

**RULES
OF
DEPARTMENT OF COMMERCE AND INSURANCE
DIVISION OF FIRE PREVENTION**

**CHAPTER 0780-02-07
FIRE PROTECTION SPRINKLER SYSTEM
CONTRACTORS**

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0780-02-07-.01 DEFINITIONS.

- (1) For purposes of this Chapter, unless the context otherwise requires, the definitions of terms contained in Tenn. Code Ann. § 62-32-101 are applicable. In addition:
- (a) "Business" means the planning, selling, installing, or servicing of fire protection sprinkler systems.
 - (b) "Certificate" means a certificate of registration issued to a fire protection sprinkler contractor by the Department of Commerce and Insurance.
 - (c) "Inspection" means a visual examination of a sprinkler system or portion thereof to verify that it appears to be in operating condition and free from physical damage.
 - (d) "License" means a license issued by the Department of Commerce and Insurance to a responsible managing employee.
 - (e) "NFPA" means the National Fire Protection Association, Inc., a nationally recognized standards making organization.
 - (f) "NICET" means the National Institute for Certification in Engineering Technologies.
 - (g) "Point of Service" means the point immediately after the tap of the service main where water is used exclusively for fire protection purposes.
 - (h) "Repair" means any work performed after initial installation on a fire protection sprinkler system, not including inspecting and testing.
 - (i) "Service" means to repair, test, or inspect. For the purposes of Tenn. Code Ann. Title 62, Chapter 32, Part 1, the definition of service does not include the inspection or testing of backflow preventers by employees or agents of public water systems regulated under Tenn. Code Ann. § 68-221-701, et seq. and Tenn. Comp. R & Regs. 1200-05-01-.17.
 - (j) "Shop Drawings" means working drawings indicating the fabrication, assembly, installation or erection of a fire protection sprinkler system's components.

(Rule 0780-02-07-.01, continued)

- (k) "Standards" means those standards adopted herein.
- (l) "Test" means subjection of a fire protection sprinkler system to any procedure necessary to insure its proper operation or installation.
- (m) "Water Supply" means public and private utility water mains, gravity tanks, pressure tanks, reservoirs, wells, and all other water sources.

Authority: T.C.A. § 62-32-103. **Administrative History:** Original rule filed April 29, 1985; effective May 29, 1985. Amendment filed April 2, 1990; effective May 17, 1990. Amendment filed April 30, 2009; effective July 14, 2009.

0780-02-07-.02 PURPOSE.

The purpose of this Chapter is to regulate persons engaged in the business of planning, selling, installing, or servicing fire protection sprinkler systems in the interest of safeguarding lives and property pursuant to Tenn. Code Ann. § 62-32-103.

Authority: T.C.A. § 62-32-103. **Administrative History:** Original rule filed April 29, 1985; effective May 29, 1985. Amendment filed April 2, 1990; effective May 17, 1990. Amendment filed April 30, 2009; effective July 14, 2009.

0780-02-07-.03 ADOPTION BY REFERENCE OF STANDARDS.

Unless otherwise provided by applicable law or the provisions of this Chapter, the required minimum standards for planning, selling, installing, and servicing fire protection sprinkler systems shall be as prescribed in Tenn. Comp. R & Regs. 0780-02-02, as may be amended from time to time.

Authority: T.C.A. §62-32-103. **Administrative History:** Original rule filed April 29, 1985; effective May 29, 1985. Amendment filed April 2, 1990; effective May 17, 1990. Amendment filed April 30, 2009; effective July 14, 2009.

0780-02-07-.04 CERTIFICATION OF REGISTRATION.

- (1) Any application for a certificate of registration as a fire protection sprinkler system contractor must be signed by the sole proprietor, by each partner of a partnership, or by the president and secretary of a corporation or organization. The application shall include written authorization for representatives of the Department to enter, examine, and inspect any premise, building, room, or establishment used by the applicant while engaged in the business to determine compliance with Tenn. Code Ann. Title 62, Chapter 32, Part 1.
- (2) Every fire protection sprinkler system contractor shall maintain a specific business location, which shall be indicated on the certificate.
- (3) A change in ownership invalidates the current certificate. To assure continuance of registration, an application for a new certificate should be submitted to the Department at least fourteen (14) days prior to such change.
- (4) Any change in a corporation's president or secretary must be reported in writing to the Department within fourteen (14) days. A revised certificate will not be required when such change is properly reported.
- (5) A certificate does not authorize any person to enforce this Chapter or to enter any building without permission

(Rule 0780-02-07-.04, continued)

- (6) A revised certificate will be required in the event of a change of a company's name which does not include a company's change of ownership. Any such change must be reported within fourteen (14) days.
- (7) Any application that remains pending for twelve (12) months will expire. Refundable fees will be refunded if a written request is made to the Department within six (6) months of the expiration of the application.

Authority: T.C.A. § 62-32-103, 62-32-105, and 62-32-107. **Administrative History:** Original rule filed April 29, 1985; effective May 29, 1985. Amendment filed April 30, 2009; effective July 14, 2009.

