

# **Texas Insurance Code Chapter 6003**

*(formerly Article 5.43-3)*

## **Fire Protection Sprinkler System Service and Installation and 28 TAC §§ 34.700 The Fire Sprinkler Rules**



**Texas Department of Insurance**

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<http://www.tdi.texas.gov/fire/fmli.html>

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**TEXAS INSURANCE CODE**  
**TITLE 20. REGULATION OF OTHER OCCUPATIONS**  
**Chapter 6003. Fire Protection Sprinkler System Service and Installation**

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**TEXAS ADMINISTRATIVE CODE**  
**TITLE 28. INSURANCE**  
**Part I. Texas Department of Insurance**  
**Chapter 34. State Fire Marshal**  
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**TEXAS INSURANCE CODE**  
**TITLE 20. REGULATION OF OTHER OCCUPATIONS**  
**CHAPTER 6003. FIRE PROTECTION SPRINKLER SYSTEM SERVICE AND INSTALLATION**  
**SUBCHAPTER A. GENERAL PROVISIONS**

**Sec. 6003.001. DEFINITIONS.**

In this chapter:

- (1) "Fire protection sprinkler system" means an assembly of underground or overhead piping or conduits that conveys water with or without other agents to dispersal openings or devices to:
  - (A) extinguish, control, or contain fire; and
  - (B) provide protection from exposure to fire or the products of combustion.
- (2) "Fire protection sprinkler system contractor" means an individual or organization that offers to undertake, represents itself as being able to undertake, or undertakes the plan, sale, installation, maintenance, or servicing of:
  - (A) a fire protection sprinkler system; or
  - (B) any part of a fire protection sprinkler system.
- (3) "Individual" means a natural person, including an owner, manager, officer, employee, or occupant.
- (4) "Installation" means:
  - (A) the initial placement of equipment; or
  - (B) the extension, modification, or alteration of equipment after initial placement.
- (5) "Insurance agent" means:
  - (A) an individual, firm, or corporation licensed under:
    - (i) Subchapter E, Chapter 981; or
    - (ii) Subchapter A, B, C, D, E, or G, Chapter 4051; or
  - (B) an individual authorized to represent an insurance fund or pool created by a municipality, county, or other political subdivision of this state under Chapter 791, Government Code.
- (6) "License" means the document issued to a responsible managing employee authorizing the employee to engage in the fire protection sprinkler system business in this state.
- (7) "Maintenance" means the maintenance of a fire protection sprinkler system or any part of a fire protection sprinkler system in the condition of repair that provides performance as originally planned.
- (8) "Organization" means a corporation, a partnership or other business association, a governmental entity, or any other legal or commercial entity.
- (9) "Registration certificate" means the document issued to a fire protection sprinkler system contractor authorizing the contractor to engage in business in this state.
- (10) "Responsible managing employee" means an individual designated by a company that plans, sells, installs, maintains, or services fire protection sprinkler systems to ensure that each fire protection sprinkler system, as installed, maintained, or serviced, meets the standards for the system as provided by law.
- (11) "Service" means maintenance, repair, or testing.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

**Sec. 6003.002. APPLICABILITY OF CHAPTER.**

- (a) This chapter does not apply to:
  - (1) an employee of the United States, this state, or any political subdivision of this state who acts as a fire protection sprinkler system contractor for the employing governmental entity;
  - (2) the plan, sale, installation, maintenance, or servicing of a fire protection sprinkler system in any property owned by the United States or this state;
  - (3) an individual or organization acting under court order as authorization;
  - (4) an individual or organization that sells or supplies products or materials to a registered fire protection sprinkler system contractor;
  - (5) an installation, maintenance, or service project for which the total contract price for labor, materials, and all other services is less than \$100, if:
    - (A) the project is not a part of a complete or more costly project, whether the complete project is to be undertaken by one or more fire protection sprinkler system contractors; or
    - (B) the project is not divided into contracts of less than \$100 for the purpose of evading this chapter;

(6) an engineer licensed under Chapter 1001, Occupations Code, acting solely in the engineer's professional capacity;

(7) a regular employee of a registered fire protection sprinkler system contractor; or

(8) an owner or lessee of property that:

(A) installs a fire protection sprinkler system on the owned or leased property for the owner's or lessee's own use or for family members' use; and

(B) does not offer the property for sale or lease before the first anniversary of the date of installation of the fire protection sprinkler system.

(b) This chapter does not authorize an individual or organization to practice professional engineering other than in compliance with Chapter 1001, Occupations Code.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

### **Sec. 6003.003. EFFECT ON LOCAL REGULATION.**

(a) This chapter and the rules adopted under this chapter have uniform force and effect throughout this state. A municipality or county may not enact an order, ordinance, or rule requiring a fire protection sprinkler system contractor to obtain a registration certificate from the municipality or county. A municipality or county may not impose on a fire protection sprinkler system contractor qualification or financial responsibility requirements other than proof of a registration certificate.

(b) Notwithstanding any other provision of this chapter, a municipality or county may require a fire protection sprinkler system contractor to obtain a permit and pay a permit fee for the installation of a fire protection sprinkler system and require the installation of a fire protection sprinkler system to conform to the building code or other construction requirements of the municipality or county.

(c) A municipal or county order, ordinance, or rule in effect on September 1, 1983, is not invalidated because of any provision of this chapter.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

## **SUBCHAPTER B. POWERS AND DUTIES OF COMMISSIONER, DEPARTMENT, AND STATE FIRE MARSHAL**

### **Sec. 6003.051. ADMINISTRATION OF CHAPTER.**

(a) The department shall administer this chapter.

(b) The commissioner may issue rules necessary to administer this chapter through the state fire marshal.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

### **Sec. 6003.052. ADOPTION OF RULES.**

(a) In adopting necessary rules, the commissioner may use recognized standards, including standards:

(1) adopted by federal law or regulation;

(2) published by a nationally recognized standards-making organization; or

(3) developed by individual manufacturers.

(b) Under rules adopted under Section 6003.051(b), the department may create a specialized licensing or registration program for fire protection sprinkler system contractors.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

### **Sec. 6003.053. RULES RESTRICTING ADVERTISING OR COMPETITIVE BIDDING.**

(a) The commissioner may not adopt rules restricting advertising or competitive bidding by the holder of a license or registration certificate issued under this chapter except to prohibit false, misleading, or deceptive practices.

(b) In the commissioner's rules to prohibit false, misleading, or deceptive practices, the commissioner may not include a rule that:

(1) restricts the use of any medium for advertising;

(2) restricts the use of a license or registration certificate holder's personal appearance or voice in an advertisement;

(3) relates to the size or duration of an advertisement by the license or registration certificate holder; or

(4) restricts the license or registration certificate holder's advertisement under a trade name.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

**Sec. 6003.054. GENERAL POWERS AND DUTIES OF COMMISSIONER, STATE FIRE MARSHAL, AND DEPARTMENT.**

(a) The commissioner may delegate authority to exercise all or part of the commissioner's functions, powers, and duties under this chapter, including the issuance of licenses and registration certificates, to the state fire marshal. The state fire marshal shall implement the rules adopted by the commissioner for the protection and preservation of life and property in controlling:

(1) the registration of an individual or an organization engaged in the business of planning, selling, installing, maintaining, or servicing fire protection sprinkler systems; and

(2) the requirements for the plan, sale, installation, maintenance, or servicing of fire protection sprinkler systems by:

(A) determining the criteria and qualifications for registration certificate and license holders;

(B) evaluating the qualifications of an applicant for a registration certificate to engage in the business of planning, selling, installing, maintaining, or servicing fire protection sprinkler systems;

(C) conducting examinations and evaluating the qualifications of a license applicant; and

(D) issuing registration certificates and licenses to qualified applicants.

