 CAR § 901-201. Registration and licensing — Generally.

(a) A licensee shall not knowingly mischaracterize a competitor's product.

(b) The falsification of a certificate of registration or license or permit renders the

document invalid and is grounds for administrative action pursuant to Arkansas Code § 20-22-601 et seq.

(c)(1) Each certified firm shall have at least one (1) full-time licensed RME who shall be properly equipped to perform the act or acts authorized by its certificate.

(2) Upon termination of the certified firm's RME, the firm shall notify the Arkansas Fire Protection Licensing Board, in writing, within forty-eight (48) hours of the termination.

(3) The firm must have a full-time employee apply to the board for an RME license within thirty (30) days of the termination.

(d) Certified firms shall be held responsible for the acts of their agents and employees for purposes of this part, including the taking of administrative action by the board.

(e) A certificate of registration or license may be denied, suspended, revoked, nonrenewed, or otherwise penalized if, after notice and public hearing, the board finds that a licensee or applicant has violated any of the provisions of Arkansas Code § 20-22-601 et seq., or this part.

(f) **Nontransferable.**

(1) A certificate of registration issued pursuant to this part shall not be transferred from one firm to another.

(2) A license issued pursuant to this part shall not be transferred from one individual to another individual.

(g) A certificate of registration or license does not authorize a licensee to enforce this part or to enter any building or property without the owner's permission.

(h) Licensees shall not permit the use of their license by other persons or firms.

(i)(1) A licensed individual must be an employee of a certified firm and may only work for one (1) certified firm at a time.

(2) A licensed individual may perform only those acts authorized by the firm's certificate of registration.

(3) A licensee may perform only those acts authorized by his or her license.

(4) A certified firm may agree to perform work that the firm is not certified to

perform if the firm subcontracts the work to a firm certified by this board to perform the necessary work.

(j) For a fee, the board may issue a duplicate certificate of registration, license, or permit to replace one previously issued if the licensee submits to the board a written statement attesting to the fact that the certificate, license, or permit has been lost or destroyed.

Authority. Arkansas Code § 20-22-607.

20 CAR § 901-202. Firm certificate of registration.

(a)(1) The Arkansas Fire Protection Licensing Board shall not issue a certificate of registration if the name of the firm might confuse the public.

(2) A firm that intends to apply for a certificate of registration should contact the board concerning the acceptability of the proposed firm name.

(b)(1) A firm that wants to apply for a certificate of registration must submit a written verified application to the board.

(2) The application must be completed in full on the board's form and submitted as follows:

(A) The required fees must be submitted with the application;

(B) If the applicant is a business entity, the application must be accompanied by evidence of registration with the Secretary of State;

(C) The application must include:

(i) An individual application for each employee who is required to be licensed;

(ii) A current copy of the firm RME's National Institute for Certification in Engineering Technologies certification;

(iii)(a) A sample, not a copy, of the firm's service tags and placards.

(b) If changes are made to the design of the service tag or placards, a sample of the new version must be forwarded to the board office.

(c) A sample of the current service tag and current placard must

be on file with the board at all times;

(iv)(a) A copy of the firm's liability insurance declarations page that meets the requirements of Arkansas Code § 20-22-611.

(b)(1) Each certified firm shall maintain in force and on file in the board's office the proof of insurance as required.

(2) Failure to do so will be grounds for the emergency suspension of the firm's certificate, pursuant to Arkansas Code § 25-15-211; and

(v) Written authorization by the firm permitting any person authorized by the board to enter, examine, and inspect any premises, building, room, or establishment used by the firm in order for the board to determine compliance with the board's statutes and rules; and

(D) The application must be signed by:

(i) The sole proprietor;

(ii) Each partner; or

(iii) An officer of the corporation.

(3)(A) When all requirements are met, the board will issue a certificate of registration for a firm's main office and also for any branch office or offices with the respective name and address specified on the certificate.

(B) A certified firm must pay a fee for each additional certificate of registration issued to a branch office.

(C) The certified firm must post at each location the certificate of registration for that particular location.

