

**CALIFORNIA CODE OF REGULATIONS, TITLE 19, DIVISION 1,  
CHAPTER 5**

**INITIAL STATEMENT OF REASONS**

Pursuant to Health and Safety Code Sections 13195 through 13199, the State Fire Marshal shall adopt regulations and standards deemed necessary to control the service, testing, and maintenance of automatic extinguishing systems. In adopting these regulations, the State Fire Marshal shall consider the standards of the National Fire Protection Association (NFPA).

The State Fire Marshal may determine that the public interest and public welfare will be adequately served by permitting a person licensed under this chapter to pay a monetary penalty to the State Fire Marshal in lieu of an actual license suspension and the updating NFPA 25-2002 edition to the NFPA 25-2011 edition.

**SPECIFIC PURPOSE AND RATIONALE**

**1. Problem being addressed:** The State Fire Marshal (SFM) is relying on national standards for automatic fire extinguishing systems as reference documents. The State is currently using an outdated national standard, NFPA 25-2002 edition. This regulatory proposal would modify by adopting the NFPA 25-2011 edition. The regulatory recommendations were done to provide consolidation and increased enforcement to protect the public. These amendments are necessary to carry out the provisions found in Health and Safety Code Sections 13195 through 13199. The law (specifically H&S 13197.6) currently allows the SFM to stay the suspension of an Automatic Fire Extinguishing System Concern license in specified instances on condition that the holder pays a specified monetary penalty. This regulatory proposal would modify by adding three new definitions, category of violations tables, clarifying several Sections of Title 19, Chapter 5, as well as create Chapter 12 which outlines the administrative process for the payment of monetary penalty in lieu of suspension of an actual license for code violations. The regulatory recommendations were done to provide increased enforcement to protect the public and clarify the official privileges of licensees. These amendments are necessary to carry out the provisions found in Health and Safety Code Sections 13195 through 13199 as set forth in AB 1773, Chaptered August 18, 2010.

**2. Anticipated benefits from this regulatory action:** This regulatory proposal benefits the protection of public health and safety of California businesses and consumers as it provides benefits for residents and worker safety with greater fire safety protection against fire equipment servicing fraud.

**3. Factual Basis/Rationale for amendment:** Without a chapter on the administrative process for the payment of a monetary penalty in lieu of suspension of an actual license for code violations, payment of a fine in lieu of a suspension would not be permitted, resulting in no work being performed during the suspension time. This would have a negative financial impact to the Automatic Fire Extinguishing System Concern holder.

## **TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, OR REPORT**

In connection with proposing the regulation amendments, the State Fire Marshal consulted with the State Fire Marshal Automatic Extinguishing Systems Advisory Committee consisting of local fire, industry and regulatory personnel and the State Board of Fire Services to provide recommendations and review the proposed regulations. These were conversations only, and there were no documents relied upon in connection with these consultations.

The SFM relied on an analysis of automatic extinguishing system consumer fraud conducted from 2008 to 2013 dated October 12, 2013 developed from complaints to the SFM from consumers as well as local fire authorities having jurisdiction (AHJ).

SFM relied on an Assembly Floor Bill Analysis of AB 1773, dated April 29, 2010.

## **NECESSITY**

These proposed amendments update national standard NFPA 25-2002 edition to NFPA 25-2011 edition. The national standard addresses the current requirements for inspection, testing, and maintenance of all water based fire suppression. Also, these additions are necessary to implement the provisions of Health and Safety Code Section 13197.6 (AB 1773, Chaptered August 18, 2010), which allows the State Fire Marshal to permit a person licensed under this Chapter, to pay a monetary penalty in lieu of suspension of an actual license or certificate of registration for code violations to the State Fire Marshal as well as clarify the official privileges of licensees and the new definitions.

## **CONSIDERATION OF REASONABLE ALTERNATIVES TO THE REGULATION AND THE STATE FIRE MARSHAL'S REASONS FOR REJECTING THOSE ALTERNATIVES**

The State Fire Marshal staff has thoroughly reviewed this proposed regulatory action, including both the positive and negative impacts it will place upon the industry. No alternatives considered by the State Fire Marshal would be more effective in carrying out the purpose of these proposed regulations or be less burdensome to the affected parties than the proposed regulations. The alternative of no regulatory action would affect the testing and maintenance of new technology such as Water Mist Systems in lieu of a standard sprinkler system; and would not allow for non-destructive means of inspection of piping and valves.

As well, factors considered by the SFM should be consistent with the intent of AB 1773 and should be spelled out in regulation so that the regulated individuals and companies will know what factors will be used in determining whether the SFM may stay the execution of all or part of the suspension.

Furthermore, these regulations will allow the SFM to permit a person licensed under this Chapter to pay a monetary penalty to the SFM for code violations in lieu of license suspension as well as clarify the official privileges of licensees. The intent of AB 1773 is

to provide regulations that maintain consistency for the SFM and Authority Having Jurisdiction.

### **REASONABLE ALTERNATIVES – SMALL BUSINESSES**

The proposed regulations have no substantial effect to small businesses. The SFM has identified no alternatives that would lessen adverse impact, if any, on small businesses and still allow the SFM effectively enforce the regulations.

### **EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS**

The SFM can find no facts, documents, testimony, or evidence that this action will have a significant adverse economic impact on any business. The proposed regulations are beneficial to Automatic Fire Extinguishing System Concern License holders. In situations where the violation does not compromise public safety, a licensee is allowed to pay a fine and continue operating in lieu of a license suspension where the business would be closed for operation due to the suspension.

### **ECONOMIC IMPACT ANALYSIS AND ASSESSMENT**

The SFM has assessed whether or not and to what extent this proposal would have cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. The analysis of consumer fraud determined that businesses that violate regulations can continue to work instead of serving a suspension term by paying a fine. This helps the business continue to have a positive impact on the economy in California, rather than having the business close for a determined amount of time resulting in an adverse outcome on the state's economy. Consolidation of these requirements will help building owners in cost savings with less frequency of Inspection, Testing, and Maintenance. SFM concludes that the proposed regulatory action, within the State of California, would have no adverse economic impact and would not affect:

1. The creation or elimination of jobs.
2. The creation of new businesses or the elimination of existing businesses or,
3. The expansion of businesses currently doing business.

See economic and fiscal impact on private person and business in the rulemaking file.

### **COORDINATION WITH FEDERAL LAW**

The State Fire Marshal has determined that this proposed regulatory action neither conflicts with nor duplicates any federal regulation contained in the Code of Federal Regulations.

### **SPECIFIC SECTIONS, WHICH HAVE BEEN MODIFIED:**

**Section 901** is amended to adopt the 2011 edition of the National Fire Protection Association (NFPA) 25 with state amendments.

**Necessity:** The OSFM is proposing to update from the 2002 edition to the 2011 edition of NFPA 25 with state amendments, used for the inspection testing and maintenance of

all water based fire suppression systems. Currently the amendments listed in CCR, Title 19, Section 901 are related to the 2002 edition of NFPA 25. The new amendments to this section are related to the 2011 Edition of NFPA 25. These amendments will update and add additional referenced standards as follows; NFPA 11, NFPA 13, NFPA 13D and NFPA 14 to 2013 edition, NFPA 15 to 2012 edition, NFPA 16 to 2011 edition, NFPA 20, NFPA 22 to 2013 edition, NFPA 72 2013 edition as amended in the California Fire Code Chapter 80, NFPA 110- 2013 edition, NFPA 307- 2011 edition, NFPA 409- 2011 edition, NFPA 1962-2008 edition. The 2011 edition of NFPA 25 has been reorganized to add additional types of water based fire suppression systems.