(b) The commissioner shall establish a procedure for reporting and processing complaints relating to the business of planning, selling, installing, maintaining, or servicing fire protection sprinkler systems in this state.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

**Sec. 6003.055. FEES.**

(a) The commissioner shall set the fee for:

(1) a registration certificate application in an amount not to exceed \$100;

(2) an initial or renewal registration certificate in an amount not to exceed \$1,200 annually; and

(3) an initial or renewal responsible managing employee license fee in an amount not to exceed \$200 annually.

(b) Unless the examination for a responsible managing employee license is administered by a testing service, the commissioner shall set a nonrefundable fee for each examination in an amount not to exceed \$100.

(c) The commissioner shall set a fee in an amount not to exceed \$70 for:

(1) a duplicate registration certificate or license issued under this chapter; or

(2) any request requiring changes to a registration certificate or license.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

**Sec. 6003.056. DEPOSIT IN OPERATING ACCOUNT.**

All fees collected under this chapter shall be deposited in the state treasury to the credit of the Texas Department of Insurance operating account for use in administering this chapter.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

**SUBCHAPTER D. REGISTRATION AND LICENSE REQUIREMENTS**

**Sec. 6003.151. FIRE PROTECTION SPRINKLER SYSTEM CONTRACTOR; REGISTRATION CERTIFICATE REQUIRED.**

(a) Unless the individual or organization holds a registration certificate issued by the department, an individual or organization may not plan, sell, install, maintain, or service a fire protection sprinkler system.

(b) An applicant for a registration certificate must apply to the department on a form prescribed by the commissioner.

(c) An organization that is a partnership or joint venture is not required to register under the name of the organization if each partner or joint venturer holds a registration certificate.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

**Sec. 6003.152. REQUIRED INSURANCE COVERAGE FOR REGISTRATION CERTIFICATE.**

(a) The department may not issue a registration certificate under this chapter unless the applicant files with the department evidence of a general liability insurance policy that includes products and completed operations coverage. The policy must be conditioned to pay on behalf of the insured those amounts that the insured becomes legally obligated to pay as damages because of bodily injury and property damage caused by an occurrence involving the insured or the insured's officer, agent, or employee in the conduct of any activity that requires a registration certificate or license under this chapter.

(b) Unless the commissioner, after notice and an opportunity for a hearing, increases or decreases the limits, the limits of insurance coverage required by Subsection (a) must be at least:

- (1) \$100,000 combined single limits for bodily injury and property damage for each occurrence; and
- (2) \$300,000 aggregate for all occurrences for each policy year.

(c) The evidence of insurance required by this section must be in the form of a certificate of insurance executed by an insurer authorized to engage in the business of insurance in this state and countersigned by an insurance agent licensed in this state. A certificate of insurance for surplus lines coverage procured in compliance with Chapter 981 through a surplus lines agent that is licensed under Subchapter E, Chapter 981, and resident in this state may be filed with the department as evidence of the coverage required by this section.

(d) An insurance certificate executed and filed with the department under this section remains in force until the insurer has terminated future liability by the notice required by the department.

(e) Failure to maintain the liability insurance required by this section constitutes grounds for the denial, suspension, or revocation, after notice and opportunity for hearing, of a registration certificate issued under this chapter.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

#### **Sec. 6003.153. RESPONSIBLE MANAGING EMPLOYEE: LICENSE REQUIRED.**

(a) Each fire protection sprinkler system contractor must employ at least one licensed responsible managing employee on a full-time basis.

(b) A person may not act as a responsible managing employee unless the person holds a license issued by the department, conditioned on the successful completion of the license examination and compliance with the requirements of the rules adopted under this chapter.

(c) Notwithstanding Subsection (a), an individual or organization with a current registration certificate may act as a fire protection sprinkler system contractor for 30 days after the death or dissociation of its licensed responsible managing employee or for a longer period approved by the commissioner under the rules adopted under this chapter.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

#### **Sec. 6003.154. POSTING OF LICENSE OR CERTIFICATE REQUIRED.**

Each registration certificate and license issued under this chapter must be posted in a conspicuous place in the fire protection sprinkler system contractor's place of business.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

#### **Sec. 6003.155. DISPLAY OF REGISTRATION CERTIFICATE NUMBER ON CERTAIN DOCUMENTS REQUIRED.**

Each bid, proposal, offer, and installation drawing for a fire protection sprinkler system must prominently display the registration certificate number of the fire protection sprinkler system contractor.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

#### **Sec. 6003.156. LICENSE EXAMINATION.**

(a) The state fire marshal shall establish the scope and type of an examination required by this chapter.

(b) The state fire marshal may administer the examination or may enter into an agreement with a testing service.

(c) If a testing service is used, the state fire marshal may contract with the testing service regarding requirements for the examination, including:

- (1) examination development;
- (2) scheduling;
- (3) site arrangements;
- (4) grading;
- (5) reporting;
- (6) analysis; or
- (7) other administrative duties.

(d) The state fire marshal may require the testing service to:

- (1) correspond directly with an applicant regarding the administration of the examination;
- (2) collect a reasonable fee from an applicant for administering the examination; or
- (3) administer the examination at a specific location or time.

(e) The state fire marshal shall adopt rules as necessary to implement examination requirements under this chapter.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

**Sec. 6003.157. EXAMINATION RESULTS.**

(a) Not later than the 30th day after the date on which an examination is administered under this chapter, the state fire marshal shall send notice to each examinee of the results of the examination.

(b) If an examination is graded or reviewed by a testing service, the state fire marshal shall send notice to each examinee of the results of the examination not later than the 14th day after the date on which the state fire marshal receives the results from the testing service.

(c) If the notice of the examination results will be delayed for more than 90 days after the examination date, the state fire marshal, before the 90th day, shall send notice to the examinee of the reason for the delay.

(d) The state fire marshal may require a testing service to notify an examinee of the results of the examinee's examination.

(e) If requested in writing by an individual who fails the examination administered under this chapter, the state fire marshal shall send to the individual an analysis of the individual's performance on the examination.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

**Sec. 6003.158. CONTINUING EDUCATION REQUIREMENTS.**

(a) The commissioner may adopt procedures for certifying and may certify continuing education programs.

(b) Participation in the continuing education programs is voluntary.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

**Sec. 6003.159. RECIPROCAL LICENSE.**

The department may waive any license requirement for an applicant who holds a license issued by another state that has license requirements substantially equivalent to the license requirements of this state.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

**Sec. 6003.160. NOT TRANSFERABLE.**

A registration certificate or license issued under this chapter is not transferable.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

**SUBCHAPTER E. RENEWAL OF REGISTRATION CERTIFICATE OR LICENSE****Sec. 6003.201. RENEWAL REQUIRED; FEE.**

(a) Except as otherwise provided by this subsection, an initial registration certificate or license is valid for a period of one year from the date of issue and is renewable on payment of the renewal fee. An initial registration certificate or license issued on or after September 1, 1983, may be issued for a period of less than one year and the renewal fee shall be prorated proportionally.