(c)(1) If a certified firm changes the name, address, or phone number of any of its locations, the firm shall notify the board within fourteen (14) days after the change by submitting the required form and paying the required fee.

(2) If necessary, the board will then issue a new certificate of registration and new individual license or licenses that reflect the new information.

(d) Change in ownership.

(1)(A) The change of a firm's ownership invalidates the current certificate.

(B) A firm must submit an application for a new certificate at least

fourteen (14) days prior to a change in ownership, accompanied by the required fee.

(2)(A) If the firm's name changes as a result of the change in ownership, the firm must submit with the application all documentation described in subdivisions (b)(1) and (2) of this section.

(B) Upon approval, the board will issue a new certificate of registration to the firm and new individual licenses to the licensed employees that reflect the firm's new name.

(3)(A) If the firm's name does not change, the firm must submit all documentation described in subdivisions (b)(1) and (2) of this section except for the individual license applications in subdivision (b)(2)(C)(i) of this section.

(B) Upon approval, the board will issue a new certificate of registration to the firm, and the individual licensees may continue to operate under their existing licenses.

Authority. Arkansas Code § 20-22-607.

20 CAR § 901-203. Individual license.

(a) To be licensed, an individual must:

- (1) Be employed by a certified firm;
- (2) Submit the required fee and a fully completed licensing application using the Arkansas Fire Protection Licensing Board's form; and
- (3) Pass the required examinations.

(b) **Examination.**

- (1) An applicant must submit his or her application prior to testing.
- (2)(A) Examinations shall be given at least once per month at a place to be determined by the board.
 - (B) Individuals should contact the board to schedule testing.
- (3) An applicant must pass two (2) open-book examinations, which are:
 - (A)(i) An examination based on NFPA standards and described on the board's website, to be a fitter or inspector.

(ii) An applicant for an RME license is not required to take this exam.

(iii) An applicant must score at least eighty percent (80%) to pass the inspector exam and at least seventy percent (70%) to pass the fitter exam; and

(B)(i) An examination covering this part and the board's statutes.

(ii) An applicant must score at least eighty percent (80%) to pass this exam.

(4) An applicant who fails an examination may retake the examination after payment of an exam retake fee.

(c)(1) After all requirements have been met, the board will issue a wall license and a pocket-sized license, or permit, as applicable, to each individual licensee.

(2) The certified firm that employs the licensed individual shall post the license conspicuously on the premises of the firm's primary location.

(3) A licensee must keep his or her pocket license or permit on his or her person at all times while performing the work for which he or she is licensed.

(d)(1) An individual license may be transferred to a new certified firm by filing a transfer application with the required fees and documents.

(2) An authorized representative of the new employing firm must sign the transfer application.

(e) An individual licensee shall report any change in home address to the board within fourteen (14) days.

(f) **Responsible managing employee license.** One (1) of the following documents must accompany an RME license application:

(1) A copy of the applicant's current National Institute for Certification in Engineering Technologies (NICET) Level III or Level IV certificate or wallet card for fire protection automatic sprinkler system layout;

(2) A copy of a diploma showing the completion of a bachelor of science degree in fire protection engineering or engineering technology from a recognized institution, along with a minimum of three (3) years subsequent experience in fire sprinkler layout; or

(3) Evidence of certification by a program approved by the board.

(g) **Inspector license.** If an individual was licensed as an inspector on or before the effective date of this rule, the board will consider that individual to meet the requirements for an inspector's license as described in subsection (g) of this section.

(h) **Inspector or fitter license.** One (1) of the following documents must accompany an inspector or fitter application:

(1) An inspector or fitter license affidavit, which must be signed by the firm's RME testifying to the competency of the individual's training and having six thousand (6,000) hours of experience with fire protection sprinkler systems;

(2) Proof of completion of an approved three-year apprenticeship program with the United States Department of Labor Fire Sprinkler Fitter Program in order to obtain a fitter license;

(3) A minimum of an NICET Level II Inspection and Testing of Water-Based Systems certificate or wallet card; or

(4) Evidence of certification by a program approved by the board.

Authority. Arkansas Code § 20-22-607.

