

# OFFICE OF THE STATE FIRE MARSHAL

## CALIFORNIA CODE OF REGULATIONS, TITLE 19, DIVISION 1, CHAPTER 5.5

### AUTOMATIC FIRE EXTINGUISHING SYSTEMS CERTIFICATION

## UPDATE OF INITIAL STATEMENT OF REASONS

### AMENDMENTS TO SECTIONS:

923, 924, 924.1, 924.2, 924.3, 924.4, 924.5, 924.7, 924.9, 924.10, 924.11, 924.12, 925, 925.1, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 947.1, 947.2, 948, 948.1, 949, 950.

### TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY OR REPORT OR SIMILAR DOCUMENT RELIED UPON - MATERIALS ADDED TO THE RULEMAKING FILE

1. “*U.S. EXPERIENCE WITH SPRINKLERS*”, by John R. Hall, Jr. This study (dated June 2013) was to evaluate the effectiveness of Automatic Sprinkler systems from 2007-2011, published by the National Fire Protection Association (NFPA).
2. “Automatic Extinguishing Systems Certification Issue” Survey. This fire service survey presented on September 15, 2014 to the Automatic Extinguishing Committee. The survey was taken from July 1, 2014 thru August 1, 2014. The data collected came from the following areas.
  - Fire Service Survey
  - Contractors Survey
  - Complaints filed with OSFM & CSLB
  - Comments from the Public
  - Pictures provided by the Industry
3. California Licensed Contractor Article, Berrigan, Bob. “Fire Protection Systems Installers Licensed.” *California Licensed Contractor, Official Publication of the Contractors State License Board*, Spring of 1990: page 5.
4. Union Wage and Benefit Support Document. This is a cost analysis of the “union” apprenticeship programs for the State of California. This document was provided by Randy Roxson, who represented the Sprinkler Fitters Association of California on the development workgroup for this proposed regulation package on August 13, 2015.
5. Non-union Fiscal Impact Document was a cost analysis of the “non-union” apprenticeship programs for the State of California. This document was provided by Tom McKinnon, who represented AFSA National Association on the development workgroup for this proposed regulation package on August 3, 2015

6. Automatic Extinguishing Systems (AES) Fire Sprinkler Fitter Certification Profile Flow Chart. This document gives some example profiles of certification tracks that may apply to particular individual circumstances.
7. In connection with the 15-Day modifications to the regulations, the Office of the State Fire Marshal consulted with The California Apprenticeship Council. These were conversations only, and there were no documents relied upon or added to the rulemaking file in connection with these consultations.

## **DOCUMENTS INCORPORATED BY REFERENCE**

As incorporated by reference, Forms AES 1005 (dated Dec 4, 2015) and AES 1008 (dated Dec 4, 2015) were edited which resulted in creating additional Form AES 1005A (dated Dec 4, 2015) in order to simplify the application process for the apprentice/trainee registration.

## **THE FOLLOWING ARE THE SPECIFIC SECTIONS AND RATIONAL FOR AMENDMENTS MADE FOR THE 15-DAY MODIFICATIONS:**

- §923(a). Text was deleted as it is not applicable to the Section.
- §923(1). Formatting requirement.
- §923(2). Text addition to point out the exclusion of particular operations as part of the Scope's description and provide further clarity.
- §923(3). Text addition to point out the exclusion of particular operations as part of the Scope's description and provide further clarity.
- §924(a). Text and grammar changes were made to further clarify definition.
- §924(b). Text and grammar changes clarifying the definition "Apprentice" and last sentence was removed as the JREP, renamed Job Related Experience Validation (JRTER) during this revision process, is not a training program.
- §924.1(a). Text changes clarifying the definition "Certified Fire Sprinkler Fitter" by adding references to the CA Apprenticeship Program, certification card and formatting of text to show options 1 and 2. The removal of Sprinkler Fitter after Journeyman and the sentence regarding the necessity to meet training and experience prerequisites.
- §924.1(c). Text revisions made to sub-section for further regulation clarity.
- §924.2(a). Grammar change.
- §924.3(a). Text edits/additions were made for grammar and punctuation purposes clarify the intent of the regulation.
- §924.4(a). The word modification was changed to alteration because it was already defined in Article 2.
- §924.5(a). The definition JREP was changed to JRTER as a means of validating time and experience and is not intended to be a "training program"
- §924.5(b). "JRTER Participant" was added to the definition section for further clarity.
- §924.5(c). Text revision, grammar and formatting changes made to sub-section due to the addition of (b).
- §924.7(a). Text revisions for the purpose of grammar.