**Section 2.2** is amended to Replace Section 2.2 to reflect adopted National Standards.

**Necessity:** The OSFM is proposing to update the referenced National Standards to more current editions as follows;

NFPA 11, NFPA 13, NFPA 13D, NFPA 14 to the 2013 edition, NFPA 15-2012 edition, NFPA 16-2011 edition, NFPA 20-2013 edition, NFPA 22-2013 edition, NFPA 72-2013 edition as amended in the 2013 California Fire Code Chapter 80, NFPA 110-2013 edition, NFPA 307-2011 Edition, NFPA 409-2011 edition, and NFPA 1962-2008 edition.

### **NFPA 25 Chapter 3 Definitions**

**Section 3.2.2, NFPA 25-2011 Edition** is proposed for amendment to revise the definition of Authority Having Jurisdiction (AHJ).

**Necessity:** The OSFM proposes modification of this definition as a result of comments from the NFPA 25 Task Force and Automatic Extinguishing Systems Advisory Committee. These modifications are proposed to further define who the AHJ is and be consistent with other code or standard references. The proposed amendment adds the actual jurisdictions including: the State Fire Marshal, the Chief of any City or County Fire Department, or Fire Protection District and their authorized representatives in their respective jurisdictions.

**Section 3.3.18, NFPA 25-2011 edition** is proposed for amendment to direct users to the proper Title 19 section.

**Necessity:** Office of the State Fire Marshal is submitting the proposed change to coincide with the same definition in Section 902.9 Title 19 CCR.

**Section 3.3.19 NFPA 25- 2011 edition**, is proposed for amendment to define the proper California licenses required to conduct Inspection, Testing, and Maintenance.

**Necessity:** This proposed amendment aligns the national standard language with the current language contained in the California Business and Professions Code, Health and Safety Code and Title 19 CCR and clarifies who is qualified and who is permitted to conduct Inspection, Testing and Maintenance Service.

**Section 3.3.20, NFPA 25- 2011 edition**, is proposed for amendment to direct users to the proper Title 19 section.

**Necessity:** Office of the State Fire Marshal is submitting the proposed change to coincide with the same definition in Section 902.12 Title 19 CCR.

**Section 3.3.28** is proposed for amendment to direct users to the proper Title 19 Section.

**Necessity:** This proposed amendment aligns the definition with the current language contained in the California Business and Professions Code, Health and Safety Code, and Title 19 CCR and clarifies who and what is qualified to conduct Inspection, Testing and Maintenance service programs.

**Section 3.3.30.1** is proposed for amendment to add a definition of a Concealed Sprinkler

**Necessity:** This proposed amendment provides a definition of a Concealed Sprinkler, which coincides with NFPA 13 2013 edition. This definition will clarify the requirements of the National Standard.

**Section 3.3.30.2** is proposed for amendment by renumbering the current section.

**Necessity:** This amendment is made to allow additional definitions.

**Section 3.3.30.2.3** is proposed for amendment by renumbering the current section.

**Necessity:** This amendment is made to allow additional definitions.

**Section 3.3.30.3.4** is proposed for amendment by renumbering the current section.

**Necessity:** This amendment is made to allow additional definitions.

**Section 3.3.30.4.5** is proposed for amendment by renumbering the current section.

**Necessity:** This amendment is made to allow additional definitions

**Section 3.3.30.5.6** is proposed for amendment by renumbering the current section.

**Necessity:** This amendment is made to allow additional definitions

**Section 3.3.30.7** is proposed for amendment to add a definition of a Flush Sprinkler.

**Necessity:** This proposed amendment provides a definition of a Flush Sprinkler, which coincides with NFPA 13 2013 edition.

**Section 3.3.30.8** is proposed for amendment to add a definition of Institutional Sprinkler.

**Necessity:** This proposed amendment provides a definition of an Institutional Sprinkler, which coincides with NFPA 13 2013 edition. This definition will clarify the requirements of the National Standard.

**Section 3.3.30.9** is proposed for amendment to add a definition of Intermediate Level Sprinkler/Rack Storage Sprinkler

**Necessity:** This proposed amendment provides a definition of an Intermediate Level Sprinkler/Rack Storage Sprinkler, which coincides with NFPA 13 2013 edition.

**Section 3.3.30.6.10** is proposed for amendment by renumbering the current section from 3.3.30.6.

**Necessity:** This amendment is made to provide additional definitions.

**Section 3.3.30.7.11** is proposed for amendment by renumbering the current section from 3.3.30.7.

**Necessity:** This amendment is made to allow additional definitions.

**Section 3.3.30.8.12** is proposed for amendment by renumbering the current section from 3.3.30.8.

**Necessity:** This amendment is made to allow additional definitions.

**Section 3.3.30.9.13** is proposed for amendment by renumbering the current section from 3.3.30.9.

**Necessity:** This amendment is made to allow additional definitions.

**Section 3.3.30.10.14** is proposed for amendment by renumbering the current section from 3.3.30.10.

**Necessity:** This amendment is made to allow additional definitions.

**Section 3.3.30.15** is proposed for amendment to add a definition of Pilot Line Sprinkler.

**Necessity:** This proposed amendment provides a definition of a Pilot Line Sprinkler, which coincides with NFPA 13 2013 edition. This definition will clarify the requirements of the National Standard.

**Section 3.3.30.11.16** is proposed for amendment by renumbering the current section from 3.3.30.11.

**Necessity:** This amendment is made to allow additional definitions.

**Section 3.3.30.12.17** is proposed for amendment by renumbering the current section from 3.3.30.12.

**Necessity:** This amendment is made to allow additional definitions.

**Section 3.3.30.13.18** is proposed for amendment by renumbering the current section from 3.3.30.13.

**Necessity:** This amendment is made to allow additional definitions.

**Section 3.3.30.14.19** is proposed for amendment by renumbering the current section from 3.3.30.14.

**Necessity:** This amendment is made to allow additional definitions.

**Section 3.3.30.15.20** is proposed for amendment by renumbering the current section from 3.3.30.15.

**Necessity:** This amendment is made to allow additional definitions.

**Section 3.3.30.21** is proposed for amendment to add a definition of Sidewall Sprinkler.  
**Necessity:** This proposed amendment provides a definition of a Sidewall Sprinkler, which coincides with NFPA 13 2013 edition. This definition will clarify the requirements of the National Standard.

**Section 3.3.30.16.22** is proposed for amendment by renumbering the current section from 3.3.30.16

**Necessity:** This amendment is made to allow additional definitions.

**Section 3.3.30.17.23** is proposed for amendment by renumbering the current section from 3.3.30.23.

**Necessity:** This amendment is made to allow additional definitions.

**Section 3.3.30.18.24** is proposed for amendment by renumbering the current section from 3.3.30.18.

**Necessity:** This amendment is made to allow additional definitions.

**Section 3.3.30.19.25** is proposed for amendment by renumbering the current section from 3.3.30.19.

**Necessity:** This amendment is made to allow additional definitions.

**Section 3.3.31.5** is proposed for amendment by adding additional types of Standpipe Systems.

**Necessity:** This proposed amendment is made to include Semiautomatic Standpipe System to the current list of Standpipes contained in Section 3.3.31 and to remain consistent with NFPA 14.

**Section 3.3.35** is proposed for amendment to direct users to the proper Title 19 section.

**Necessity:** Office of the State Fire Marshal is submitting the proposed change to coincide with the same definition in Section 902.19 Title 19 CCR.

**Section 3.6.4.1.1** is proposed for amendment by adding a definition of Premixed Antifreeze Solution.

**Necessity:** The Office of the State Fire Marshal is proposing to include the definition of Premixed Antifreeze Solution in response to the new products being used to protect fire sprinkler systems in climate zones where freezing conditions exist. Premixed antifreeze solutions are necessary to protect fire sprinklers. This addition is consistent with California Building Standards Regulation Title 24, Part 9 Chapter 47, NFPA 13-2010 edition 7.6.2.2.