20 CAR § 901-204. Apprentice permit.

(a) New employees of certified firms may apply for an apprentice permit by:

(1) Submitting the required application; and

(2) Payment of the required fee.

(b) An apprentice must apply for a permit within sixty (60) days of initial employment by the firm.

(c)(1) The permit shall be valid for one (1) year from the date of issuance and may be renewed.

(2) An apprentice shall not continue to work as an apprentice after his or her permit expires.

(d) An apprentice, under the direct supervision of a licensee authorized to perform the work, may perform the work allowed by his or her firm's certificate of registration.

(e) All requirements applicable to licenses also apply to apprentice permits unless

this part states otherwise.

Authority. Arkansas Code § 20-22-607.

Cross Reference. Individual license, 20 CAR § 900-203.

20 CAR § 901-205. Reciprocity.

(a) **Required qualifications.** An applicant applying for reciprocal licensure shall meet the following requirements:

- (1) The applicant shall hold in good standing in another United States jurisdiction a license that is substantially similar to the type of license for which the individual is applying in Arkansas;
- (2) The applicant shall hold his or her occupational licensure in good standing;
- (3) The applicant shall not have had a license revoked for:
 - (A) An act of bad faith; or
 - (B) A violation of:
 - (i) Law;
 - (ii) Rule; or
 - (iii) Ethics;
- (4) The applicant shall not hold a suspended or probationary license in a United States jurisdiction; and
- (5) The applicant shall be sufficiently competent in the fire protection sprinkler system field.

(b) **Required documentation.**

- (1) An applicant shall submit:
 - (A) A fully executed application;
 - (B) The required fee; and
 - (C) The documentation described below.
- (2)(A) As evidence that the applicant's license from another jurisdiction is in good standing and is substantially similar to Arkansas's, the applicant shall submit

evidence of current and active licensure in that state.

(B) The Arkansas Fire Protection Licensing Board may verify this information online or by telephone.

(3)(A) To demonstrate that the applicant has not had a license revoked for bad faith or a violation of law, rule, or ethics, as required by subdivision (a)(3) of this section, and that the applicant does not hold a license on suspended or probationary status, as required by subdivision (a)(4) of this section, the applicant shall provide the board with:

(i) The names of all states in which the applicant is currently licensed or has been previously licensed; and

(ii) Letters of good standing or other information from each state in which the applicant is currently, or has ever been, licensed showing that the applicant:

(a) Has not had his or her license revoked for the reasons listed in subdivision (a)(3) of this section; and

(b) Does not hold a license on suspended or probationary status as described in subdivision (a)(4) of this section.

(B) The board may verify this information online or by telephone.

(4) As evidence that the applicant is sufficiently competent in the fire protection sprinkler system field, the applicant shall pass the Arkansas state examination.

(c) Temporary and provisional license.

(1) The board's executive director shall issue a temporary license immediately upon receipt of the required fee and the documentation required to show that the applicant has a license from another jurisdiction that is:

(A) In good standing; and

(B) Substantially similar to the Arkansas license for which the applicant is applying.

(2) An applicant shall submit a completed application with all required remaining documentation in order to receive a license.

(3) The temporary license shall be effective for ninety (90) days or until the

board makes a decision on the application, whichever occurs first.

Authority. Arkansas Code § 20-22-607.

20 CAR § 901-206. Applicants from states that do not license profession.

(a) **Required qualifications.** An applicant from a state that does not license the fire protection sprinkler system field shall meet the following requirements:

- (1) Be sufficiently competent in the fire protection sprinkler system field; and
- (2) Comply with the board's least restrictive requirements.

(b) **Required documentation.**

- (1) An applicant shall submit:
 - (A) A fully executed application;
 - (B) The required fee; and
 - (C) The documentation described below.
- (2) As evidence that the applicant is sufficiently competent in the fire protection sprinkler system field an applicant shall:
 - (A) Pass the applicable examination based on NFPA standards; and
 - (B) Pass the Arkansas state examination.
- (3) As evidence that the applicant meets the board's least restrictive requirements, the applicant shall provide proof of the applicable National Institute for Certification in Engineering Technologies certification.

Authority. Arkansas Code § 20-22-607.