- §924.9(a). To clarify the documentation requirements for a Registered Fire Sprinkler Fitter.
- §924.10(a). Added language clarifying the definition “State Fire Marshal”.
- §924.10(b). Added language clarifying the definition “State Fire Marshal Designee”.
- §924.11(a). Text was removed to provide consistency. Sections, when referenced, do not note the title in these definitions.
- §924.12(a). Text was added to include an additional type of Water-based Fire Protection System.
- §925(a). Text revisions were made to the sub-section to clarify the requirements of being certified/registered to install Water-based Fire Protection Systems.
- §925(b). Text revisions for the purpose of grammar.
- §925(c). Altered to reflect accurate information on fee payment methods.
- §925(d). Altered to reflect accurate information on fee payment methods.
- §925.1. Text revisions for the purpose of grammar.
- §925.1(5). Text was removed as expired certification or registration cannot be renewed in accordance with Section 935.
- §925.1(6). Renumber to (5) reflect removal of (5)
- §925.1(7). Renumber to (6) reflect removal of (5)
- §925.1(8). Renumber to (7) reflect removal of (5)
- §925.1(9). The text revision of JREP to JRTER and renumber to (8) reflect removal of (5).
- §925.1(10). Text revisions for the purpose of grammar and renumber to (9) reflect removal of (5).
- §926. Text and grammar changes were made to clearly identify the supervisory span of control as it relates to this regulation.
- §927. Text edits were made to identify “authority to govern” related to certification/registration violations, provide regulation consistency and to correct a reference to a specific Section.
- §928. Formatting changes were made for regulation consistency.
- §929. Punctuation revision implemented. Text edits were made to specify the “authority to” associated with violations outlined in this Article and to add a Section reference to provide regulation consistency.
- §930. Added the (a) to better define who is to receive reports from the AHJ. Editorial change replacing the word action with “violation” as it relates to a 15 day written requirement of reporting Fire Sprinkler Fitter violations.
- §930(b). Added to better define what the OSFM will do with specific reports that they receive from the AHJ.
- §930(c). Added to better define what the OSFM will do with specific reports that they receive from the AHJ.
- §931(a). Text revisions for the purpose of grammar and regulation consistency.
- §931(d). Text revisions for the purpose of grammar.
- §932(b). Text revisions for the purpose of grammar.
- §932(c)(2). Addition of text to specify who may perform an inspection as it relates to the Section.
- §932(c)(3). Text revisions for the purpose of grammar.
- §932(c)(4). Text revisions for the purpose of grammar.
- §932(c)(5). Text revisions for the purpose of grammar.
- §933. Reference to Section 903.1 deleted.
- §933(a). Text and punctuation revisions for the purpose of grammar.

- §933(b). Text revisions for the purpose of grammar.
- §933(c). Identify within the Section what constitutes a “deceptive practice”.
- §934. Text and grammar changes were made for the purpose of regulation clarity.
- §935. Text revisions for the purpose of grammar.
- §936. Text relocation, moved section for clarity purposes.
- §937. Text revisions for the purpose of grammar.
- §938. Addition of “Fitter” to Section Title.
- §938(a). Changes made to sub-section to clarify the definition “Fire Sprinkler Fitter” and JREP to JRTER.
- §938(b). Text revisions for the purpose of grammar and regulation clarity.
- §938(b)(1). Added text that replaced the existing verbiage, to clarify the requirements of a Fire Sprinkler Fitter Trainee. This includes methods of meeting necessary criteria and time limitations on the JRTER.
- §938(b)(2). Text change for regulation consistency.
- §938(b)(3). Text revisions for the purpose of grammar.
- §938(c). Added text regarding methods of meeting necessary criteria and time limitations on the JRTER.
- §939. Addition of “Fitter” to Section Title.
- §939(a). Formatting change made to sub-section text for clarity purposes.
- §939(b). Formatting change made to sub-section text for clarity purposes.
- §939(c). Text and formatting changes made to sub-section text for clarity purposes.
- §939(d). Text revisions for the purpose of grammar.
- §940. Addition of “Fitter” to Section Title.
- §940(a). Text revisions for the purpose of grammar.
- §940(b). Text revisions for the purpose of grammar.
- §940(c). Text revisions for the purpose of grammar and regulation clarity.
- §941(a). Text revisions for the purpose of grammar.
- §941(b). Text and formatting revisions made for further regulation clarity. Sub-section (b) and (c) were switched.
- §941(c). Text and formatting revisions made for further regulation clarity. Sub-section (b) and (c) were switched.
- §941(d). Text changes made to sub-section for clarity purposes.
- §941(d)(1). Text revisions for the purpose of grammar.
- §941(d)(2). Text revisions for the purpose of clarity.
- §941(d)(3). Text revisions for the purpose of grammar.
- §941(e). Text relocation, moved to Section 945(b).
- §941(f). Text relocation, moved to Section 946(f).
- §942. Text revisions were made for the purpose of regulation clarity
- §943. Text revisions were made for the purpose of regulation clarity
- §944. Text and punctuation revisions were made for the purpose of regulation clarity
- §945(b). Text revisions were made for the purpose of regulation clarity
- §945(c). Text revisions were made to further clarify the regulation.
- §946. Section Title changed for clarification purposes.
- §946(a). Sub-section added by relocating text from Section 936. Requires reformatting of section.