(b) A renewal of a registration certificate or license issued under this chapter is valid for a period of two years. The license or registration fee for each year of the two-year period is payable on renewal.

(c) The commissioner by rule may adopt a system under which registration certificates and licenses expire on various dates during the year. For the year in which an expiration date of a registration certificate or license is less than one year from its issuance or anniversary date, the fee shall be prorated on a monthly basis so that each holder of a registration certificate or license pays only that portion of the renewal fee that is allocable to the number of months during which the registration certificate or license is valid. On renewal on the new expiration date, the total renewal fee is payable.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

**Sec. 6003.202. NOTICE OF EXPIRATION.**

At least 30 days before the expiration date of a registration certificate or license, the department shall send written notice of the impending expiration to the holder of the registration certificate or license at the holder's last known address.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

**Sec. 6003.203. RENEWAL PROCEDURES.**

(a) The holder of an unexpired registration certificate or license may renew the certificate or license by paying the required renewal fee to the department before the expiration date of the certificate or license.

(b) An individual or organization whose registration certificate or license has been expired for 90 days or less may renew the certificate or license by paying to the department:

- (1) the required renewal fee; and



- (2) a fee equal to one-half of the initial fee for the certificate or license.
- (c) An individual or organization whose registration certificate or license has been expired for more than 90 days but less than two years may renew the certificate or license by paying to the department:
  - (1) all unpaid renewal fees; and
  - (2) a fee that is equal to the initial fee for the certificate or license.
- (d) An individual or organization whose registration certificate or license has been expired for two years or longer may not renew the certificate or license. The individual or organization may obtain a new registration certificate or license by complying with the requirements and procedures for obtaining an initial registration certificate or license.
- (e) This section may not be construed to prevent the department from denying or refusing to renew a license under applicable law or commissioner rules.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

## **SUBCHAPTER F. PROHIBITED PRACTICES AND DISCIPLINARY PROCEDURES**

### **Sec. 6003.251. PROHIBITED PRACTICES.**

An individual or organization may not:

- (1) obtain or attempt to obtain a registration certificate or license by fraudulent representation; or
- (2) plan, sell, install, maintain, or service a fire protection sprinkler system in violation of this chapter or the rules adopted under this chapter.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

### **Sec. 6003.252. DISCIPLINARY ACTIONS.**

The state fire marshal may suspend, revoke, or refuse to issue or renew a registration certificate or license if, after notice and hearing, the state fire marshal finds that the applicant, registrant, or license holder has engaged in acts that:

- (1) violate this chapter;
- (2) violate rules or standards adopted under this chapter; or
- (3) constitute misrepresentation made in connection with:
  - (A) the sale of products; or
  - (B) services rendered.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

### **Sec. 6003.253. DISCIPLINARY HEARING.**

(a) If the state fire marshal proposes to suspend, revoke, or refuse to renew a license or registration certificate issued under this chapter, the holder of the license or certificate is entitled to a hearing conducted by the State Office of Administrative Hearings.

(b) Rules of practice adopted by the commissioner applicable to the proceedings for a disciplinary action may not conflict with rules adopted by the State Office of Administrative Hearings.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

### **Sec. 6003.254. APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT.**

Proceedings for the denial, suspension, or revocation of a registration certificate or license, appeals from those proceedings, and any other proceedings for a disciplinary action are governed by Chapter 2001, Government Code.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

### **Sec. 6003.255. REAPPLICATION REQUIREMENTS.**

(a) An applicant or holder of a registration certificate or license whose certificate or license has been denied, refused, or revoked under this chapter, other than for failure to pass a required written examination, may not file another application for a registration certificate or license before:

- (1) the first anniversary of the effective date of the denial, refusal, or revocation; or
- (2) if judicial review of the denial, refusal, or revocation is sought, before the first anniversary of the date of the final court order or decree affirming the action.

(b) The commissioner may deny an application described by Subsection (a) unless the applicant shows good cause why the denial, refusal, or revocation of the registration certificate or license should not be considered a bar to the issuance of a new registration certificate or license.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

## **SUBCHAPTER G. CRIMINAL PENALTY**

### **Sec. 6003.301. CRIMINAL PENALTY.**

(a) A person commits an offense if the person knowingly violates Section 6003.151(a), 6003.153, or 6003.251.

(b) An offense under this section is a Class B misdemeanor.

(c) Venue for an offense under this section is in Travis County or the county in which the offense is committed.

Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

Texas Insurance Code, Article 5.43-3, Fire Protection Sprinkler Systems

Acts 1983, 68th Leg., p. 534, ch. 113, § 1, eff. Sept. 1, 1983. Amended by Acts 1987, 70th Leg., ch. 267, §§ 22 to 25, eff. June 5, 1987; Acts 1989, 71st Leg., ch. 762, §§ 17 to 19, eff. June 15, 1989; Acts 1989, 71st Leg., ch. 823, §§ 7 to 9, eff. June 14, 1989; Acts 1991, 72nd Leg., ch. 628, §§ 15, 16, eff. Sept. 1, 1991; Acts 1995, 74th Leg., ch. 337, § 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1172, §§ 4.11, 4.12, 4.14, eff. Sept. 1, 1997; Acts 2003, 78th Leg., ch 1014, §§ 5, 6, eff. June 20, 2003.

Texas Insurance Code Chapter 6003, Fire Protection Sprinkler System Service and Installation

Re-codified with nonsubstantive changes HB2636, 80<sup>th</sup> Leg.; Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009.

*Re-codified with nonsubstantive changes to clarify and simplify the statutes and to make the statutes more accessible, understandable and usable, per Government Code, Sec. 323.007*

**TEXAS ADMINISTRATIVE CODE  
TITLE 28. INSURANCE  
Part I. Texas Department of Insurance  
Chapter 34. State Fire Marshal  
Subchapter G. Fire Sprinkler Rules  
28 TAC §§ 34.701-34.725**

**§34.701. Purpose.**

The purpose of this subchapter is to regulate persons engaged in the business of planning, selling, installing, maintaining, or servicing fire protection sprinkler systems in the interest of safeguarding lives and property pursuant to Insurance Code Chapter 6003.

**§34.702. Title.**

The sections of this subchapter shall be known and may be cited as the sprinkler rules and shall be administered by and through the state fire marshal.

**§34.703. Applicability of Subchapter.**

This subchapter shall apply to all firms and persons engaged in the business of planning, selling, installing, maintaining, or servicing fire protection sprinkler systems, and not to the general public.

**§34.704. Exceptions.**

The exceptions of Insurance Code §6003.002 are applicable to the sections of this subchapter.

**§34.705. Notices.**

Notice by the state fire marshal as required by any provision of statute or of this subchapter may be given by personal service or mail, postage prepaid, addressed to the person to be notified at his last known address of residence or business as it appears on the records in the Office of the State Fire Marshal.