20 CAR § 901-207. Expedited military licensure.

(a) **Definitions.** As used in this section:

- (1) "Uniformed service member" means an:
 - (A) Active or reserve component member of the United States Air Force, United States Army, United States Coast Guard, United States Marine Corps, United States Navy, United States Space Force, or National Guard;

(B) Active component member of the National Oceanic and Atmospheric Administration Commissioned Officer Corps; or

(C) Active or reserve component member of the United States Commissioned Corps of the Public Health Service; and

(2) "Uniformed service veteran" means a former member of the United States uniformed services discharged under conditions other than dishonorable.

(b) The Arkansas Fire Protection Licensing Board shall grant expedited licensure to an applicant who is:

(1) A uniformed service member stationed in the State of Arkansas;

(2) A uniformed service veteran who resides in or establishes residency in the State of Arkansas; or

(3) The spouse of a:

(A) Person under subdivision (b)(1) or (b)(2) of this section;

(B) Uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; or

(C) Uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state.

(c) The board shall grant such expedited licensure upon receipt of all of the below:

(1) Payment of the initial licensure fee;

(2) An application showing the applicant meets the licensure requirements described in this part;

(3) Evidence that the applicant is a qualified applicant under subsection (b) of this section; and

(4) Evidence that the applicant has passed the required examinations.

(d) **Military temporary license.**

(1) The board's executive director shall issue a temporary license immediately upon receipt of the fee and the other documentation described in subdivisions (c)(1), (2), and (3) of this section.

(2) The temporary license shall be effective for ninety (90) days or until the

applicant provides the document required in subdivision (c)(4) of this section showing the applicant has passed the required examinations.

(e) The expiration date of a license for a deployed uniformed service member or spouse will be extended for one hundred eighty (180) days following the date of the uniformed service member's return from deployment.

Authority. Arkansas Code § 20-22-607.

Subpart 3. Fee Schedule and Renewals

20 CAR § 901-301. Fee schedule.

(a) Every fee required by Arkansas Code § 20-22-601 et seq., and this part shall be paid in accordance with instructions on the board's website.

(b) Fees shall be as follows:

Certificate of Registration

Initial Fee	\$700.00
Renewal Fee	\$700.00
Application Fee	\$100.00
Branch Office	\$25.00

Responsible Managing Employee License

Initial Fee (which includes 1st exam fee)	\$300.00
Renewal Fee	\$300.00

Inspector License

Initial Fee (which includes 1st exam fee)	\$150.00
Renewal Fee	\$150.00

Fitter License

Initial Fee (which includes 1st exam fee)	\$50.00
Renewal Fee for Fitter License	\$50.00

Apprentice Permit

Initial/Renewal Fee for Apprentice Permit	\$25.00
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Other Fees

Transfer/Change/Duplication	\$25.00
Examination Retake Fee	\$25.00

Authority. Arkansas Code §§ 20-22-607, 20-22-610, 20-22-611.

20 CAR § 901-302. Renewals.

(a)(1) A certificate of registration, license, and permit must be renewed annually before the expiration date of June 30.

(2) The required fees and documentation must be submitted along with each application for renewal.

(3) A firm’s renewal application must include samples of its current placards and tags.

(b) A renewal application accompanied by a required fee and deposited with the United States Postal Service is deemed to be timely filed, regardless of actual date of delivery, when its envelope bears a legible postmark date that is on or before the expiration date of the document being renewed.

(c)(1) A certificate or license or permit expired for two (2) years or more cannot be renewed.

(2) A person whose license has been expired for two (2) years or more and who applies for a new license must take and pass another examination or examinations, unless otherwise specified herein.

(3) No examination or examinations is required for a license renewed within

two (2) years of expiration.

(d) A certificate, license, or permit expired for less than two (2) years may be renewed by payment of a fee, calculated in accordance with the following schedule:

(1) Expired one to ninety (1 – 90) days, renewal fee multiplied by one and one-half (1.5);

(2) Expired ninety-one to three hundred sixty- five (91 – 365) days, renewal fee multiplied by two (2); and

(3) Expired three hundred sixty-six to seven hundred twenty-nine (366 – 729) days, renewal fee multiplied by three (3).

