

Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 10-0824.01 Kristen Forrestal

HOUSE BILL 10-1241

HOUSE SPONSORSHIP

Casso,

SENATE SPONSORSHIP

Tochtrop,

House Committees

Business Affairs and Labor
Appropriations

Senate Committees

Business, Labor and Technology
Appropriations

A BILL FOR AN ACT

101 **CONCERNING REQUIRED REGISTRATION FOR PERSONS WHO WORK ON**
102 **FIRE SUPPRESSION SYSTEMS, AND MAKING AN APPROPRIATION**
103 **THEREFOR.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill prohibits a person from acting or advertising as a sprinkler fitter unless the person has registered with the state fire suppression administrator. In order to register, a person shall pay a fee and:

! Demonstrate that he or she has successfully completed a

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
3rd Reading Unamended
May 3, 2010

SENATE
Amended 2nd Reading
April 30, 2010

HOUSE
3rd Reading Unamended
March 29, 2010

HOUSE
Amended 2nd Reading
March 26, 2010

- ! sprinkler fitter apprenticeship program;
- ! Complete an application for reciprocity;
- ! Perform at least 8,000 hours of documented practical work experience on fire suppression systems; or
- ! Otherwise demonstrate competency as a sprinkler fitter as determined by the administrator.

The bill also requires a sprinkler fitter to complete continuing education. The bill requires annual renewal of registration and the successful completion of a revised examination in the years that the fire and building codes are revised.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** The general assembly
3 finds and determines that in the interest of promoting public safety,
4 persons performing work on fire suppression systems should meet at least
5 minimum skill training standards that demonstrate competency in the
6 sprinkler fitter trade. Therefore the general assembly declares that the
7 purpose of this act is to expand the regulation of persons who work on
8 fire suppression systems to include all persons who work as sprinkler
9 fitters.

10 **SECTION 2.** 12-58-104 (1), Colorado Revised Statutes, is
11 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

12 **12-58-104. Powers of board - fees - rules.** (1) In addition to all
13 other powers and duties conferred or imposed upon the board by this
14 article, the board is authorized and empowered to:

15 (k) ESTABLISH MINIMUM REQUIREMENTS AND STANDARDS FOR THE
16 INSPECTION OF MULTI-PURPOSE RESIDENTIAL FIRE SPRINKLER SYSTEMS IN
17 ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES THAT ARE PART OF
18 THE POTABLE WATER SUPPLY, BY REQUIRING INSPECTORS OF
19 MULTI-PURPOSE RESIDENTIAL FIRE SPRINKLER SYSTEMS IN ONE- AND
20 TWO-FAMILY DWELLINGS AND TOWNHOUSES TO BE CERTIFIED BY THE

1 DIVISION OF FIRE SAFETY IN THE DEPARTMENT OF PUBIC SAFETY PURSUANT
2 TO SECTION 24-33.5-1206.4, C.R.S.

3 **SECTION 3.** 24-33.5-1202 (6), Colorado Revised Statutes, is
4 amended, and the said 24-33.5-1202 is further amended BY THE
5 ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

6 **24-33.5-1202. Definitions.** As used in this part 12, unless the
7 context otherwise requires:

8 (3.4) "CROSS-CONNECTION CONTROL DEVICE" MEANS AN
9 INSTALLATION, DEVICE, OR ASSEMBLY LOCATED BETWEEN THE WATER
10 SUPPLY AND FIRE SUPPRESSION PIPING TO PREVENT THE UNDESIRABLE
11 REVERSAL IN THE FLOW OF WATER FROM A REAL OR POTENTIAL SOURCE OF
12 CONTAMINATION BACK TO THE POTABLE WATER SUPPLY. A
13 CROSS-CONNECTION CONTROL DEVICE IS ALSO REFERRED TO AS A BACK
14 FLOW PREVENTER.

15 (6) "Fire suppression system" means an assembly of any or all of
16 the following: Piping valves, conduits, dispersal openings, sprinkler
17 heads, orifices, and other similar devices that convey extinguishing agents
18 for the purpose of controlling, confining, or extinguishing fire, with the
19 exception of MULTIPURPOSE RESIDENTIAL FIRE SPRINKLER SYSTEMS IN
20 ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES THAT ARE PART OF
21 THE POTABLE WATER SUPPLY, pre-engineered range hoods, duct systems,
22 and portable fire extinguishers.