- §946(b). The reformatting of sub-section.
- §946(b)(1). The addition of CA CSLB licensing requirements were incorporated as well as changing sub-section references which changed due to reformatting. §946(b)(2). Text revision to specify the necessity of “meeting federal requirements”.
- §946(b)(3). JRTER replaced JREP.
- §946(c). The reformatting of sub-section.
- §946(c)(1). Text revisions for the purpose of grammar.
- §946(c)(2). Text revisions to sub-section references and JRTER replaced JREP for regulation purposes.
- §946(c)(3). Clarification of the necessity for reporting of experience and hours by the Fire Sprinkler Fitter’s employer.
- §946(d). The reformatting of sub-section.
- §946(d)(1). Text and punctuation revisions for the purpose of grammar.
- §946(d)(2). Text revisions to sub-section references and JRTER replaced JREP for regulation purposes.
- §946(d)(3). Clarification of the necessity for reporting of experience and hours by the Fire Sprinkler Fitter’s employer.
- §946(e). Formatting changes made to sub-section text references for clarity purposes.
- §946(f). Sub-section was moved from Section 941 for regulation clarity.
- §946(g). Added for coordination with DAS to be certain that Fire Sprinkler Fitter Apprenticeship standards are the same for all fire sprinkler fitters to insure consistency throughout the state.
- §947. Text and punctuation editing made to Section title.
- §947(a). Text revisions to sub-section references and JRTER replaced JREP for regulation purposes.
- §947.1(a). Text revisions and JRTER replaced JREP for regulation purposes.
- §947.1(a)(1)(A). Text addition for clarity purposes.
- §947.1(a)(1)(B). Text addition for clarity purposes.
- §947.1(a)(1)(C). Text revisions for further regulation clarification and consistency.
- §947.1(a)(1)(D). Text and punctuation revisions for regulation consistency.
- §947.1(a)(2)(A). Text replacement to identify a way of meeting Section “hours” requirement.
- §947.1(a)(2)(B). Text replacement to identify a way of meeting Section “hours” requirement.
- §947.1(a)(2)(C). Text replacement to identify a way of meeting Section “hours” requirement.
- §947.1(a)(2)(D). Text replacement to identify a way of meeting Section “hours” requirement.
- §947.1(a)(2)(E). Text replacement to identify a way of meeting Section “hours” requirement.
- §947.1(a)(2)(F). Text replacement to identify a way of meeting Section “hours” requirement.
- §947.1(a)(2)(G). Text replacement to identify a way of meeting Section “hours” requirement.
- §947.1(a)(2)(H). Text replacement to identify a way of meeting Section “hours” requirement.
- §947.1(a)(2)(I). Text replacement to identify a way of meeting Section “hours” requirement.
- §947.1(a)(2)(J). Text replacement to identify a way of meeting Section “hours” requirement.
- §947.1(a)(2)(K). Text replacement and addition of punctuation to identify a way of meeting Section “hours” requirement.
- §947.1(a)(2)(L). Text replacement and addition of punctuation to identify a way of meeting Section “hours” requirement.
- §947.1(a)(3). Text replacement for regulation clarification.