(e) Anyone applying for relicensure who meets the conditions established in Arkansas Code § 17-1-107 and can demonstrate that he or she passed the applicable examination or examinations with scores sufficient for licensure at the time the individual's initial license was issued shall not be required to retake the examination or examinations in order to be relicensed.

Authority. Arkansas Code §§ 20-22-607, 20-22-611.

20 CAR § 901-303. Initial fee waiver for eligible applicants.

(a) Pursuant to Acts 2021, No. 725, an applicant may receive a waiver of the initial licensure fee, if eligible.

(b) Eligible applicants are individuals who:

(1) Are receiving assistance through the:

(A) Arkansas, or current state of residence equivalent, Medicaid Program;

(B) Supplemental Nutrition Assistance Program;

(C) Special Supplemental Nutrition Program for Women, Infants, and Children;

(D) Temporary Assistance for Needy Families Program; or

(E) Lifeline Assistance Program;

(2) Were approved for unemployment within the last twelve (12) months; or

(3) Have an income that does not exceed two hundred percent (200%) of the

federal poverty income guidelines.

(c) Applicants shall provide documentation showing their receipt of benefits from the appropriate state agency:

(1) For Medicaid, Supplemental Nutrition Assistance Program, Special Supplemental Nutrition Program for Women, Infants, and Children, Temporary Assistance for Needy Families Program, or Lifeline Assistance Program, documentation from the Department of Human Services or current state of residence equivalent agency;

(2) For unemployment benefits approval in the last twelve (12) months, the Division of Workforce Services or current state of residence equivalent agency; or

(3) For proof of income, copies of all Internal Revenue Service forms indicating applicant's total personal income for the most recent tax year, e.g., W2, 1099, etc.

(d) Applicants shall attest that the documentation provided under subsection (c) of this section is a true and correct copy and fraudulent or fraudulently obtained documentation shall be grounds for denial or revocation of license.

Authority. Arkansas Code § 20-22-607.

Subpart 4. Procedures — Responsibilities

20 CAR § 901-401. Installation, inspection, and service.

(a) All sprinkler systems installed under Arkansas Code § 20-22-601 et seq. shall be under the supervision of a licensed RME and other licensed individuals as addressed in this section.

(b) The fire protection sprinkler system firm is responsible for the maintenance, inspection, servicing, or installation of a fire protection sprinkler system to the extent those duties are delegated to the firm by the property owner or manager.

(c)(1) The firm shall keep complete records of the tests and operations of each system.

(2) The records shall be available for examination by the State Fire Marshal or

AHJ.

(d)(1) Beginning at the demarcation valve where water is used exclusively for fire sprinkler systems installation, testing or servicing shall be:

(A) Performed by a fire protection sprinkler system firm or under the direct supervision, as defined in this part, thereof; and

(B) In compliance with the adopted code and standards.

(2) Such direct supervision includes, but is not limited to, assurance, by inspection, that:

(A) Listed materials and proper restraints are used;

(B) Such work is flushed;

(C) Hydrostatic testing of two hundred pounds per square inch (200 psi) for two (2) hours is performed;

(D) The work is hydraulically calculated; and

(E) Contractor's Material and Test Certificates reference:

(i) Any subcontracted work;

(ii) Who performed such work, with all contact information; and

(iii) The exact scope of such work.

(3) Direct supervision is not required for the:

(A) Opening or closing of any required trenches; or

(B) Actual placement of piping and equipment.

Authority. Arkansas Code § 20-22-607.

20 CAR § 901-402. RME responsibilities.

(a) The RME is responsible for fulfilling the responsibilities described in the definition of "Responsible Managing Employee" and in this part.

(b) The RME is:

(1) Responsible for ensuring that all plans and drawings:

(A) Satisfy the requirements of the contract; and

(B) Have been approved by the AHJ;

(2) Authorized to perform duties of a licensed inspector and fitter in addition to the RME's primary role; and

(3) Responsible for distributing a Contractor's Material and Test Certificate as follows:

(A) The certified firm that performed the installation must retain the original; and

(B) One (1) copy shall be kept at the site after completion of the installation.