**§34.706. Definitions.**

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise.

- (1) Business--Planning, selling, installing, maintaining, or servicing fire protection sprinkler systems.
- (2) Certificate--The certificate of registration issued by the state fire marshal.
- (3) Certify--To attest to the proper planning, installing, maintaining, or servicing of fire protection sprinkler systems by executing a contractor's material and test certificate or other form required by a governmental authority or by attaching a completed service tag.
- (4) Department--The Texas Department of Insurance.
- (5) Emergency impairment--A condition where a water-based fire protection system or portion thereof is out of order due to an unexpected occurrence, such as ruptured pipe, an operated sprinkler, or an interruption of the water supply to the system.
- (6) Employee--An individual who performs tasks assigned by the employer. The employee's pay is subject to the deduction of social security and federal income tax. The employee may be full time, part time, or seasonal. For the purposes of this section, employees of a registered firm who are paid through a staff leasing company are considered to be employees of the registered firm.
- (7) Firm--A person or organization as defined in this section.
- (8) Full-time--The number of hours that represents the regular, normal, or standard amount of time per week each employee of the firm devotes to work-related activities.
- (9) Full-time employment basis--An employee is considered to work on a full-time basis if the employee works per week at least the average number of hours worked per week by all other employees of the firm.
- (10) Inspection--A visual examination of a system or portion thereof to verify that it appears to be in operating condition and is free of physical damage.
- (11) Inspection, testing, and maintenance service--A service program provided by a qualified contractor in which all components unique to the property's systems are inspected and tested at the required times and

necessary maintenance is provided and/or recommended. This program includes logging and retention of relevant records.

(12) NFPA--National Fire Protection Association, a nationally recognized standards-making organization.

(13) NICET--National Institute for Certification in Engineering Technologies.

(14) Organization--A corporation, partnership or other business association, or governmental entity.

(15) Outsource testing service--The testing service selected by the state fire marshal to administer certain designated qualifying tests for licenses under this subchapter.

(16) Person--A natural person.

(17) Plan--To lay out, detail, draw, calculate, devise, or arrange an assembly of underground and overhead piping and appurtenances in accordance with either adopted fire protection standards or specifications especially designed by an engineer.

(18) Registered firm--A person or organization holding a current certificate of registration.

(19) Repair--Any work performed after initial installation on fire protection sprinkler systems, not including inspecting or testing.

(20) Responsible managing employee--A responsible managing employee, as defined in Insurance Code §6003.001(10), and also referenced within this subchapter as an RME.

(21) Sprinkler system--A sprinkler system, for fire protection purposes which:

(A) is an integrated system of underground and overhead piping designed in accordance with fire protection engineering standards;

(B) is an installation including a water supply such as a gravity tank, fire pump, reservoir, or pressure tank, or connection by underground piping to a city main from the point of connection or valve where the primary purpose of the water is for a fire protection sprinkler system;

(C) includes, as the portion of the sprinkler system aboveground, a network of specially sized or hydraulically designed piping installed in a building, structure, or area, generally overhead, and to which sprinklers are connected in a systematic pattern;

(D) includes a controlling valve and a device for actuating an alarm when the system is in operation; and

(E) is usually activated by heat from a fire and discharges water over the fire area.

(22) Testing--A procedure used to determine the status of a system as intended by conducting periodic physical checks on water-based fire protection systems such as water-flow tests, fire pump tests, alarm tests, and trip tests of dry pipe, deluge, or preaction valves. These tests follow up on the original acceptance test at intervals specified in the applicable adopted standard.

#### **§34.707. Adopted Standards.**

The commissioner adopts by reference in their entirety the following copyrighted standards and recommended practices published by and available from the National Fire Protection Association, Inc. (NFPA), Batterymarch Park, Quincy, Massachusetts 02269. A copy of the standards will be available for public inspection in the State Fire Marshal's Office.

(1) NFPA 13-2013, Standard for the Installation of Sprinkler Systems;

(2) NFPA 25-2014, Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection Systems;

(3) NFPA 13D-2013, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes;

(4) NFPA 13R-2013, Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies;

(5) NFPA 14-2013, Standard for the Installation of Standpipe and Hose Systems;

(6) NFPA 15-2012, Standard for Water Spray Fixed Systems for Fire Protection;

(7) NFPA 16-2011, Standard for the Installation of Foam-Water Sprinkler and Foam-Water Spray Systems;

(8) NFPA 20-2013, Standard for the Installation of Stationary Pumps for Fire Protection;

(9) NFPA 22-2013, Standard for Water Tanks for Private Fire Protection;

(10) NFPA 24-2013, Standard for the installation of Private Fire Service Mains and Their Appurtenances;

(11) NFPA 30-2012, Flammable and Combustible Liquids Code;

(12) NFPA 30B-2011, Code for the Manufacture and Storage of Aerosol Products;

(13) NFPA 307-2011, Standard for the Construction and Fire Protection of Marine Terminals, Piers, and Wharves;

(14) NFPA 214-2011, Standard on Water-Cooling Towers;

(15) NFPA 409-2011, Standard on Aircraft Hangars; and

**§34.708. *Approved Testing Laboratories.***

The commission approves an organization as an approved testing laboratory which lists equipment and appurtenances for use in compliance with standards adopted in §34.707 of this title (relating to Adopted Standards) if the organization meets the requirements of an approved testing laboratory in accordance with Subchapter D of this chapter (relating to Testing Laboratory Rules).

**§34.709. *Approved Certification Organization.***

The commission approves the National Institute for Certification in Engineering Technologies (NICET) as a nationally recognized testing standards organization for testing license applicants.

**§34.710. *Certificates of Registration.***

(a) Required. Each person or organization, before engaging in business in this state as an independent fire protection sprinkler contractor on or for any fire protection sprinkler system, must obtain a certificate of registration from the state fire marshal. A registered firm may not subcontract with an unregistered firm to allow the unregistered firm as an independent contractor to perform any act of a fire protection sprinkler contractor.

(b) Business location. A specific business location must be maintained by each registered firm at a location which must be indicated on the certificate.

(c) Posting. Each certificate shall be posted conspicuously for public view at the business location.

(d) Change of ownership.

(1) The total change of a firm's ownership invalidates the current certificate. To assure continuance of the business, a new application for a new certificate should be submitted to the state fire marshal 14 days prior to such change.

(2) A partial change in a firm's ownership will require a revised certificate if it affects the firm's name, location, or mailing address.

(e) Change of corporate officers. Any change of corporate officers must be reported in writing to the state fire marshal within 14 days. This change does not require a revised certificate.

(f) Duplicate certificates. A duplicate certificate must be obtained from the state fire marshal to replace a lost or destroyed certificate. The certificate holder must submit written notification of the loss or destruction without delay, accompanied by the required fee.

(g) Revised certificates. The change of a firm's name, location, or mailing address requires a revised certificate. Within 14 days after the change requiring the revision the certificate holder must submit written notification of the necessary change, accompanied by the required fee.

(h) Nontransferable. A certificate is neither temporarily nor permanently transferable from one firm to another.

(i) Types.

(1) General--This certificate permits a fire protection sprinkler system contractor to conduct the planning, sales, installation, maintenance, or servicing of any fire protection sprinkler system or any part of such a system.