## **NFPA 25 Chapter 4**

### **4.1.1.2 Inspection, Testing, and Maintenance Service.**

**Section 4.1.1.2.1** is proposed for amendment to clarify who can provide Inspection, Maintenance and Testing service.

**Necessity:** This proposed amendment aligns the national standard language with the current language contained in the California Business and Professions Code and clarifies who is qualified and who is permitted to conduct Inspection, Testing and Maintenance Service for Water-Based Fire Protection Systems.

**Section 4.1.1.2.2** is proposed to clarify who can perform inspections.

**Necessity:** This proposed amendment aligns the national standard language with the current language contained in the California Business and Professions Code and clarifies who is qualified and who is permitted to conduct Inspection, Testing and Maintenance Service.

**Section 4.1.4** is proposed for amendment to align the national standard language with Title 19 CCR.

**Necessity:** Office of the State Fire Marshal is submitting the proposed change to align the definition in Section 904.2(d) Title 19 CCR.

**Section 4.1.4.2** is proposed for amendment to better define the qualifications necessary to perform repair.

**Necessity:** This proposed amendment aligns the national standard language with the current language contained in the California Business and Professions Code, Health and Safety Code and Title 19 CCR and clarifies who and what is qualified to conduct Inspection, Testing and Maintenance Service.

**Section 4.1.6.1** is proposed for amendment to clarify who can evaluate a fire suppression system.

**Necessity:** This proposed amendment aligns the national standard language with the current language contained in the California Business and Professions Code, Health and Safety Code and CCR, Title 19 and clarifies who and what is qualified to perform testing and maintenance of water based fire protection systems when changes in the occupancy, hazard, water supply, storage commodity, storage arrangement, building modification, or other condition affects the installation criteria of the system. A notation was added to include language in 2013 California Fire Code, Section 901.4 that clarifies how fire protection systems shall be extended, altered or augmented when changes in the building occur.

**Section 4.1.6.3** is proposed for amendment to clarify AHJ responsibility.

**Necessity:** The Office of the State Fire Marshal is submitting this change in Necessity to comments from the NFPA 25 Work group to clarify the AHJ responsibility in approving corrections to buildings constructed with Water-based Fire Protection Systems when changes in occupancy, hazard, water supply, storage commodity, storage arrangement, building modification, or other condition affect the installation of the fire protection system.

**Section 4.3.1** is proposed for amendment to assure that maintenance records will be maintained.

**Necessity:** The Office of the State Fire Marshal is submitting this amendment to include the maintenance of records at a site or location agreed upon by the AHJ and the requirement that records shall be made available to the AHJ to provide that records of Inspection, Testing and Maintenance will be available to provide a record that water based fire protection systems are compliant with NFPA 25 and will protect the occupants and the building in the event of a fire.

**Section 4.3.1.1** is proposed for amendment to the requirement to use State Fire Marshal forms to record inspection, maintenance and testing.

**Necessity:** The California State Fire Marshal (CSFM) requires that CSFM Automatic Extinguishing Systems (AES) forms will be used to record all inspection tests and maintenance activities in Table 4.3.1.1. The forms are uniform throughout the state and are designed in accordance with the California 2012 edition of NFPA 25. The table is offered to create a guide for the AES forms, those forms that are required to be on site and those forms that are required to be sent to the Authority Having Jurisdiction. The proper record keeping will provide a tool for enforcement of NFPA 25 and increased safety of occupants and buildings from fire through increased inspection, testing and maintenance of water based fire protection systems.

**Table 4.3.1.1** is proposed for insertion to provide a guide to maintenance requirements.

**Necessity:** The California State Fire Marshal requires that CSFM Automatic Extinguishing Systems (AES) forms will be used to record all inspection tests and maintenance activities in Table 4.3.1.1. The forms are consistent throughout the state. The table is offered to create a guide for the AES forms, those forms that are required to be on site and those forms that are required to be sent to the Authority Having Jurisdiction. The proper record keeping will provide a tool for enforcement of NFPA 25 and increased safety of occupants and buildings from fire through increased inspection, testing and maintenance of water based fire protection systems.

**Section 4.3.5** is proposed to amend the time requirement for retention of records.

**Necessity:** This will change the retention period for records of inspection, test and maintenance of water based fire protection systems. The 5-year retention is consistent with the format of the annual and 5-year inspection, test and maintenance periods outlined in the AES forms listed in Title 19 CCR Table 906.4.

**Section 4.6** is proposed for removal because the OFSM has developed Inspection, Maintenance and Testing consistent statewide.

**Necessity:** The Office of the State Fire Marshal does not recognize this section as an alternative means of compliance and adopts the 2013 California Edition of NFPA 25 as

the document for inspection, testing and maintenance for water based fire protection systems as required by Health and Safety Code Section 13198.5.

**Table 5.1.1.2** is proposed for amendment to establish the frequency of Inspection, Testing and Maintenance of Water-Based Fire Protection Systems.

**Necessity:** This proposed amendment creates Table 5.1.1.2 to provide a detailed listing frequency and reference section for the building owner and/or manager for the Inspection, Testing, and Maintenance of Items for Water-Based Fire Protection Systems.

**Section 5.2.1.1\*** is being proposed for amendment to change the frequencies of the inspection.

**Necessity:** This proposed amendment revises Section 5.2.1.1 of the 2011 edition of NFPA-25 to clarify the inspection of sprinklers from floor level on a quarterly frequency rather than annually.

**Section 5.2.1.1.6\*** is being proposed for amendment to relocate an existing CCR, Title 19 requirement into section 5.2.1.1.6\*

**Necessity:** This proposed amendment revises Section 5.2.1.1.6 of the 2011 Edition of NFPA-25 to clarify the inspection of sprinklers above suspended ceilings or in concealed spaces where access is provided by access openings on a frequency of not more than 5-years. The proposed amendments will specifically clarify inaccessible concealed spaces where sprinklers are installed.

**Section 5.2.1.3** is being proposed for amendment to relocate the requirements currently found in this section to Section 5.2.1.4

**Necessity:** this clarifies the number and type of sprinklers in accordance with Sections 5.4.1.4 and 5.4.1.5, sprinkler wrench requirements in Section 5.4.1.6, and changes the frequency of such inspection from annually to quarterly. This also maintains the current inspection frequency.

**Section 5.2.2** is being proposed for amendment to relocate the requirements currently found in this Section 5.2.2.3

**Necessity:** This proposed amendment revises Section 5.2.2 of the 2011 Edition of NFPA-25 to clarify the inspection of pipe and fittings installed in concealed spaces and will clarify inspection of inaccessible concealed spaces where sprinkler piping is installed. This also maintains the current inspection frequency.

**Section 5.2.3.3\*** is being proposed for amendment to replace current Title 19 CCR requirements.

**Necessity:** This proposed amendment revises requirements of Section 5.2.3 of NFPA-25-2011 edition and clarifies these requirements when hangers and seismic bracing is located in both accessible and inaccessible concealed spaces of a building and give guidance to both the inspecting contractor/company/firm and the authority having jurisdiction.

**Section 5.2.4.1** is proposed to amend the requirement to inspect specific gauges from monthly to quarterly.

**Necessity:** This proposed revision will reduce the number of types of inspection frequencies and make inspection more economical for business or property owners. This also maintains the current inspection frequency.

**Section 5.2.4.2** is proposed to amend the requirement to inspect specific gauges from monthly to quarterly.

**Necessity:** This proposed revision will reduce the number of types of inspection frequencies and make inspection more economical for business or property owners.

**Section 5.2.4.3** is proposed to amend the requirement to inspect specific gauges from monthly to quarterly.

**Necessity:** This proposed revision will reduce the number of types of inspection frequencies and make inspection more economical for business or property owners.