Authority. Arkansas Code § 20-22-607.

20 CAR § 901-403. Fitter's responsibilities.

(a) A fitter is responsible for fulfilling the responsibilities described in the definition of "fitter" and in this part.

(b) The fitter is responsible for installing the sprinkler system in accordance with:

(1) Drawings approved by the firm's RME; and

(2) All applicable rules, codes, and standards.

(c) At least one (1) licensed fitter shall be onsite when a fire protection sprinkler system is being installed or serviced.

(d) Once an installation is complete, the fitter:

(1) Shall perform testing and provide documentation for such testing in accordance with the appropriate NFPA standard; and

(2) Is responsible for:

(A) Completing the Contractor's Material and Test Certificate in accordance with the appropriate NFPA standard; and

(B) Attaching the permanent green installation tag.

Authority. Arkansas Code § 20-22-607.

Codification Notes. "Fitter" is defined in 20 CAR § 901-106.

20 CAR § 901-404. Inspector’s responsibilities.

(a) An inspector is responsible for fulfilling the responsibilities described in the definition of “inspector” and in this part.

(b)(1) A licensed inspector employed by a fire protection sprinkler system firm shall:

(A) Conduct inspections in compliance with NFPA 25; and

(B) Prepare inspection reports using sample forms from NFPA 25.

(2) The firm shall retain a copy of each inspection report.

(c) If a system requires a yellow or red tag, the inspection report shall include the words “Yellow Tag” or “Red Tag” in the upper right-hand corner of the first page.

(d)(1) An inspector shall provide the written inspection reports to the property owner, occupant, or other designated responsible person.

(2) If the system requires a yellow or red tag, the report shall be filed with the AHJ.

Authority. Arkansas Code § 20-22-607.

Codification Notes. “Inspector” is defined in 20 CAR § 901-106.

20 CAR § 901-405. Fire pumps.

(a)(1) Fire pump installation, inspection, or testing must be performed or officially supervised by a certified fire protection sprinkler system firm using properly licensed employees.

(2) A firm may use a distributor or manufacturer’s representative to perform these services as long as the representative is supervised by a certified firm.

(b)(1) Once the fire pump inspection, installation, and testing is completed, an AFSA or National Fire Sprinkler Association form shall be completed.

(2)(A) An inspection report shall be retained on file by the firm, and a copy shall be furnished to the owner, occupant, or other designated responsible person.

(B) If the system requires a yellow or red tag, the report shall be filed with the AHJ.

Authority. Arkansas Code § 20-22-607.

Subpart 5. Placards and Tags

20 CAR § 901-501. Placard standards and requirements.

(a) Every new system shall receive a General Information Placard and Hydraulic Information Placard, as described in NFPA 13 and 25, that is to be placed in plain view on the system riser.

(b) Where remodeled areas create a more hydraulically demanding area, the hydraulic placard shall be updated and replaced.

(c) Placards shall meet the following requirements:

(1) The placards shall be no less than two thousandths of an inch (0.002") in thickness and shall be made of aluminum foil or more rigid material;

(2) Size shall be no less than five inches (5") wide by seven inches (7") long;

(3) The wording on the General Information Placard and the Hydraulic Information Placard shall:

(A) Be per NFPA 13 or its appendix;

(B) Also contain the following information:

(i) The statement "DO NOT REMOVE, DESTROY OR OBSTRUCT BY ORDER OF THE STATE FIRE MARSHAL" in bold type and font size shall be no smaller than sixteen (16);

(ii) RME name and number;

(iii) Company certificate of registration number;

(iv) Arkansas contractor's license number; and

(v) Fire sprinkler company:

(a) Name;

(b) Address; and

- (c) Telephone number; and
- (C) Be legible and permanent so as not to rub off.

Authority. Arkansas Code § 20-22-607.

Codification Notes. NFPA 13 is the Standard for the Installation of Sprinkler Systems produced by the National Fire Protection Association.

NFPA 25 is the Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems produced by the National Fire Protection Association.

20 CAR § 901-502. Tags — Generally.

(a) Format.