(2) Dwelling--This certificate permits the fire protection sprinkler system contractor to conduct the planning, sales, installation, maintenance, or servicing of a one- or two-family dwelling fire protection sprinkler system or any part of such a system.

(3) Underground Fire Main--This certificate permits a fire protection sprinkler system contractor to conduct the sales, installation, maintenance, or servicing, but not the planning, of an assembly of underground piping or conduits that conveys water with or without other agents, used as an integral part of any type of fire protection sprinkler system.

**§34.711. *Responsible Managing Employee (RME) License.***

(a) Required. Each person designated as a responsible managing employee by a registered firm must have a license issued by the state fire marshal.

(b) Pocket License. An RME must carry a pocket license for identification while engaged in the activities of an RME.

(c) Duplicate License. A duplicate license must be obtained from the state fire marshal to replace a lost or destroyed license. The license holder must submit written notification of the loss or destruction without delay, accompanied by the required fee.

(d) Revised Licenses. The change of licensee's employer, home address, or mailing address requires a revised license. The license holder must submit written notification of the necessary change within 14 days of the change accompanied by the required fee.

(e) Restrictions.

(1) A licensee must not engage in any act of the business unless employed by a registered firm and holding an unexpired license.

(2) A registered firm must notify the state fire marshal within 14 days after termination of employment of an RME.

(3) A license is neither temporarily nor permanently transferable from one person to another.

(f) Types.

(1) RME-General--A license issued to an individual who is designated by a registered firm to assure that any fire protection sprinkler system, as planned, installed, maintained, or serviced, meets the standards provided by law.

(2) RME-Dwelling--A license issued to an individual who is designated by a registered firm to assure that the fire protection sprinkler system for a one- and two-family dwelling, as planned, installed, maintained, or serviced, meets the standards provided by law.

(3) RME-Underground Fire Main--A license issued to an individual who is designated by a registered firm to assure that the underground fire main for a fire protection sprinkler system, as installed, maintained, or serviced, meets the standards provided by law.

(4) RME-General Inspector--A license issued to an individual who is designated by a registered firm to perform the inspection, test and maintenance service for a fire protection sprinkler system in accordance with the standards adopted in this subchapter.

#### **§34.712. Alteration of Certificates or Licenses.**

Alteration of certificates or licenses renders them invalid and is the basis for administrative action pursuant to Insurance Code §6003.251.

#### **§34.713. Applications.**

(a) Certificates of registration.

(1) Applications for certificates must be submitted on forms provided by the state fire marshal and must be accompanied by all other information required by Insurance Code Chapter 6003 and this subchapter. An application will not be deemed complete until all required forms and documents have been received in the State Fire Marshal's Office.

(2) Applications must be signed by the sole proprietor, by each partner of a partnership, or by an officer of a corporation. For corporations, the application must be accompanied by the corporate charter of a Texas corporation or, in the case of a foreign corporation, a copy of the Texas certificate of authority to do business. For applicants using an assumed name, the application must also be accompanied by evidence of compliance with the Assumed Business or Professional Name Act, Business and Commerce Code Chapter 71. The application must also include written authorization by the applicant that permits the state fire marshal or the state fire marshal's representative to enter, examine, and inspect any premises, building, room, or establishment used by the applicant while engaged in the business to determine compliance with the provisions of Insurance Code Chapter 6003 and this subchapter.

(3) For corporations, the application must also include the corporate taxpayer identification number, the charter number, and a copy of the corporation's current franchise tax certificate of good standing issued by the state comptroller.

(4) An applicant must not designate as its full-time responsible managing employee (RME) a person who is the designated full-time RME of another registered firm.

(5) A registered firm must not conduct any business as a fire protection sprinkler contractor until a full-time RME, as applicable to the business conducted, is employed. An individual with an RME-General Inspector's license does not constitute compliance with the requirements of this subsection.

(6) A certificate of registration may not be renewed unless the firm has at least one licensed RME as a full-time employee before the expiration of the certificate of registration to be renewed. If an applicant for renewal does not have an RME as a full-time employee as a result of death or disassociation of an RME within 30 days preceding the expiration of the certificate of registration, the renewal applicant must inform the license section of the State Fire Marshal's Office of the employment of a full-time RME before the certificate of registration will be renewed.

(7) Insurance required.

(A) The state fire marshal must not issue a certificate of registration under this subchapter unless the applicant files with the State Fire Marshal's Office a proof of liability insurance. The insurance must include products and completed operations coverage.

(B) Each registered firm must maintain in force and on file in the State Fire Marshal's Office the certificate of insurance identifying the insured and the exact nature of the business insured. In identifying the

named insured, the certificate of insurance must include either an assumed name or the name of the corporation; partners, if any; or sole proprietor, as applicable. Failure to do so will be cause for administrative action.

(C) Evidence of public liability insurance, as required by Insurance Code §6001.152, must be in the form of a certificate of insurance executed by an insurer authorized to do business in this state, or a certificate of insurance for surplus lines coverage, secured in compliance with Insurance Code Chapter 981, as contemplated by Insurance Code §6001.152(c).

(b) Responsible managing employee licenses.

(1) Original and renewal applications for a license from an employee of a firm engaged in the business must be submitted on forms provided by the state fire marshal, along with a criminal history report from the Texas Department of Public Safety, and accompanied by all other information required by Insurance Code Chapter 6003 and this subchapter.

(2) The following documents must accompany the application as evidence of technical qualifications for a license:

(A) RME-General:

(i) proof of current registration in Texas as a professional engineer; or

(ii) a copy of NICET's (National Institute for Certification in Engineering Technologies) notification letter confirming the applicant's successful completion of the test requirements for certification at Level III for water-based fire protection systems layout.

(B) RME-Dwelling:

(i) proof of current registration in Texas as a professional engineer; or

(ii) a copy of NICET's notification letter confirming the applicant's successful completion of the test requirements for certification at Level II for fire protection automatic sprinkler system layout and evidence of current employment by a registered fire sprinkler contractor.

(C) RME-Underground Fire Main:

(i) proof of current registration in Texas as a professional engineer; or

(ii) a copy of the notification letter confirming at least a 70 percent grade on the test covering underground fire mains for fire protection sprinkler systems, administered by the State Fire Marshal's Office or an outsource testing service.

(D) RME-General Inspector:

(i) a copy of NICET's notification letter confirming the applicant's successful completion of the examination requirements for certification at Level II for Inspection and Testing of Water-Based Systems; and

(ii) evidence of current employment by a registered fire protection sprinkler system contractor.

(c) Complete applications. The application form for a license or registration must be accompanied by the required fee and must, within 180 days of receipt by the department of the initial application, be complete and accompanied by all other information required by Insurance Code Chapter 6003 and this subchapter, or a new application must be submitted including all applicable fees.

#### **§34.714. Fees.**

(a) Except for fees specified in subsection (b) of this section, all fees payable shall be submitted by check or money order made payable to the Texas Department of Insurance or the State Fire Marshal's Office, or if the license is renewable over the internet, where the renewal application is to be submitted under the Texas OnLine Project, in which case fees shall be submitted as directed by the Texas OnLine Authority. Should the department authorize other online or electronic original applications or other transactions, persons shall submit fees with the transaction as directed by the department or the Texas OnLine Authority. Except for overpayments resulting from mistakes of law or fact, all fees are nonrefundable and non-transferable.