**Section 5.2.5** is proposed to amend the requirement to inspect specific waterflow alarms and supervisory devices to annually.

**Necessity:** This proposed revision will reduce the number of types of inspection frequencies and make inspection more economical for business or property owners.

**Section 5.2.5.1** is proposed to amend the requirement to inspect vane-type water flow devices to annually.

**Necessity:** This proposed revision will reduce the number of types of inspection frequencies and make inspection more economical for business or property owners.

**Section 5.2.5.2** is proposed to amend the requirements for an audible device to activate within 90 seconds of valve opening.

**Necessity:** This proposed revision will correlate this requirement with existing requirements from NFPA 72.

**Section 5.3.3.1** is proposed to amend the requirements for mechanical waterflow alarm devices to be tested annually.

**Necessity:** This proposed revision will reduce the current requirement to annual testing for mechanical waterflow alarm devices and make inspection more economical for business or property owners

**Section 5.3.3.2\*** is proposed for amendment to require annual testing for vane-type and switch-type waterflow alarm devices.

**Necessity:** This proposed revision will reduce the current requirement for testing for vane-type and switch-type waterflow alarm devices and make inspection more economical for business or property owners

**Section 5.3.4** is proposed for amendment to establish new requirements or the use of antifreeze in specific water-based fire suppression systems.

**Necessity:** This proposed revision will enhance and define the proper use of antifreeze when used in water-based fire suppression systems and correlate with the requirements of the California Fire Code (CFC).

**Section 5.3.4.1** is proposed for amendment to establish guidelines in a table format for specific application of antifreeze within antifreeze water-based fire suppression systems.

**Necessity:** This proposed revision will provide specific guideline for safe use of antifreeze within specific water-based fire suppression systems and correlate with the requirements of the CFC.

**Section 5.3.4.1.1** is proposed for amendment to clarify minimum guidelines for use of antifreeze within specific-water based fire suppression systems.

**Necessity:** This proposed revision will provide clarification that antifreeze shall be limited to the minimum concentration necessary for the lowest temperature anticipated and correlate with the requirements of the CFC.

**Section 5.3.4.2** is proposed for amendment to establish specific guidelines for specific products when protecting specific water-based fire protection systems.

**Necessity:** This proposed revision will provide guidelines for the licensed concern when selecting specific antifreeze solutions to protect water-based fire suppression systems exposed to freezing temperatures and correlate with the requirements of the CFC.

**Section 5.3.4.3** is proposed for amendment to provide clarity to the requirement where antifreeze concentrations shall be drawn from the water-based fire suppression system.

**Necessity:** This proposed addition will outline the specific requirement for test points to be installed for the purpose of sampling antifreeze concentrations if none are provided and insuring that the proper Inspection, Testing and Maintenance is being effective.

**Section 5.3.4.3.1** is proposed for amendment to provide guidance for test point selection and installation for the purpose of sampling antifreeze concentrations in systems over 150 gallons.

**Necessity:** This proposed amendment will specify test point selection and installation for sampling antifreeze concentrations in systems over 150 gallons insuring that the proper Inspection, Testing and Maintenance is being effective.

**Section 5.3.4.3.2** is proposed for amendment to provide guidance in draining and refilling antifreeze in water-based fire suppression systems.

**Necessity:** This proposed amendment will give specific instructions regarding the use of premix antifreeze solutions if any point within a water-based fire suppression system indicates an incorrect freeze point.

**Table 5.3.4.1 (a)** is being proposed to give guidance in determining antifreeze solution concentrations for different types of solutions.

**Necessity:** A study of an incident in Lake Tahoe, California which has led to the NFPA Alert Regarding Antifreeze dated April 5, 2011 and changes in the CFC. This proposed amendment would align the CFC and this document.

**Table 6.1** is being proposed for amendment to provide a more detailed listing of Inspection, Maintenance and Testing.

**Necessity:** This proposed amendment reflects changes to frequency of inspection and references requirements reflected in the 2013 California Edition of NFPA 25 utilized in the appropriate OSFM- AES Forms.

**Table 6.2.2** is being proposed to amend corrective actions.

**Necessity:** This proposed amendment deletes Table 6.2.2 of the 2011 edition of NFPA-25 and creating Table 6.1.2 to reflect format changes and a more detailed listing of Inspection, Testing, and Maintenance of Items, Activities, Frequency and References which are reflected in the 2011 CA Edition of NFPA-25 and which are utilized in the appropriate OSFM- AES Forms.

**Section 6.2.2.1** is proposed for amendment to correlate with current CCR, Title 19 requirements.

**Necessity:** This proposed amendment is to change the frequency of inspection of the gauges on an automatic standpipe system from monthly to quarterly and thus be consistent with the provisions for automatic fire sprinkler systems.

**Section 6.2.2.2** is being proposed for amendment to correlate with current CCR, Title 19 requirements.

**Necessity:** This proposed amendment is to change the frequency of inspection of the gauges on an automatic standpipe system from monthly to quarterly and thus be consistent with the provisions for automatic fire sprinkler systems.

**Section 6.2.2.3** is being proposed for amendment to correlate with current CCR, Title 19 requirements.

**Necessity:** This proposed amendment is to change the frequency of inspection of the gauges on an automatic standpipe system from monthly to quarterly and thus be consistent with the provisions for automatic fire sprinkler systems.

**Section 6.2.3** is being proposed for amendment to correlate with current CCR, Title 19 requirements.

**Necessity:** This proposed amendment is revising the frequency of inspection of the hydraulic design information sign, when provided, from annually to quarterly in conjunction with the quarterly inspection of the Standpipe/Hose System.

**Section 6.3.1.1** is being proposed for amendment to correlate with current CCR, Title 19 requirements.

**Necessity:** This proposed amendment is revising and replacing the wording “an automatic” with “all” standpipe systems necessary to verify the water supply still provides the design pressure and fire flows.

**Section 6.3.1.3** is proposed for amendment to clarify the applicable standard to be applied for inspection, testing and maintenance. If unavailable the AHJ will establish the test requirements.

**Necessity:** This proposed amendment establishes that the standard for flow testing and pressure testing is the standard in effect at the time of installation. If unavailable, the AHJ will determine the testing requirements to be applied.

**Table 7.1.1.2** is amended to summarize Inspection, Testing and Maintenance requirements of Private Fire Service Mains.

**Necessity:** This proposed amendment establishes and clarifies detailed listing frequency and reference section for the building owner and/or manager for the

Inspection, Testing, and Maintenance of items to reflect the current standards Private Fire Service Main.

**Section 7.2.2.6** is being proposed to revise the frequency of inspection of monitor nozzles.

**Necessity:** This proposed revision will reduce the number of types of inspection frequencies and making more economical to the business or property owner.

**Section 7.3.1** is being proposed to revise the title of the section.

**Necessity:** This proposed revision is necessary to maintain consistency in the regulations for the sections following the title.

**Section 7.3.1.1** is being proposed to be revised to provide clarity to the national standard requirements.

**Necessity:** The proposed language provides more clarity to the underground and exposed piping evaluations while maintaining the intent of the national standard.

**Section 7.3.1.1.1** is being proposed for amendment to provide clarity to the national standard.

**Necessity:** The proposed language provides more clarity by further defining when water supply tests are necessary while maintaining the intent of the national standard.

**Section 7.3.1.2** is proposed for amendment to replace with a title.

**Necessity:** This proposed revision is necessary to maintain consistency with the sections following the title section.

**Section 7.3.1.2.1** is proposed for amendment to provide clarity to the requirements of the national standard.

**Necessity:** The proposed language provides more clarity by further defining when a water supply evaluation is necessary while maintaining the intent of the national standard.