(1) Every system shall receive the tags described in this part, in such a position as to permit convenient inspection and not hamper actuation or operation of the system.

(2) Tags shall be between five and one-fourth inches (5 1/4") and five and one-half inches (5 1/2") inches in height and two and five-eighths inches (2 5/8") in width.

(3) All tags:

(A) Must utilize a "punch out" system for dating; and

(B) May be printed and established for a period of five (5) years.

(4) Tags shall bear the following information:

(A) Printed at the top of the tag in all capital letters in at least sixteen-point bold face type will be the following: "DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL.";

(B) Name, address, telephone number, and certificate number of the firm performing the service;

(C) Name and license number of the firm's inspector or RME clearly printed;

- (D) Signature and license number of the person performing the work;
- (E) Day, month, and year the work was completed;
- (F) Type of work performed:
 - (i) Installation;
 - (ii) Service;
 - (iii) Maintenance; or
 - (iv) Inspection;
- (G) Name and address of the property owner where the work was performed;
- (H) Description and address of the property where the work was performed; and
- (I) Comments/impairments shall include three (3) or more lines.

Authority. Arkansas Code § 20-22-607.

20 CAR § 901-503. Original installation tag.

Once a licensed fitter or inspector has successfully tested any new system as required by NFPA, such system is eligible for being placed into service after:

- (1) The licensed fitter:
 - (A) Affixes the original installation tag; and
 - (B) Fills out the Contractor's Material and Test Certificate; and
- (2) The system is accepted by the AHJ.

Authority. Arkansas Code § 20-22-607.

20 CAR § 901-504. Service tag.

(a)(1) Prior to performing any service work, a service tag shall be placed on the riser of the system being serviced and such tag shall be updated as the system is serviced.

- (2) This tag shall remain until further service work is performed and another

service tag is placed on the system.

(b) A licensed fitter shall affix a service tag after performing work on any existing system, whether the alterations made are due to:

- (1) Demolition;
- (2) Addition;
- (3) Correction of deficiencies or impairments; or
- (4) Other service work.

Authority. Arkansas Code § 20-22-607.

20 CAR § 901-505. Inspection, Test, and Maintenance (ITM) tag.

Using forms approved by the Arkansas Fire Protection Licensing Board, a licensed inspector shall affix an ITM tag on any system that has successfully passed inspection.

Authority. Arkansas Code § 20-22-607.

20 CAR § 901-506. Green tag.

Any system that is green-tagged is understood to have successfully passed inspection by a licensed inspector or RME utilizing approved inspection forms.

Authority. Arkansas Code § 20-22-607.

20 CAR § 901-507. Yellow tag.

(a) Impairments, critical deficiencies, and noncritical deficiencies, as described in NFPA 25 and its Table E.1, warrant a yellow tag.

(b) An RME or inspector who finds an impairment, critical deficiency, or noncritical deficiency must:

- (1) Hang a yellow tag;
- (2) Notify the building owner; and
- (3)(A) Send the inspection report to the AHJ.

(B) This information must be sent by mail or fax within fourteen (14) business days of inspection.

Authority. Arkansas Code § 20-22-607.

Codification Notes. NFPA 25 is the Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems produced by the National Fire Protection Association.

20 CAR § 901-508. Red tag.

(a) Any system that is red-tagged is:

- (1) Understood to be emergency impaired; and
- (2) Not acceptable to connect to in the case of emergency operations.

(b)(1) An "impairment" is a shutdown of a system or portion thereof.

(2) The two (2) types of impairments are as follows:

(A) Emergency.

(i) A condition where a water-based fire protection sprinkler system or portion thereof is out of order due to an unexpected occurrence, such as:

- (a) A ruptured pipe;
- (b) An operated sprinkler; or
- (c) An interruption of the water supply to the system.

(ii) All impairments that would interfere with the fire department's ability to rely upon the fire sprinkler system's reliability are considered to be emergency impairments; and

Example:

A potential or immediate hazard that jeopardized water flow conditions in the fire department connection supply line.

Bad fire department connection threads.

An obstruction in the fire department connection supply.