23 (13.3) "SPRINKLER FITTER" MEANS A PERSON OTHER THAN AN
24 APPRENTICE WHO IS REGISTERED WITH THE ADMINISTRATOR AND WHO
25 INSTALLS FIRE SUPPRESSION SYSTEMS. "SPRINKLER FITTER" DOES NOT
26 INCLUDE A PERSON WHO PERFORMS MAINTENANCE AND REPAIR ON FIRE
27 SUPPRESSION SYSTEMS AS A PART OF HIS OR HER EMPLOYMENT. A

1 SPRINKLER FITTER DOES NOT INCLUDE A PERSON WHO PERFORMS WORK
2 EXCLUSIVELY ON CROSS-CONNECTION CONTROL DEVICES OR A PERSON
3 WHO PERFORMS WORK EXCLUSIVELY ON AN UNDERGROUND SYSTEM.
4 "SPRINKLER FITTER" DOES NOT INCLUDE A PERSON PERFORMING WORK ON
5 HIS OR HER OWN HOME.

6 (13.7) "SPRINKLER FITTER APPRENTICESHIP PROGRAM" MEANS AN
7 APPRENTICESHIP TRAINING PROGRAM THAT IS REGISTERED WITH EITHER
8 THE OFFICE OF APPRENTICESHIP TRAINING, EMPLOYER AND LABOR
9 SERVICES IN THE EMPLOYMENT AND TRAINING ADMINISTRATION IN THE
10 UNITED STATES DEPARTMENT OF LABOR OR A STATE APPRENTICESHIP
11 AGENCY IN ACCORDANCE WITH THE REQUIREMENTS OF 29 CFR 29.1 ET
12 SEQ., OR OTHER SIMILAR APPRENTICE PROGRAM APPROVED BY THE
13 ADMINISTRATOR, AND CONSISTS OF A MINIMUM OF EIGHT THOUSAND
14 HOURS OF DOCUMENTED PRACTICAL WORK EXPERIENCE ON FIRE
15 SUPPRESSION SYSTEMS, COMBINED WITH A MINIMUM OF SEVEN HUNDRED
16 HOURS OF RELATED INSTRUCTION, INCLUDING CLASSROOM OR SHOP
17 INSTRUCTION, IN THE SPRINKLER FITTER TRADE.

18 (13.9) "UNDERGROUND SYSTEM" MEANS THE SYSTEM OF BELOW
19 GROUND PIPING, VALVES, APPLIANCES, AND APPURTENANCES THAT
20 PHYSICALLY CONNECT THE WATER SUPPLY TO A FIRE SUPPRESSION
21 SYSTEM.

22 **SECTION 4.** Part 12 of article 33.5 of title 24, Colorado Revised
23 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
24 read:

25 **24-33.5-1206.7. Sprinkler fitters - registration required - rules.**

26 (1) NO PERSON SHALL ACT, ASSUME TO ACT, OR ADVERTISE AS A
27 SPRINKLER FITTER WHO IS NOT REGISTERED WITH THE ADMINISTRATOR.

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(2) A REGISTERED SPRINKLER FITTER SHALL OBTAIN ANY LOCALLY REQUIRED LICENSES OR PERMITS AND COMPLY WITH LOCAL BUILDING CODES.

(3) IN ORDER TO REGISTER WITH THE ADMINISTRATOR, A SPRINKLER FITTER SHALL PAY A FEE AS DETERMINED BY THE ADMINISTRATOR AND SHALL:

(a) PROVIDE EVIDENCE DEMONSTRATING THAT HE OR SHE SUCCESSFULLY COMPLETED A SPRINKLER FITTER APPRENTICESHIP PROGRAM AND TAKE AND PASS AN EXAMINATION ESTABLISHED AND APPROVED BY THE ADMINISTRATOR;

(b) COMPLETE AN APPLICATION FOR REGISTRATION BY RECIPROCITY ESTABLISHED BY RULES OF THE ADMINISTRATOR THAT DEMONSTRATES COMPETENT EVIDENCE THAT THE APPLICANT IS CURRENTLY AUTHORIZED TO PRACTICE AS A SPRINKLER FITTER IN ANOTHER STATE THAT HAS ESTABLISHED QUALIFICATION REQUIREMENTS SUBSTANTIALLY SIMILAR TO, OR GREATER THAN, THE REQUIREMENTS ESTABLISHED IN THIS SECTION OR BY RULE OF THE ADMINISTRATOR;

(c) PROVIDE EVIDENCE DEMONSTRATING THAT HE OR SHE PERFORMED AT LEAST EIGHT THOUSAND HOURS OF DOCUMENTED PRACTICAL WORK EXPERIENCE ON FIRE SUPPRESSION SYSTEMS WITHIN THE PAST FIVE YEARS; OR

(d) OTHERWISE DEMONSTRATE COMPETENCY AS A SPRINKLER FITTER AS DETERMINED BY THE ADMINISTRATOR.