**Section 7.3.1.2.2** is proposed for amendment to clarify guidelines for water supply evaluation.

**Necessity:** The proposed language provides more clarity by further defining when a water supply evaluation is necessary while maintaining the intent of the national standard.

**Section 7.3.1.2.3** is being proposed as a revision to the existing section number.

**Necessity:** This proposed change affects only the section number.

**Section 7.3.1.2.4** is proposed for amendment to add “computer model” as an alternative in water supply evaluation.

**Necessity:** The proposed revision adds “computer model” to the types of water supply testing and/or evaluation to reflect current technology which will reduce the environmental impact of a water discharge.

**Section 7.5.4** is proposed for deletion.

**Necessity:** The proposed deletion of this section will leave this to be verified by the individual AHJ and they must determine whether a design review is required when certain equipment is replaced.

**Table 8.1.2** is proposed for amendment to summarize Alternative Fire Pump Inspection, Testing and Maintenance procedures.

**Necessity:** This proposed amendment establishes and updates Alternative Fire Pump Inspection, Testing and Maintenance procedures to reflect the current standards.

**Section 8.2.2** is proposed for amendment to maintain consistency in this section.

**Necessity:** The requirements regarding the testing frequencies for diesel engine driven and electric motor driven fire pumps are in Sections 8.3.1.1 and 8.3.1.2.

These frequencies are added to Section 8.2.2 to provide clarity and to ensure the proper frequency is used. It does not change the required frequency.

**Section 8.2.2 (h)** is being proposed for amendment by adding an additional item.

**Necessity:** This requirement is to ensure the packing glands maintain a slight discharge or drip that is necessary to keep the packing glands wet. Otherwise the packing can overheat upon starting the fire pump causing considerable damage resulting in the fire pump being out of service.

**Section 8.3.2.8 (g)** is being proposed for amendment to add an additional item.

**Necessity:** Adding requirements for the pressure maintenance pump is necessary to maintain the pressure maintenance pump in working order.

**Section 8.3.3.5.1** is proposed for addition to clarify the requirement in California.

**Necessity: 8.3.3.5.1** This section is added to coordinate with the requirements of NFPA 72, National Fire Alarm Code as adopted by California Fire Code.

**Section 8.3.4.3** is proposed for amendment to provide for a test of appropriate environmental pump room space conditions.

**Necessity: 8.3.4.3** This amendment will provide frequencies not established in the national standard.

**Section 8.3.5.3** is proposed for amendment to further define when a fire pump assembly test is adequate.

**Necessity:** The proposed language provides clarity while maintaining the intent of the national standard.

**Table 9.1.1.2** is proposed for amendment to summarize Water Storage Tank Inspection, Testing and Maintenance procedures.

**Necessity:** This proposed amendment establishes and summarizes Water Storage Tank Inspection, Testing and Maintenance procedures to reflect the current standards.

**Section 9.2.1.2** is proposed for amendment to revise the frequency of inspection of unsupervised water level alarms.

**Necessity:** This revision reduces the frequency at which a water level alarm is required to be inspected. This is consistent with the intent to minimize the different types of frequencies and will minimize the economic impact on business or property owner.

**Section 9.2.1.3** is proposed for amendment for clarity with regards to water level in non-pressurized tanks.

**Necessity:** This amendment is necessary to specify the required water level in non-pressurized water storage tanks.

**Section 9.2.6.1.1** is proposed for amendment to make the existing requirement less restrictive.

**Necessity: 9.2.6.1.1** This revision reduces the frequency at which a water storage tank is required to be inspected internally. This is consistent with the intent to minimize the various types of inspection, testing, and maintenance frequencies and will minimize the economic impact on business or property owner.

**Section 9.3.5** is proposed for amendment to specify the frequency for water level alarm testing.

**Necessity:** This amendment specifies the frequency for high and low water level alarm testing.

**Section 9.5.1.1** is proposed for amendment to revise frequency from weekly to quarterly.

**Necessity:** This revision reduces the frequency at which a tank fill valve is required to be inspected. This is consistent with the intent to minimize the various inspection, testing, and maintenance frequencies. Also, the term "OS&Y isolation" is being deleted as an OS&Y valve is not the only type of valve that is permitted to be used and will minimize the economic impact on business or property owner.

**Section 9.5.1.2** is proposed for amendment to revise the frequency from monthly to quarterly.

**Necessity:** This revision reduces the frequency at which valves are required to be inspected. This is consistent with the intent to minimize the various inspection, testing, and maintenance frequencies and to be consistent with the requirements for inspection of valves as required by other sections of NFPA 25 and will minimize the economic impact on business or property owner.

**Section 9.5.3** is proposed for amendment to reflect an editorial change from yearly to annually.

**Necessity:** This revision is an editorial change and staying consistent with the rest of the document.

**Section 9.6.4** is proposed for deletion.

**Necessity: 9.6.4** This amendment eliminates any design review criteria from the standard.

**Table 9.6.1** is proposed for amendment to reflect changes to the new standard.

**Necessity:** This revision will reflect the editorial changes in the new standard and to include the decreases in frequencies as well referencing the correct section for automatic fill valves.

**Table 10.1** is proposed for amendment to summarize Water Spray Fixed System Inspection, Testing and Maintenance procedures.

**Necessity:** This proposed amendment summarizes Water Spray Fixed System Inspection, Testing and Maintenance procedures to reflect the current standards.

**Section 10.5.4** is proposed for deletion from the national standard.

**Necessity:** This proposed deletion from the national standard is to remove a requirement that is not within the scope of the licensees.

**Table 11.1** is proposed for amendment to summarize Foam-Water Sprinkler System Inspection, Testing and Maintenance.

**Necessity:** This proposed amendment summarizes Foam-Water Sprinkler System Inspection, Testing and Maintenance procedures to reflect the current standards.

**Section 11.3.1.1** is proposed for amendment to establish testing frequencies for mechanical waterflow devices.

**Necessity:** This amendment reduces from quarterly to annual testing for mechanical waterflow devices and reduces the cost to system owners.

**Section 11.3.1.2** is proposed for amendment to establish testing frequencies for vane and pressure switch-type waterflow devices.

**Necessity:** This amendment reduces from quarterly to annual testing for vane and pressure switch-type waterflow devices and reduces the cost to system owners.

**Section 11.3.1.3 1** is proposed for amendment to establish testing frequencies for waterflow devices.

**Necessity:** This amendment reduces from quarterly to annual inspection for waterflow devices and reduces the cost to system owners.

**Section 11.5.4** is proposed for deletion from the national standard.

**Necessity:** This proposed deletion of the national standard is to remove a requirement that is not in the scope of the licensees.

**Table 12.1** is proposed for amendment to add new requirements for Water Mist System Inspection, Testing and Maintenance.

**Necessity:** This proposed amendment adds new requirements for Water Mist System Inspection, Testing and Maintenance procedures to reflect the current standards.

**Section 13.2.5.1** is proposed for amendment to reflect current CCR, Title 19 requirements.

**Necessity:** This proposed amendment is required to renumbering an existing requirement to the correct section.

**Section 13.2.6.1** is proposed for amendment to reflect current CCR, Title 19 requirements.

**Necessity:** This proposed amendment is a revising the frequency of the test.

**Section 12.2.7** is proposed to move into Chapter 13 and add Sections 13.2.6.1, 13.2.6.1.1.

**Necessity:** **12.2.7** was deleted as an editorial change in the National Standard. Sections 13.2.6.1 and 13.2.6.1.1 were added to reflect the NFPA 72.

**Section 13.2.6.1** is being proposed for amendment to change the test frequencies.

**Necessity:** This proposed amendment is decreasing the number of annual tests to allow easier compliance and to make inspections more economical.