Any openings in the system, whether piping or sprinklers, defective fire department connection check valves, etc.

(B) **Preplanned.** A condition where a water-based fire protection sprinkler system or a portion thereof is out of service due to work that has been planned in advance, such as revisions to the water supply or sprinkler system piping.

(c)(1) If a licensee finds an emergency impairment in a system, he or she shall complete and affix a red tag.

(2)(A) Also, one (1) laminated red tag is to be placed on the exterior fire department connection.

(B) Peel and seal clear laminate is acceptable.

(3) The RME or inspector shall discuss the impairments with the owner and immediately notify the local AHJ or the State Fire Marshal within twenty-four (24) hours, either by telephone or in writing, and follow up by sending a copy of the inspection report or a copy of the completed tags, front and back, by mail, email, or fax within five (5) business days of inspection.

Authority. Arkansas Code § 20-22-607.

20 CAR § 901-509. Authorized tag personnel.

Only the following persons are authorized to attach or remove tags:

(1) A fire protection sprinkler system firm's:

(A) RME;

(B) Fitter; or

(C) Inspector;

(2) The State Fire Marshal; or

(3) The AHJ.

Authority. Arkansas Code § 20-22-607.

Subpart 6. Board meetings — Complaints — Investigations

20 CAR § 901-601. Board meetings.

(a) The Arkansas Fire Protection Licensing Board will conduct at least four (4) regular meetings per year.

(b) Special meetings of the board may be called at any time:

- (1) By a majority of the board; or
- (2) At the discretion of the chair of the board.

(c)(1) The chair will preside at all meetings.

(2) The co-chair will preside in the chair's absence.

(d)(1) Any person desiring to appear before the board shall, at least fifteen (15) days prior to such meeting, file with the board a written request therefore, in which the nature and purpose of the appearance shall be clearly and concisely stated to fully apprise the board of the basis and extent of such business.

(2) An estimate of time needed must be stated on the request.

(e) The board shall:

- (1) Arrange the order of business of all meetings of the board; and
- (2) At least ten (10) days prior thereto, notify all persons who are to appear before any such meeting the place and approximate time to appear before the board.

(f)(1) The chair may establish such committees as shall be necessary to carry out the affairs and further the purposes of the board.

(2) The chair shall appoint the membership to all committees.

Authority. Arkansas Code § 20-22-607.

20 CAR § 901-602. Complaints.

(a) Complaints must be submitted to the Arkansas Fire Protection Licensing Board

in written form.

(b) The board staff will date stamp the complaint, and a complaint number will be assigned when received in the board office.

Authority. Arkansas Code § 20-22-607.

20 CAR § 901-603. Investigations — Hearings — Alternate proceedings.

(a) The Arkansas Fire Protection Licensing Board may, on its own motion, initiate investigations.

(b) The board or a designated board committee will review the complaint and determine:

- (1) Whether the allegations fall within the board's jurisdiction; and
- (2) Whether to proceed to investigate the allegations.

(c) Once the investigation is complete, the board or a designated board committee will determine whether there is sufficient evidence to make a prima facie case that the board's statutes or rules have been violated.

(d) Hearings.

(1) If it is determined there is a prima facie case, the board or a designated board committee will either:

- (A) Issue a Notice of Hearing; or
- (B) Invoke the alternate proceedings described in subsection (e) of this section.

(2) All hearings will be conducted in accordance with the Arkansas Administrative Procedure Act, Arkansas Code § 25-15-201 et seq.

(e) Alternate proceedings.

(1) If the board or the board's designated committee determines that violations, if proved, would not warrant license suspension, revocation, or a fine greater than one thousand dollars (\$1,000), the committee may recommend the complaint be handled in a summary manner.

(2) The decision will be referred to the board chair for acceptance or rejection.

(3)(A) If the board chair approves the use of alternate proceedings, the respondent will be notified that:

(i) He or she has violated the board's law; and

(ii) The board proposes a fine of one thousand dollars (\$1,000) or less.

(B) The notice will further inform the respondent that he or she has the right to reject the proposed fine and have a full evidentiary hearing.

Authority. Arkansas Code § 20-22-607.