0780-02-07-.05 RESPONSIBLE MANAGING EMPLOYEE LICENSE.

- (1) An application for a license as a responsible managing employee shall include:
 - (a) Proof of registration in Tennessee as a professional engineer or architect; or
 - (b) A copy of NICET's letter notifying the applicant of successful completion of the examination for certification of level III for fire protection engineering technician.
- (2) The fire protection sprinkler system contractor for which an individual serves as a responsible managing employee will be noted on the face of the license.
- (3) A revised license is required in the event of:
 - (a) Termination of employment as responsible managing employee;
 - (b) New employment as responsible managing employee; or
 - (c) Change of mailing address.
- (4) Within fourteen (14) days after the occurrence of any change requiring revision of a license, the licensee shall notify the Department in writing of the change and surrender the license.
- (5) A duplicate license must be obtained from the Department to replace a lost or destroyed license. The licensee shall promptly notify the Department in writing of the loss or destruction.
- (6) A licensee shall not permit the use of his license by other persons.
- (7) Any application that remains pending for twelve (12) months will expire. Refundable fees will be refunded if a written request is made to the Department within six (6) months of the expiration of the application.

Authority: T.C.A. §§ 62-32-103 and 62-32-106. **Administrative History:** Original rule filed April 29, 1985; effective May 29, 1985. Amendment filed April 30, 2009; effective July 14, 2009.

0780-02-07-.06 ALTERATION OF CERTIFICATE OR LICENSE.

A certificate or license shall become void if it is in any way altered.

Authority: T.C.A. § 62-32-105. **Administrative History:** Original rule filed April 29, 1985; effective May 29, 1985.

0780-02-07-.07 FEES.

- (1) Fees will be charged in accordance with the following schedule:
 - (a) Certificate
 1. Application \$100.00
 2. Issuance \$500.00
 3. Renewal \$200.00
 - (b) License
 1. Application \$ 25.00
 2. Issuance \$200.00
 3. Renewal \$ 75.00
 - (c) Duplicate certificate or license \$75.00
- (2) Every fee charged under this rule shall be paid by check or money order payable to the Tennessee Department of Commerce and Insurance.
- (3) A renewal application accompanied by the required fee is deemed to be timely filed if received before or on the expiration date of the certificate or license for which renewal is sought.

Authority: T.C.A. §§ 62-32-103, 62-32-107, and 62-32-110. **Administrative History:** Original rule filed April 29, 1985; effective May 29, 1985. Amendments filed April 30, 2009; effective July 14, 2009.

0780-02-07-08 INSTALLATION, INSPECTION AND SERVICE.

- (1) All fire protection sprinkler systems under Tenn. Code Ann. §§ 62-32-101 and 62-32-103 shall be installed under the supervision of a licensed responsible managing employee.
- (2) Installation of fire protection sprinkler systems, beginning at the point of service, shall be in compliance with all applicable laws, codes, and standards.
- (3) Upon completion of installation, the responsible managing employee shall post a contractor's material and test certificate for aboveground and underground piping where appropriate, on or near the system riser. This certificate shall be obtained from the Department and shall be distributed as follows:
 - (a) Original copy to be kept at the fire protection sprinkler system site.
 - (b) Second copy to be retained by the installer.
 - (c) Third copy to be sent to the local authority having jurisdiction within ten (10) days after completion of the installation.
 - (d) Fourth copy to be sent to the Department within ten (10) days after completion of the installation.

(Rule 0780-02-07-.08, continued)

- (4) Inspection and service, where required, shall be conducted by a registered fire protection sprinkler system contractor in accordance with the standards. Written reports of inspections shall be completed and filed in accordance with paragraph (3) of this rule.
- (5) Complete records shall be kept of the tests and operations of each system. The records shall be available for examination by the Department or its representative.
- (6) Simple maintenance of the fire protection sprinkler system, such as replacing a sprinkler head, may be performed by the owner, or by full-time persons employed by the owner of the sprinkler system.
- (7) If a registered professional architect or engineer is acting in the capacity of a fire protection sprinkler system contractor, such as installing or overseeing the installation of the sprinkler system, he or she must be registered with the Department as a fire protection sprinkler system contractor. Registration is not required if acting solely in his or her professional capacity as a designer of the fire protection sprinkler system.
- (8) New installation of a fire protection sprinkler system must be performed by a fire protection sprinkler system contractor registered by the Department, or by his or her responsible managing employee licensed by the Department and on staff with the contractor.

Authority: T.C.A. §§62-32-101, 62-32-102, and 62-32-103. **Administrative History:** Original rule filed April 29, 1985; effective May 29, 1985. Amendment filed April 2, 1990; effective May 17, 1990. Amendment filed April 30, 2009; effective July 14, 2009.

0780-02-07-.09 SPRINKLER SYSTEM SHOP DRAWINGS.