**Section 13.2.6.1.1** is proposed for inclusion to coincide with the requirements in NFPA 72.

**Necessity:** **13.2.6.1.1** This proposed amendment is consistent with the same requirements contained in NFPA 72 and does not increase the frequency of costs to the property owners.

**Section 13.2.6.2** is proposed for amendment to change the testing frequencies.

**Necessity:** Vane-type and pressure switch–type water flow devices frequency are being changed from semiannually to annually.

**Section 13.2.7.1** is proposed for amendment to change the inspection frequencies.

**Necessity:** This proposed amendment is decreasing the number of annual inspections to allow easier compliance and to make inspection more economical without decreasing effectiveness.

**Section 13.3.2.1** This proposed amendment will decrease the number of annual inspections.

**Necessity:** This proposed amendment is decreasing the number of annual inspections of valves to allow easier compliance and to make inspections more economical.

**Table 13.1.1.2** is proposed for replacement with Table 13.1.1.2.

**Necessity:** This proposed amendment reflects the editorial changes in the new standard and for the addition of another Chapter in the new National Standard and to include the proposed decrease in frequencies for maintenance of water mist systems.

**Section 13.4.2.1** this proposed amendment will decrease the number of annual test and to coincide with CCR, Title 19.

**Necessity:** This section has been proposed to coincide with CCR, Title 19 which will meet the definition of a test and not an inspection.

**Section 13.4.3.2.2.4** is proposed for amendment to revise test frequency from 3 years to 5 years.

**Necessity:** The proposed amendment will reduce the number of full flow tests and to reduce the economic cost to the business or property owner and to standardize test requirements.

**Section 13.4.3.2.3** is proposed for amendment to revise test frequency from 3 years to 5 years.

**Necessity:** The proposed amendment is to reduce the number of full flow tests and to reduce the economic cost to the business or property owner and to standardize test requirements.

**Section 13.4.3.2.6** is proposed for amendment to change test frequency from 3 years to 5 years.

**Necessity:** The proposed amendment will reduce the number of full flow tests and to reduce the economic cost to the business or property owner and to standardize test requirements.

**Section 13.4.3.2.13** is proposed for amendment to reduce the test frequency.

**Necessity:** The proposed amendment is to reduce the number of tests Low pressure alarms from quarterly to annual to reduce the economic cost to the business or property owner and to standardize the requirements.

**Section 13.4.4.1.2** is proposed for amendment to reduce inspection frequencies.

**Necessity:** This proposed amendment will decrease the number of inspections of gauges is to allow easier compliance and to make inspections more economical.

**Section 13.4.4.1.2.4** is proposed for amendment to revise inspection frequencies.

**Necessity:** This proposed amendment will decrease the number of inspections of

gauges is to allow easier compliance and to make inspections more economical.

**Section 13.4.4.1.2.5** is proposed for amendment to revise inspection frequencies.

**Necessity:** This proposed amendment will decrease the number of inspections of gauges is to allow easier compliance and to make inspections more economical.

**Section 13.4.4.1.4** is proposed for amendment to revise inspection frequencies.

**Necessity:** This proposed amendment will reduce the number of dry pipe inspection frequencies to allow easier compliance and to make inspections more economical.

**Section 13.4.4.1.5** is proposed for amendment to revise inspection frequencies.

**Necessity:** This proposed amendment will reduce the number of dry pipe inspection frequencies to allow easier compliance and to make inspections more economical.

**Section 13.4.4.1.6** is proposed for amendment to revise inspection frequencies.

**Necessity:** This proposed amendment will reduce the number of dry pipe inspection frequencies to allow easier compliance and to make inspections more economical.

**Section 13.4.4.2.1\*** is proposed for amendment to revise the test frequency.

**Necessity:** **13.4.4.2.1\*** This proposed amendment will decrease the number of priming water level tests to allow easier compliance and to make tests more economical.

**Section 13.4.4.2.2.2\*** is proposed for amendment to revise the test frequency.

**Necessity:** **13.4.4.2.2.2\*** This proposed amendment will decrease the number of dry pipe valve trip tests to allow easier compliance and to make tests more economical.

**Section 13.4.4.2.4\*** is being proposed for amendment to change the test frequency.

**Necessity:** **13.4.4.2.4\*** This proposed amendment will decrease the number of Quick opening device tests to allow easier compliance and to make tests more economical.

**Section 13.4.4.2.6** is proposed for amendment to revise the test frequency.

**Necessity:** This proposed amendment will decrease the low pressure alarm tests to allow easier compliance and to make tests more economical.

**Section 13.4.4.2.9** is proposed for amendment to revise the test frequency.

**Necessity:** This proposed amendment will decrease the dry pipe system tests to allow easier compliance and to make tests more economical.

**Section 13.5.4.1\*** is proposed for amendment to revise the test frequency.

**Necessity:** This proposed amendment will decrease the inspection of valves to allow easier compliance and to make tests more economical.

**Section 13.5.4.2\*** is proposed for amendment to revise the test frequencies.

**Necessity:** This proposed amendment will decrease the testing frequency of valves to

allow easier compliance and to make tests more economical.

**Section 13.5.6.2.2\*** is proposed for amendment to revise the test frequency.

**Necessity:** This proposed amendment will decrease the testing of hose valves on hose stations to allow easier compliance and to make tests more economical.

**Section 13.5.7.1** is proposed for amendment to separate the diesel and electric fire pump inspection frequency.

**Necessity:** The proposed amendment brings the inspecting of the circulation relief valve in-line with the testing of diesel engine driven fire pump and electric driven fire pump.

**Section 13.6.1.1** is proposed for amendment to revise inspection frequency.

**Necessity:** This proposed amendment will decrease the inspection frequency of double check assembly (DCA) valves and double check detector assembly (DCDA) valves to allow easier compliance and to make inspections more economical.

**Section 13.6.1.1.1** is proposed for amendment to revise the inspection frequency.

**Necessity:** This proposed amendment will decrease the inspection frequency of valves secured with locks or valves electrically supervised in accordance with applicable NFPA standards to allow easier compliance and to make inspections more economical.

**Section 13.6.1.2\*** is proposed for amendment to revise the inspection frequency.

**Necessity:** This proposed amendment will decrease the inspection frequency of reduced pressure assemblies (RPA) and reduced pressure detector assemblies (RPDA) to allow easier compliance and to make inspections more economical.

**Section 13.6.1.2.1** is proposed for amendment to revise the inspection frequency.

**Necessity:** This proposed amendment will decrease the inspection frequency of valves secured with locks or electrically supervised in accordance with applicable NFPA standards to allow easier compliance and to make inspections more economical.

**Section 14.3.2.3** is proposed for amendment to move to Section 14.3.2.4 as an editorial change.

**Necessity:** This proposed amendment to move this section into Section 14.3.2.4 is an editorial change in the numbering of the sections within Chapter 14 of the National Standard.

## NFPA 25 ANNEX A

**Section A.5.3.1.3** is proposed for amendment to add explanatory material.

**Necessity:** This amendment requires the owner or designated representative to maintain records onsite. This section is an explanation of the importance of recording the location, types and number of sprinklers removed for testing in accordance with Section 5.3.1 Sprinklers.

**Section A.7.3.1** is proposed for amendment to maintain numbering consistency.

**Necessity:** This proposed revision is necessary to maintain consistency in the numbering of the section.

**Section A.8.3.2.8(g)** is being proposed for addition to include language from the national installation standard.

**Necessity:** This section is being added to provide information as to the location in NFPA 20 that provides the proper method of setting the start and stop pressures for the fire pump and pressure maintenance pump.

**Section A.8.3.5.2.1** is proposed for addition to add explanatory information.

**Necessity:** The term “theoretical factors” is not used in NFPA 20 and therefore needs to be clarified. This addition provides clarity and does not change any requirement or add any economic impact.