(b) Fees for tests administered by an outsource testing service are payable to the testing service in the amount and manner required by the testing service.

(c) Fees are as follows:

(1) Certificates of registration:

(A) all initial applications shall include an application fee of--\$50;

(B) initial fee--\$900;

(C) renewal fee (for two years)--\$1,800;

(D) renewal late fee (expired 1 day to 90 days)--\$450;

(E) renewal late fee (expired 91 days to two years)--\$900;

(2) Certificates of registration--(Dwelling or Underground fire main):

(A) all initial applications shall include an application fee of--\$50;

(B) initial fee--\$300;

(C) renewal fee (for two years)--\$600;

- (D) renewal late fee (expired 1 day to 90 days)--\$150;
- (E) renewal late fee (expired 91 days to two years)--\$300;
- (3) Responsible managing employee license (General):
  - (A) initial fee--\$200;
  - (B) renewal fee (for two years)--\$350;
  - (C) renewal late fee (expired 1 day to 90 days)--\$100;
  - (D) renewal late fee (expired 91 days to two years)--\$200;
- (4) Responsible managing employee licenses (Dwelling, or Underground fire main):
  - (A) initial fee--\$150;
  - (B) renewal fee (for two years)--\$200;
  - (C) renewal late fee (expired 1 day to 90 days)--\$75;
  - (D) renewal late fee (expired 91 days to two years)--\$150;
- (5) Responsible managing employee license (General Inspector):
  - (A) initial fee--\$50;
  - (B) renewal fee (for two years)--\$100;
  - (C) renewal late fee (expired 1 day to 90 days)--\$25;
  - (D) renewal late fee (expired 91 days to two years)--\$50;
- (6) Duplicate or revised certificate or license or other requested changes to certificates or licenses--\$35;
- (7) Test fee (if administered by the State Fire Marshal's Office)--\$50.

(d) Late fees are required of all certificate or license holders who fail to submit renewal applications before their expiration dates.

(e) A license or registration shall expire at 12:00 midnight on the date printed on the license or registration. A renewal application and fee for license or registration must be postmarked on or before the date of expiration to be accepted as timely. If a renewal application is not complete but there has been no lapse in the required insurance, the applicant shall have 30 days from the time the applicant is notified by the State Fire Marshal's Office of the deficiencies in the renewal application to submit any additional requirement. If an applicant fails to respond and correct all deficiencies in a renewal application within the 30-day period, a late fee may be charged.

(f) Holders of certificates and licenses which have been expired for less than two years cannot be issued new certificates or licenses.

(g) Fees for certificates and licenses which have been expired for less than two years include both renewal and late fees.

#### **§34.715. Tests.**

(a) Each applicant for a license must take and pass with at least a 70 percent grade, a test covering this subchapter and Insurance Code Chapter 6003 and if applicable, a technical qualifying test as specified in §34.713(b) of this title (relating to Applications). The content, frequency, and location of the test must be designated by the State Fire Marshal's Office.

(b) Examinees who fail must file a retest application accompanied by the required fee.

(c) A person whose license has been expired for two years or longer who makes application for a new license must take and pass another test. No test is required for a licensee whose license is renewed within two years of expiration.

(d) An examinee who is scheduled for a test to be conducted on a religious holy day by the State Fire Marshal's Office and who wishes to observe the religious holy day may request the rescheduling of the test to an alternate date.

(e) An applicant may only schedule each type of test three times within a twelve-month period.

(f) An applicant for a license must complete and submit all application requirements within one year of the successful completion of any test required for a license, except for testing conducted by NICET; otherwise, the test is voided and the individual will have to pass the test again.



**§34.716. *Installation, Maintenance, and Service.***

(a) All fire protection sprinkler systems installed under Insurance Code Chapter 6003 must be installed under the supervision of the appropriate licensed responsible managing employee.

(1) An RME-General may supervise the installation of any fire protection sprinkler system including one- and two-family dwellings.

(2) An RME-Dwelling may only supervise the installation of a fire protection sprinkler system in one- and two-family dwellings.

(3) An RME-Underground Fire Main may only supervise the installation of an assembly of underground piping or conduits that conveys water with or without other agents and used as an integral part of any type of fire protection sprinkler system.

(b) On completion of the installation, the licensed RME type G, D, or U (as applicable) must have affixed a contractor's material and test certificate for aboveground or underground piping on or near the system riser. If the adopted installation standard does not require testing, all other sections except the testing portion of the contractor's material and test certificate must still be completed. The contractor's material and test certificate must be obtained from the State Fire Marshal's Office. The certificate must be distributed as follows:

(1) original copy kept at the site after completion of the installation;

(2) second copy retained by the installing company at its place of business in a separate file used exclusively by that firm to retain all Contractor's Material and Test Certificates. The certificates must be available for examination by the state fire marshal or the state fire marshal's representative upon request. The certificates must be retained for the life of the system; and

(3) third copy to be sent to the local AHJ within 10 days after completion of the installation.

(c) Service, maintenance, or testing, when conducted by someone other than an owner, must be conducted by a registered firm and in compliance with the appropriate adopted standards. The inspection, test and maintenance service of a fire protection sprinkler system, except in a one- and two-family dwelling, must be performed by an individual holding a current RME-General Inspector or RME-General license. A visual inspection not accompanied by service, maintenance, testing, or certification does not require a certificate of registration.

(d) Complete records must be kept of all service, maintenance, testing, and certification operations of the firm. The records must be available for examination by the state fire marshal or the state fire marshal's representative.

(e) All vehicles regularly used in service, maintenance, testing, or certification activities must prominently display the company name, telephone number, and certificate of registration number. The numbers and letters must be at least one-inch high and must be permanently affixed or magnetically attached to each side of the vehicle in a color contrasting with the background color of the vehicle. The certificate of registration number must be designated in the following format: TX: SCR-number.

(f) Each registered firm must employ at least one full-time RME-General or RME-Dwelling licensee at each business office where fire protection sprinkler system planning is performed, who is appropriately licensed to conduct the business performed by the firm.

(g) The planning of an automatic fire protection sprinkler system must be performed under the direct supervision of the appropriately licensed RME.

(h) The planning, installation, or service of a fire protection sprinkler system must be performed in accordance with the minimum requirements of the applicable adopted standards in §34.707 of this title (relating to Adopted Standards) except when the plan, installation or service complies with a standard that has been adopted by the political subdivision in which the system is installed.

**§34.717. *Sprinkler System Plans.***

(a) A set of as-built plans and hydraulic calculations, showing details of system piping, calculations, and alarm configurations, must be provided to the building owner or his representative when installation is complete. The firm must also maintain a set of as-built plans for the life of the sprinkler system.

(b) Subsequent alterations or additions must be legibly noted on updated plans and provided to the owner. When an alteration consists of 20 sprinklers or less and all floor areas were protected prior to the alteration, updated plans are not required. Updated plans are required for all alterations consisting of more than 20 sprinklers. Updated plans must be maintained by the firm for the life of the sprinkler system.