- (1) On projects whose construction plans and specifications are subject to reviews by the Department under Tenn. Comp. R & Regs. 0780-02-03, fire protection sprinkler system shop drawings (and where applicable, hydraulic calculations) shall be submitted to the Department for approval prior to installation of the system. Such shop drawings shall be accompanied by the prescribed plans review submittal form and fee.
- (2) Shop drawings submitted to the Department for review shall be sufficiently detailed to enable the reviewer to determine accurately whether the proposed installation would be in compliance with the standards. In addition, shop drawings shall provide information relating to the methods of valve supervision and type of alarm system provided.
- (3) Where shop drawings have been submitted to the Department for review, subsequent alterations or additions shall be noted and submitted on updated shop drawings. When an alteration consists of ten (10) sprinkler heads or less and all floor areas were protected prior to the alteration, updated shop drawings need not be submitted. Shop drawings must be submitted for all alterations consisting of more than ten (10) sprinkler heads. Shop drawings must also be submitted for addition to systems protecting previously unprotected areas.
- (4) Shop drawings submitted to the Department for review shall bear the:
 - (a) Certificate number of the contractor;
 - (b) Date of preparation of the shop drawings; and
 - (c) Signature and license number of the responsible managing employee.

Authority: T.C.A. §§ 62-32-103 and 62-32-112. **Administrative History:** Original rule filed April 29, 1985; effective May 29, 1985. Amendment filed April 30, 2009; effective July 14, 2009.

(Rule 0780-02-07-.09, continued)

0780-02-07-.10 SERVICE TAGS.

- (1) After installation or service, a service tag indicating all work that has been done will be completed in detail, and attached to the fire protection sprinkler system in such a position as to permit convenient inspection and not hamper its actuation or operation.
- (2) A new service tag shall be attached each time an inspection or service is performed.
- (3) Service tags shall be approximately three (3) inches by five (5) inches in size, and shall not be red in color.
- (4) Service tags shall bear the following information:
 - (a) **"DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL"** (all capital letters at least 10-point boldface type);
 - (b) Contractor's name, address, and certificate number;
 - (c) Responsible managing employee's name and license number;
 - (d) Date;
 - (e) Type of work;
 - (f) Service performed;
 - (g) Results of two (2) inch drain test; and
 - (h) Owner's name and address.
- (5) Service tags may be printed and established for any five year period. After each printing, one tag shall be forwarded to the State Fire Marshal.
- (6) Only authorized employees of a fire protection sprinkler system contractor may remove a service tag.
- (7) If impairments are found, the inspector shall notify the building owner (or his representative) and the authority having jurisdiction, and shall complete and attach a red tag (see *Rule 0780-02-07-.11*). A service tag shall not be installed on the system until the impairments have been corrected and the system has been re-inspected and found to be in good operating condition.

Authority: T.C.A. §62-32-103. **Administrative History:** Original rule filed April 29, 1985; effective May 29, 1985.

0780-02-07-.11 RED TAGS.

- (1) Red tags shall be the same size as service tags.
- (2) Red tags shall bear the following information:
 - (a) **"DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL"** (all capital letters at least 10-point boldface type);
 - (b) Contractor's name, address, and certificate number;

(Rule 0780-02-07-.11, continued)

- (c) Responsible managing employee's name and license number;
 - (d) Date;
 - (e) Impairments; and
 - (f) Owner's name and address.
- (3) Red tags may be printed and established for any five year period. After each printing, one tag shall be forwarded to the State Fire Marshal.
- (4) Only authorized employees of a fire protection sprinkler system contractor or authorized representatives of the State Fire Marshal may remove a red tag.
- (5) Nothing in this chapter shall relieve a fire protection sprinkler system contractor from the responsibility to comply with any applicable local law requiring notification to local authorities whenever a fire protection sprinkler system becomes inoperable.

Authority: T.C.A. § 62-32-103. **Administrative History:** Original rule filed April 29, 1985; effective May 29, 1985.

0780-02-07-.12 ENFORCEMENT.

The State Fire Marshal may make or cause to be made, inspection from time to time to assure compliance with the provisions of T.C.A. §§ 62-32-101 and 62-32-103. Where any inspection discloses violation(s) of the law or this chapter, the State Fire Marshal may order the correction of the violation(s) upon such terms as may be deemed appropriate.

Authority: T.C.A. 62-32-103. **Administrative History:** Original rule filed April 29, 1985; effective May 29, 1985.

0780-02-07-.13 SEVERABILITY.

If any provision of this Chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Chapter which can be given effect without the invalid provision or applications, and to that end the provisions of this Chapter are declared to be severable.

Authority: T.C.A. 62-32-103. **Administrative History:** Original rule filed April 29, 1985; effective May 29, 1985.

0780-02-07-.14 EFFECTIVE DATE.

Authority: T.C.A. 62-32-103. **Administrative History:** Original rule filed April 29, 1985; effective May 29, 1985. Amendment filed April 2, 1990; effective May 17, 1990.