## **NFPA 25 ANNEX B**

**Annex B Forms Section 4.3.1.1. for Inspection, Testing, and Maintenance** is proposed for addition to provide a guideline to inspection, maintenance and testing be used throughout the state.

**Necessity:** This Section in Annex B is intended to offer instruction and guidance on the use of the AES forms in Section 4.3.1.1 of the 2012 California edition of NFPA 25. The section includes the section in Title 19 CCR, Section 906.3 (a) that gives authority to the Office of the State Fire Marshal to require recording of NFPA 25 inspection, testing and maintenance.

## **NFPA 25 ANNEX E**

**Annex E** is proposed for deletion because it is not a requirement of NFPA 25.

**Necessity:** The Office of the State Fire Marshal is deleting this section at the recommendation of the OFSM NFPA 25 Work Group and Automatic Extinguishing Systems Advisory Committee.

## **NFPA 25 ANNEX G**

**Annex G** is proposed for amendment to revise the reference guide of the National Standard to be in line with California Fire Code 2013 edition

**Necessity:** The Annex G is intended to offer the updated current NFPA Standards that were used in the development of the 2013 California edition of NFPA 25.

## CCR, TITLE 19

**Section 902.2 “C” Definitions** is being proposed to be amended to add a definition of Category 1, 2 and 3 Violations.

**Necessity:** The addition of the definition Category 1, 2, and 3 Violations will help Automatic Extinguishing Systems Concern License holders better understand the new Table 6 Days of Suspension and Table 7 Automatic Extinguishing System Violations, which are used to determine the severity and the number of days of suspension for each section that was violated. To determine the number of days of suspension for each violation referenced, a workgroup was established consisting of concern owners and fire service personnel, and consumers.

**Section 902.2(b)** is being proposed to be amended to add a definition of Category A and B.

**Necessity:** The addition of the definition Category A and B Violations will help Automatic Extinguishing Systems Concern License holders better understand the new Table 6 Days of Suspension and Table 7 Automatic Extinguishing Systems Violations, which are used to determine the severity and the number of days of suspension for each section that was violated. To determine the number of days of suspension for each violation referenced, a workgroup was established consisting of concern owners’ fire service personnel, and consumers.

**Section 902.2 (c)** is being proposed to be amended to add a definition of Conviction.

**Necessity:** The addition of the definition of Conviction is to help Automatic Extinguishing Systems Concern Licensee and Certificate holders or prospective licensee to better understand what conditions allow the State Fire Marshal to deny or revoke a license or certificate of registration.

**Section 903.1(b)** is being proposed to be amended to add a the requirements for what an employee of an Automatic Extinguishing Systems Concern is required to provide to a prospective customer

**Necessity:** This requirement is to ensure that the consumer is protected from unscrupulous contractors that will use any means to gain market share. This requirement has help to reduce deceptive practices in other programs and taken from the Business and Professions Code.

**Section 903.2** is being proposed to be amended to add a requirement for an employer to notify the Office of the State Fire Marshal when a new employee is hired or a current employee is terminated.

**Necessity:** This will allow the Office of the State Fire Marshal's Automatic Extinguishing System program to better track licensees that are working throughout the state and in the industry.

**Section 904.1** is being proposed to be amended clarify who can conduct inspections.

**Necessity:** This amendment is needed to clarify that a business owner can have an employee that is qualified conduct the inspection of water based fire suppression systems. This section requires a company in the business of providing inspection of water based fire suppression systems must possess a license.

**Section 904.2(b)** is being proposed to be amended by adding the authority having jurisdiction to who can waive the requirement for inspection, testing, and maintenance of a system.

**Necessity:** This will allow the authority having jurisdiction over a facility to waive or develop a special plan for the inspection, testing and maintenance of systems that cannot follow the standard requirements outlined in the regulation.

**Section 904.2(k)** is being proposed to be adopted by adding a requirement for an estimate before service can be conducted.

**Necessity:** This requirement will help to deter companies from coming into a business and making a walk around and the submitting a bill without performing any work.

**Section 905(b)** is being proposed to be amended by combining the Type 1 and Type 3 licenses.

**Necessity:** With modern fire suppression systems there is no need to have a Type 1 license to conduct inspection testing and maintenance of all types of fire suppression systems except a standpipe system. This change will allow a Type 1 licensed concern to conduct inspection testing and maintenance of all water based fire suppression systems and eliminate the Type 3 License for Standpipe Systems.

**Section 905 (c) (2)** is being proposed to be amended by adding corporation.

**Necessity:** This additional language will clarify who can sign the application.

**Section 905 (d)** is being proposed to be amended by adding Weekly Fire Pump Test Certificates.

**Necessity:** This additional language will add Weekly Fire Pump Test Certificates to stipulate the length of validity of the certification and continuity purposes.

**Section 905 (j)** is being proposed to be amended by moving it Section 905.1(a).

**Necessity:** This language is moved to the new section 905.1(a) renewal.

**Section 905 (k)** is being proposed to be amended by re-lettering to (i).

**Necessity:** This is an editorial change to reflect the alphabetical sequence of the section.

**Section 905 (l)** is being proposed to be amended by re-lettering to (k).

**Necessity:** This is an editorial change to reflect the alphabetical sequence of the section.

**Section 905 (m) (1)** is being proposed to be amended by re-lettering to (l)(1)

**Necessity:** This is an editorial change to reflect the alphabetical sequence of the section.

**Section 905 (m) (7)** This language is being proposed to be amended and moved to new section 905.1(a) renewal.

**Necessity:** This is an editorial change to reflect the alphabetical sequence of the section to move to the new section 905.1(a) renewals.

**Section 905 (m) (8)** is being proposed to be amended by re-lettering to (l)(7).

**Necessity:** This is an editorial change to reflect the alphabetical sequence of the section.

**Section 905 (m) (9)** is being proposed to be amended by re-lettering to (l)(8) and describing certificates as weekly fire pump test certificates.

**Necessity:** This is an editorial change to reflect the alphabetical sequence of the section.

**Section 905 (m)** is being proposed to be adopted by adding insurance coverage for the business.

**Necessity:** The addition of this section will protect from damages to persons or property, which may result from or be caused by the negligent servicing of automatic extinguishing systems.

**Section 905 (n)** is being proposed to be adopted for Automatic Extinguishing Systems Licenses and Weekly Fire Pump Test Certificates to be put in a database designed to link to the World Wide Web.

**Necessity:** The addition of this section will help track all Automatic Extinguishing Systems Licenses and Weekly Fire Pump Test Certificates in a database and be web accessible.

**Section 905.1** The language is being proposed to be amended and moved to section from 905.2.

**Necessity:** This language is being moved to new section 905.2 regarding denial, revocation and suspensions. There are no amendments to the language.

**Section 905.2** is being proposed to be amended by re-lettering section to 905.3 Fees.

**Necessity:** This is an editorial change to reflect the alphabetical sequence of the section.

**Section 905.3** This language is being proposed to be amended to reflect the combining of Type 1 and Type 3 licenses in the Fee Schedule.

**Necessity:** This is an editorial change to reflect the combining the Type 1 and Type 3 licenses to Type 1 License name of Water Based Fire Suppression systems. Type 3 Standpipe System category is removed from chart.

**Section 906.1(b)** is being proposed to be amended by adding Water Mist system to the label.

**Necessity:** This amendment is needed to clarify and change the dimensions of the label as well as add Water Mist system to it.