(c) All plans must contain the name and license number of the licensed responsible managing employee, the name, address, phone number, and the certificate of registration number of the registered firm.

(1) At least one set of the as-built plans specified in subsection (a) of this section must be signed with an original signature, dated by the RME, and certified that they are in compliance with the adopted NFPA standards. In addition, the plans must contain the license number of the RME; the date of installation, alteration, or addition; the name, address, phone number, and the certificate of registration number of the registered firm. This information shall be in a form of the stamp as set forth in subsection (d) of this section.

(2) At least one set of plans submitted to an authority having jurisdiction, for review, rating, permit, or record purposes must be signed with an original signature, unless waived by the local authority having jurisdiction, dated by the RME, and certified that the plans comply with the adopted NFPA standards. In addition, the plans must contain the license number of the RME, the name, address, phone number, and the certificate of registration number of the registered firm. This information shall be in the form of the stamp as set forth in subsection (d) of this section.

(d) Sample RME plan stamp:

<p><b>I have reviewed these plans and certify that they comply with the adopted NFPA standards.</b></p> <p><i>Firm's name</i> <i>Street address</i> <i>City, State Zip Code</i> <i>Phone Number</i> <b>SCR - number</b></p> <p>RME-Signature: _____</p> <p>Printed RME Name: _____</p> <p>RME - (<u>number</u>)                      Date: _____</p> <p><input type="checkbox"/> <b>AS-BUILT</b>   <input type="checkbox"/> <b>SUBMITTAL</b>   <input type="checkbox"/> <b>OTHER</b></p>
--

#### §34.718. **Installation Tags.**

(a) On completion of the installation of a fire protection sprinkler system, all information for an installation tag must be completed in detail to indicate the water supply test data obtained during the time of installation. The tag must be securely attached by a durable method to the riser of each system. The fire protection system must not be tagged until the system complies with the applicable NFPA installation standard, including freeze protection methods.

(b) On completion of the installation of a fire protection sprinkler system and after performing the required initial tests and inspections, an ITM tag, in addition to an installation tag, must also be attached to each riser in accordance with the procedures in this subchapter for completing and attaching ITM tags.

(c) A new installation tag must be attached, in addition to the existing installation tag, each time more than twenty sprinkler heads are added to a system.

(d) Installation tags must remain on the system for the life of the system.

(e) Installation tags may be printed for a multiple period of years.

(f) Installation tags must be white in color, 5 1/4 inches in height, and 2 5/8 inches in width. The tag and attaching mechanism must be sufficiently durable to remain attached to the system for the life of the system.

(g) Installation tags must contain the following information in the format of the sample tag in subsection (h) of this section:

(1) "DO NOT REMOVE BY ORDER OF TEXAS STATE FIRE MARSHAL" (all capital letters, at least 10-point boldface type);

(2) firm's name, address, phone number and certificate of registration number;

(3) day, month, and year (to be punched);

(4) "THIS TAG CONTAINS IMPORTANT INFORMATION ABOUT THIS SPRINKLER SYSTEM AND MUST REMAIN ATTACHED TO THE SYSTEM FOR THE LIFE OF THE SYSTEM." (All capital letters, at least 10-point boldface type);

(5) name and address of owner or occupant;

(6) building number, location or system number;

(7) static and flowing pressure of the main drain test taken at the riser or lead-in;


(8) static and residual pressure with the measured in gallons per minute flowing of the water supply flow test used to hydraulically design the system;

(9) signature of RME-G or D; and

(10) license number of RME-G or D.

(h) Sample installation tag:

Figure 28: TAC §34.718(h)

 <b>DO NOT REMOVE BY ORDER OF TEXAS STATE FIRE MARSHAL</b>																																																																																																										
<b>ORIGINAL INSTALLATION TAG</b>																																																																																																										
Name & Address of Sprinkler Firm Phone Number SCR-Number																																																																																																										
<b>THIS TAG CONTAINS IMPORTANT INFORMATION ABOUT THIS SPRINKLER SYSTEM AND MUST REMAIN ATTACHED TO THE SYSTEM FOR THE LIFE OF THE SYSTEM.</b>																																																																																																										
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">16</td><td style="width: 10%;">1</td><td style="width: 10%;">2</td><td style="width: 10%;">3</td><td style="width: 10%;">4</td><td style="width: 10%;">5</td><td style="width: 10%;">6</td><td style="width: 10%;">7</td><td style="width: 10%;">8</td><td style="width: 10%;">9</td><td style="width: 10%;">10</td><td style="width: 10%;">11</td><td style="width: 10%;">12</td><td style="width: 10%;">13</td><td style="width: 10%;">14</td><td style="width: 10%;">15</td><td style="width: 10%;">16</td><td style="width: 10%;">17</td><td style="width: 10%;">18</td><td style="width: 10%;">19</td><td style="width: 10%;">20</td><td style="width: 10%;">21</td><td style="width: 10%;">22</td><td style="width: 10%;">23</td><td style="width: 10%;">24</td><td style="width: 10%;">25</td><td style="width: 10%;">26</td><td style="width: 10%;">27</td><td style="width: 10%;">28</td><td style="width: 10%;">29</td><td style="width: 10%;">30</td><td style="width: 10%;">31</td> </tr> <tr> <td colspan="16"></td> <td style="text-align: center;">JAN</td><td style="text-align: center;">FEB</td><td style="text-align: center;">MAR</td><td style="text-align: center;">APR</td><td style="text-align: center;">MAY</td><td style="text-align: center;">JUN</td><td style="text-align: center;">JUL</td><td style="text-align: center;">AUG</td><td style="text-align: center;">SEP</td><td style="text-align: center;">OCT</td><td style="text-align: center;">NOV</td><td style="text-align: center;">DEC</td><td colspan="4"></td> </tr> <tr> <td colspan="16"></td> <td style="text-align: center;">2014</td><td colspan="4" style="text-align: center;">2015</td><td style="text-align: center;">2016</td><td colspan="4" style="text-align: center;">2017</td><td style="text-align: center;">2018</td><td colspan="4" style="text-align: center;">2019</td> </tr> </table>												16	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31																	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC																					2014	2015				2016	2017				2018	2019			
16	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31																																																																											
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																2014	2015				2016	2017				2018	2019																																																																															
After an installation, conduct a MAIN DRAIN TEST at the system lead-in or riser and record the information on this tag and the Contractor's Material and Test Certificate. Also copy the original flow test results, used to design the system, as noted on the plans.																																																																																																										
Name of Owner or Occupant																																																																																																										
Address																																																																																																										
Building No. or Location or System No.																																																																																																										
<b>MAIN DRAIN TEST</b> at lead-in or riser Static: _____ psi Flowing: _____ psi																																																																																																										
<b>WATER SUPPLY FLOW TEST</b> (i.e. at street) Static: _____ psi Residual: _____ psi with: _____ GPM Flowing																																																																																																										
Signature of RME-G or D / License No.																																																																																																										

**§34.719. Service Tags.**

(a) After any service, all sections of a service tag must be completed in detail, indicating all the services that have been performed, and then the tag must be attached to the respective riser of each system.

(b) After any service, if noncompliant conditions or impairments exist, the service person must attach, in addition to attaching a service tag, the appropriate yellow tag or red tag according to the procedures in this subchapter for completing and attaching yellow and red tags.