- §947.1(a)(3)(A). Text replacement and punctuation added for regulation clarification.
- §947.1(a)(3)(B). Punctuation added for “list” style formatting purpose.
- §947.1(a)(3)(C). Punctuation added for “list” style formatting purpose.
- §947.1(a)(3)(D). Text and punctuation added to sub-section text for further clarity.
- §947.1(a)(4)(A). Punctuation change made to sub-section for “list” style formatting purpose.
- §947.1(a)(4)(B). Punctuation change made to sub-section for “list” style formatting purpose.
- §947.1(a)(4)(C). Punctuation change made to sub-section for “list” style formatting purpose.
- §947.1(a)(4)(D). Punctuation change made to sub-section for “list” style formatting purpose.
- §947.1(a)(4)(E). Punctuation change made to sub-section for “list” style formatting purpose.
- §947.1(a)(4)(F). Punctuation change made to sub-section for “list” style formatting purpose.
- §947.1(a)(4)(F)(i). Text and punctuation changes made to sub-section for clarity purposes and regulation consistency.
- §947.1(a)(4)(F)(ii). Punctuation change made to sub-section for “list” style formatting purpose.
- §947.1(a)(4)(F)(iii). Punctuation change made to sub-section for “list” style formatting purpose.
- §947.1(a)(4)(F)(iv). Punctuation change made to sub-section for “list” style formatting purpose.
- §947.1(a)(4)(F)(v). Text and punctuation addition for regulation consistency.
- §947.1(a)(4)(G). Formatting change made to sub-section text for clarity purposes.
- §947.1(a)(5). Text revision for regulation consistency.
- §947.1(a)(5)(A). Text revision for regulation consistency.
- §947.1(a)(5)(B). Text and punctuation addition for regulation consistency.
- §947.1(a)(6)(A). Text and punctuation changes made to sub-section for clarity purposes and regulation consistency.
- §947.1(a)(6)(B). Punctuation change made to sub-section for “list” style formatting purpose.
- §947.1(a)(6)(C). Text revision for regulation consistency and punctuation change made to sub-section for “list” style formatting purpose.
- §947.1(a)(6)(D). Punctuation change made to sub-section for “list” style formatting purpose.
- §947.1(a)(6)(E). Punctuation change made to sub-section for “list” style formatting purpose.
- §947.1(a)(6)(F). Text and punctuation addition for regulation consistency.
- §947.1(b). Text and punctuation revisions related to the “subject” requirements of Commercial certification.
- §947.1(c). Text revisions to clarify JRTER participant annual reporting requirement for renewal purposes.
- §947.1(d). Sub-section was removed as an examination is no longer applicable.
- §947.1(e). Reformatted sub-section 947.1(e) to 947.2(d) due to deletion of prior sub-section, validation added because reference to “program” was removed and text changed for the purpose of grammar.
- §947.2. Punctuation added to Title.
- §947.2(a). Text and punctuation revisions made to sub-section text for clarity purposes, regulation consistency and the replacement of JREP with JRTER.
- §947.2(a)(3). Text added to sub-section for clarity purposes.

- §947.2(a)(4). Addition of sub-section as a means of achieving required hours for Multi-family Residential Certification.
- §947.2(a)(5). Formatting re-alignment made due to addition of sub-section (4).
- §947.2(a)(6). Formatting re-alignment made due to addition of sub-section (4).
- §947.2(a)(7). Formatting re-alignment made due to addition of sub-section (4).
- §947.2(b). Text revisions to clarify JRTER participant annual reporting requirement for renewal purposes.
- §947.2(c). Sub-section was removed as an examination is no longer applicable.
- §947.2(d). Reformatted sub-section 947.2(d) to 947.2(c) due to deletion of prior sub-section, validation added because reference to “program” was removed and text changed for the purpose of grammar.
- §948. Text and punctuation revisions were made to distinguish between the necessity to complete three units vs. 24 hours of continuing education and the necessity for verification of those units at the time of renewal.
- §948.1. Text revisions made to the Section title for regulation clarity.
- §948.1(a). Formatting adjustments were made due to the movement of original sub-section (a) to (c) as well as text revisions for further regulation clarification and consistency.
- §948.1(b). Text and formatting changes made to sub-section for clarification of “Provider” purposes.
- §948.1(b)(1). Text changes made to sub-section for clarity and consistency of the regulation.
- §948.1(b)(2). Text changes made to sub-section for clarity and consistency of the regulation.
- §948.1(c). Formatting adjustments were made due to the movement of original sub-section (a) to (c) as well as text revisions for further regulation consistency.
- §949(a). Text revisions were made for regulation clarity.
- §949(a)(1). Text revisions and format removal was made to sub-section text for further regulation clarity and consistency.
- §949(a)(2). Numbering format revised from 949(a)(2) to 949(a)(1).
- §949(a)(1)(A). Punctuation change made to sub-section for “list” style formatting purpose.
- §949(a)(1)(A)(i)(a). Punctuation change made to sub-section for “list” style formatting purpose.
- §949(a)(2). Text revision for grammar consistency.
- §949(3). Text revision for grammar consistency.
- §949(4). Text revision for grammar consistency.
- §949(b). Text revision for grammar consistency.
- §950. Alpha revisions were made as it is not applicable in this instance. The development date of the forms was added and the lay-out was placed in a table format for further regulation clarity.