**Section 906.2(b)** is being proposed to be amended by changing the dates on the label and tag.

**Necessity:** This is an editorial change to reflect the change in the years on the label and tag.

**Section 906.3** is being proposed to be adopted to add a section regarding removal of labels or tags.

**Necessity:** This addition is to clarify when the removal of tags is permitted.

**Section 906.4(a)** is being proposed to be amended by including the authority having jurisdiction to be provided the completed forms and re-lettered from previous 906.3.

**Necessity:** This is an editorial change to reflect the current forms to be used and the alphabetical sequence of the section.

**Table 906.4(a)** is being proposed to be adopted by consolidating the forms noted in previous Section 906.3 for water based systems into a table, adding and updating the forms and form date.

**Necessity:** This is an addition and editorial change to reflect and clarify in a table format the current forms to be used and the alphabetical sequence of the section.

**Section 906.4(b)** is being proposed to be adopted for the new updated forms for Pre-Engineered Systems.

**Necessity:** The addition of this section will reflect the current updated form to be used for Pre-Engineered Systems and provided to the Authority Having Jurisdiction.

**Table 906.4(b)** is being proposed to be adopted to designate the forms to be used for recording the results of all inspections, tests and maintenance of engineered and pre-engineered fire protection systems.

**Necessity:** The addition of this table will reflect the current updated form to be used and provided to the Authority Having Jurisdiction.

**Section 906.4 (c)** is being proposed to be amended by re-lettering from previous Section 906.4(b).

**Necessity:** This is an editorial change to reflect the alphabetical sequence of the section.

**Section 907** is being proposed to be adopted allow the SFM and local fire officials to inspect a licensee.

**Necessity:** This addition will allow the authority having jurisdiction to inspect the licensee's business as well as the SFM to ensure all materials, tools and documentation is in compliance.

**Section 908:** is being proposed to be adopted by adding a section on fraudulent impersonations.

**Necessity:** The addition of this section will reduce the misrepresentation of the automatic extinguishing system service technicians as a member of the fire service. Presently, some automatic extinguishing system companies and technicians wear uniforms to give the unsuspecting consumer the impression that they represent the Office of the State Fire Marshal or the local fire department.

**Section 909:** is being proposed to be adopted by adding a reference to Title 19 Chapter 12 where the new procedures to administer suspensions or assessment of an administrative penalty in lieu of suspension are located.

**Necessity:** AB 1773 Chaptered August 18, 2010 enacted Health and Safety Code Section 13197.6 allowing the State Fire Marshal or his or her designee to determine if a person who has a license issued pursuant to Section 13195 to pay a monetary penalty to the State Fire Marshal in lieu of a license suspension.

**Section 910:** is being proposed to be adopted by adding reference tables for the assessment of the number of days of suspension for specific violations.

**Necessity:** AB 1773 Chaptered August 18, 2010 enacted Health and Safety Code Section 13197.6 allowing the State Fire Marshal or his or her designee to determine if a person who has a license issued pursuant to Section 13195 to pay a monetary penalty to the State Fire Marshal in lieu of a license. To determine the number of days of suspension for each violation referenced, a workgroup was established consisting of automatic extinguishing system concern owners, fire service personnel, and consumers.

## CCR, TITLE 19, Chapter 12

**Chapter 12 Portable Internal Combustion Engine Driven Pumps.** This title is proposed to be amended to be Chapter 12 “Enforcement” containing the sections which will outline the administrative process for the handling of code violations.

**Necessity:** Updating this Chapter will provide a central place for all sections dealing with privileges of the licensee and the administrative procedures dealing with code enforcement.

**Section 1920** is being proposed to be amended to establish the scope of the enforcement of these regulations.

**Necessity:** When AB 1773 was Chaptered August 18, 2010, it authorized the State Fire Marshal to levy a monetary penalty in lieu of suspension effective January 1, 2011. To complete this process State Fire Marshal developed these regulations outlining the rights of the companies and personnel licensed under CCR, Title 19.

**Section 1921** is being proposed to be amended to establish the guideline for the State Fire Marshal to consider when determining the number of days of a suspension for a code violation.

**Necessity:** When AB 1773 was Chaptered August 18, 2010, it authorized the State Fire Marshal to levy a monetary penalty in lieu of suspension effective January 1, 2011. To complete this process State Fire Marshal develop list of items to consider when preparing license or certificate of registration suspension or revocation to ensure all persons are treated equally.

**Section 1922,** is being proposed to add a definition section into Chapter 12.

**Necessity:** This new chapter of regulations does not identify or define "Company", "Individual" and "License". In order to avoid confusion over the proper use of these words, they are defined.

**Section 1922.1** is being proposed to add definition of Company.

**Necessity:** This new chapter of regulations does not identify or define Company. In order to avoid confusion over the proper use of company it has defined.

**Section 1922.2** is being proposed to add definition of Individual.

**Necessity:** This new chapter of regulations does not identify or define Individual. In order to avoid confusion over the proper use of individual it has been defined.

**Section 1922.3** is being proposed to add the definition of License.

**Necessity:** This new chapter of regulations does not identify or define License. In order to avoid confusion over the proper use of license it has been defined.

**Section 1924** is being proposed to be adopted to address the statutory requirements for issuing a suspension or asses an administrative penalty in lieu of suspension.

**Necessity:** It is important for a licensee to know and understand their rights when being accused of a violation of the laws and regulation and the proper procedures that must

be followed. Sections 1924 –1924.7 of these regulations are patterned after Title 16 Division 5 Board for Professional Engineers and Land Surveyors, Article 4.

**Section 1924.1** is being proposed to be adopted to address the statutory requirement for issuing a suspension or asses an administrative penalty in lieu of suspension.

**Necessity:** It is important for a licensee to know how the administrative penalty is calculated and understand their rights when being accused of a violation of the laws and regulation.

**Section 1924.2** is being proposed to be adopted to address the statutory requirement for issuing a suspension or asses an administrative penalty in lieu of suspension on the initial assessment and subsequent violation.

**Necessity:** It is important for a licensee to know how the administrative penalty is calculated and understand their rights when being accused of a violation of the laws and regulation.

**Section 1924.3** is being proposed to be adopted to address the statutory requirement for issuing an Accusation of Suspension and Notice of Defense.

**Necessity:** It is important for a licensee to know their rights to an administrative hearing or an informal conference with the State Fire Marshal or designee.

**Section 1924.4** is being proposed to be adopted to address the statutory requirement for submitting and the stay of the time period of the suspension.

**Necessity:** It is important for a licensee to know their rights to an administrative hearing or an informal conference with the State Fire Marshal or designee and the process.

**Section 1924.5** is being proposed to be adopted to address the statutory time requirements for filing a Notice of Defense.

**Necessity:** It is important for a licensee to know their rights when be accused of a violation of the laws and regulations, and the time they have to respond to the State Fire Marshal.

**Section 1924.6** is being proposed to be adopted to address none payment of the payment of the fine.

**Necessity:** It is important for a licensee to know the consequences of failure pay the administrative fine in a reasonable time.

**Section 1924.7** is being proposed to be adopted to address requesting a new license without pay the fine.

**Necessity:** It is important for a licensee to understand that they are not able to apply for a new license until the fine is paid in full.

**Section 1926** is being proposed to be amended to establish the regulations for the fire extinguisher program suspension of licenses and reference Chapter 3.

**Necessity:** When AB 1773 was Chaptered August 18, 2010, it authorized the State Fire Marshal to levy a monetary penalty in lieu of suspension effective January 1, 2011. To

complete this process the State Fire Marshal develops guidelines to ensure all persons are treated equally.

**Section 1929** is being proposed to be amended to establish the regulations for the posting of convictions of violation of the laws and regulations relating to licensing programs of the State Fire Marshal.

**Necessity:** When AB 1773 was Chaptered August 18, 2010, it required the State Fire Marshal to provide the public with information on violations of the laws and regulations relating to suspension and monetary penalty in lieu of suspension.