(4) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (3) OF THIS SECTION, A PERSON WHO IS ENROLLED IN A SPRINKLER FITTER APPRENTICESHIP PROGRAM MAY PERFORM WORK ON A FIRE SUPPRESSION

1 SYSTEM UNDER THE DIRECT SUPERVISION OF AND IN THE IMMEDIATE
2 PRESENCE OF A SPRINKLER FITTER.

3 (5) (a) A REGISTERED SPRINKLER FITTER SHALL COMPLETE
4 CONTINUING EDUCATION REQUIREMENTS ESTABLISHED BY RULE OF THE
5 ADMINISTRATOR.

6 (b) A SPRINKLER FITTER SHALL APPLY TO RENEW HIS OR HER
7 REGISTRATION ANNUALLY. THE ADMINISTRATOR SHALL RENEW, FOR A
8 PERIOD OF ONE YEAR, A SPRINKLER FITTER REGISTRATION UPON RECEIPT
9 OF A COMPLETED RENEWAL APPLICATION AND A RENEWAL FEE AS
10 DETERMINED BY THE ADMINISTRATOR. IN YEARS THAT THE FIRE AND
11 SAFETY CODE IS REVISED, A SPRINKLER FITTER SHALL ALSO SUCCESSFULLY
12 COMPLETE A REVISED EXAMINATION IN ORDER TO RENEW HIS OR HER
13 REGISTRATION.

14 (6) THE ADMINISTRATOR MAY PROMULGATE RULES AS NECESSARY
15 FOR THE IMPLEMENTATION OF THIS SECTION.

16 **SECTION 5.** The introductory portion to 12-58-102 (5) (a) and
17 12-58-102 (5) (a), Colorado Revised Statutes, are amended to read:

18 **12-58-102. Definitions.** As used in this article, unless the context
19 otherwise requires:

20 (5) (a) "Plumbing" includes the following items located within the
21 building or extending five feet from the building foundation, excluding
22 any service line extending from the first joint to the property line: All
23 potable water supply and distribution pipes and piping; all plumbing
24 fixtures and traps; all drainage and vent pipes; all building drains,
25 including their respective joints and connections, devices, receptacles,
26 and appurtenances; ALL MULTIPURPOSE RESIDENTIAL FIRE SPRINKLER
27 SYSTEMS IN ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES THAT

1 ARE PART OF THE POTABLE WATER SUPPLY; and all medical gas and
2 vacuum systems in health care facilities. "Plumbing" does not include:

3 (I) The installation, extension, alteration, or maintenance,
4 including the related water piping and the indirect waste piping
5 therefrom, of domestic appliances equipped with backflow preventers,
6 including lawn sprinkling systems, residential ice makers, humidifiers,
7 electrostatic filter washers, water heating appliances, water conditioning
8 appliances not directly connected to the sanitary sewer system, building
9 heating appliances and systems, fire protection systems EXCEPT FOR
10 MULTI-PURPOSE RESIDENTIAL FIRE SPRINKLER SYSTEMS IN ONE- AND
11 TWO-FAMILY DWELLINGS AND TOWNHOUSES THAT ARE PART OF THE
12 POTABLE WATER SUPPLY, air conditioning installations, process and
13 industrial equipment and piping systems, or indirect drainage systems not
14 a part of a sanitary sewer system; or

15 **SECTION 6. Appropriation.** In addition to any other
16 appropriation, there is hereby appropriated, out of any moneys in the fire
17 suppression cash fund created in section 24-33.5-1207.6, Colorado
18 Revised Statutes, not otherwise appropriated, to the department of public
19 safety, office of preparedness, security, and fire safety, for personal
20 services, for the fiscal year beginning July 1, 2010, the sum of fifteen
21 thousand dollars (\$15,000), or so much thereof as may be necessary, for
22 the implementation of this act.

23 **SECTION 7. Act subject to petition - specified effective date**
24 **- applicability.** (1) This act shall take effect July 1, 2011; except that,
25 if a referendum petition is filed pursuant to section 1 (3) of article V of
26 the state constitution against this act or an item, section, or part of this act
27 within the ninety-day period after final adjournment of the general

1 assembly, then the act, item, section, or part shall not take effect unless
2 approved by the people at the general election to be held in November
3 2010 and shall take effect on July 1, 2011, or on the date of the official
4 declaration of the vote thereon by the governor, whichever is later.

5 (2) The provisions of this act shall apply to persons who work on
6 fire suppression systems on or after the applicable effective date of this
7 act.