(c) A new service tag must be attached each time service is performed.

(d) Service tags shall remain on the system for five years after which time they may only be removed by an authorized employee of a registered firm. An employee of the state fire marshal's office or an authorized representative of a governmental agency with appropriate regulatory authority may remove excess tags at any time.

(e) Tags may be printed for a multiple period of years.

(f) Tags must be white in color, 5 1/4 inches in height, and 2 5/8 inches in width.

(g) Service tags must contain the following information in the format of the sample tag as set forth in subsection (h) of this section:

(1) "DO NOT REMOVE BY ORDER OF TEXAS STATE FIRE MARSHAL" (all capital letters, at least 10-point boldface type);

(2) firm's name, address and phone number;

(3) firm's certificate of registration number;


(4) applicable RME's name and license number;

(5) signature of service person;

(6) day, month, and year (to be punched);

- (7) type of work (to be punched);
  - (8) name and address of owner or occupant;
  - (9) building, location or system number;
  - (10) a list of services performed;
  - (11) date any yellow tag conditions were corrected (punch if applicable); and
  - (12) date any red tag conditions were corrected (punch if applicable).
- (h) Sample service tag:

Figure: 28 TAC §34.719(h):



**DO NOT REMOVE BY ORDER OF  
TEXAS STATE FIRE MARSHAL**

16	1
17	2
18	3
19	4
20	5
21	6
22	7
23	8
24	9
25	10
26	11
27	12
28	13
29	14
30	15
31	

**SERVICE TAG**

*Name & Address  
of Sprinkler Firm  
Phone Number  
SCR-Number*

---

RME's Name

---

RME's License No.

---

Signature of Service  
Person

**TYPE OF WORK**

☐ Service

☐ Remodel

☐ Other

JAN	2010
FEB	
MAR	
APR	
MAY	
JUN	
JUL	
AUG	
SEP	
OCT	
NOV	
DEC	

After any service or addition, attach this service tag to the applicable system riser. Also attach or remove a yellow or red tag if appropriate. Tags shall be retained on the riser for five years.

---

Name of Owner or Occupant

---

Address

---

Building No. or Location or System No.

---

List Services:

---



---



---

☐ Corrected all **YELLOW TAG** conditions from tag dated \_\_\_\_\_

☐ Corrected all **RED TAG** conditions from tag dated \_\_\_\_\_

**§34.720. Inspection, Test and Maintenance Service (ITM) Tag.**

- (a) After a new installation or a scheduled inspection, testing and maintenance (ITM) service, all portions of an ITM tag must be completed in detail, indicating the ITM service was performed according to the adopted standards, and the tag must be attached to the respective riser of each system.
- (b) After any ITM service, the inspector must complete and attach an ITM tag, and if impairments are found, the inspector must attach the appropriate yellow or red tag in accordance with the procedures in this subchapter.
- (c) A new ITM tag must be attached each time an inspection, testing and maintenance service is performed.
- (d) ITM tags shall remain on the system for five years after which time they may only be removed by an authorized employee of a registered firm. An employee of the state fire marshal's office or an authorized representative of a governmental agency with appropriate regulatory authority may remove excess tags at any time.
- (e) ITM tags may be printed for a multiple period of years.
- (f) ITM tags must be light blue in color, 5 1/4 inches in height, and 2 5/8 inches in width.
- (g) ITM tags shall contain the following information in the format of the sample tag in subsection (h) of this section:

- (1) "DO NOT REMOVE BY ORDER OF TEXAS STATE FIRE MARSHAL" (all capital letters, at least 10-point boldface type);
- (2) type of ITM: initial installation, monthly, quarterly, annual, third year, or fifth year (to be punched);
- (3) system status after ITM: acceptable, yellow tag attached, or red tag attached (to be punched);
- (4) license number;
- (5) name of inspector;
- (6) signature of inspector;
- (7) day, month, and year (to be punched);
- (8) firm's name, address, phone number and registration number;
- (9) name and address of owner or occupant;
- (10) building, location or system number; and
- (11) the static and flowing pressure of the main drain test, taken at the time the inspection, testing and maintenance service was performed.

(h) Sample ITM tag:

DO NOT REMOVE BY ORDER OF TEXAS STATE FIRE MARSHAL											
<b>ITM TAG</b> Inspection, Test & Maintenance Tag											
<b>TYPE of ITM</b> <input type="checkbox"/> Initial Installation <input type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> ANNUAL <input type="checkbox"/> Third Year <input type="checkbox"/> Fifth Year											
<b>SYSTEM STATUS AFTER ITM</b> <input type="checkbox"/> Acceptable <input type="checkbox"/> Yellow Tag (attached) <input type="checkbox"/> Red Tag (attached)											
License Number after 1-2008 Name of Inspector Signature of Inspector											
<b>TYPE OF WORK</b>											

16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	15

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2005	2005	2006	2006	2007	2007	2008	2008	2009	2009	2010	2010

After an inspection, test and maintenance service, attach this ITM tag to the applicable system riser. Also attach a yellow or red tag if appropriate. Tags shall be retained on the riser for five years.	
<i>Name &amp; Address of Sprinkler Firm</i> <i>Phone Number</i> <i>SCR-Number</i>	
Name of Owner or Occupant	
Address	
Building No. or Location or System No.	
Note:	
<b>MAIN DRAIN TEST</b> at lead-in or riser Static: _____psi    Flowing: _____psi	

#### §34.721. Yellow Tags.

(a) If a fire protection sprinkler system is found to be noncompliant with applicable NFPA standards, is not being tested or maintained according to adopted standards, or found to contain equipment that has been recalled by the manufacturer, but the noncompliance or recalled equipment does not constitute an emergency impairment, a completed yellow tag must be attached to the respective riser of each system to permit convenient inspection, to not hamper the system's actuation or operation, and to indicate that corrective action is necessary.

(b) The signature of the service person or inspector on a yellow tag certifies the conditions that caused the system to be out of compliance with NFPA standards.

(c) After attaching a yellow tag, the service person or inspector must notify the building owner or the building owner's representative and the local AHJ in writing of all noncompliant conditions. The notification must be postmarked, e-mailed, faxed or hand delivered within five business days of the attachment of the yellow tag.

(d) A yellow tag may only be removed by an authorized employee of a registered firm or an authorized representative of a governmental agency with appropriate regulatory authority after the employee or representative completes and attaches a service tag that indicates the noncompliant conditions were corrected. The local AHJ must be notified when corrections are made and a yellow tag is removed or revised. The notification must be postmarked, emailed, faxed, or hand delivered within five business days of the date on which the yellow tag is removed.

(e) Yellow tags may be printed for a multiple period of years.

(f) Yellow tags must be the same size as service tags, and must contain the following information in the format of the tag as set forth in subsection (g) of this section:

(1) "DO NOT REMOVE BY ORDER OF TEXAS STATE FIRE MARSHAL" (all capital letters, at least 10-point boldface type);

(2) firm's name, address and phone number;

(3) firm's certificate of registration number;

(4) license number of RME;

(5) printed name of service person or inspector;

(6) signature of service person or inspector;

(7) day, month, and year (to be punched);

(8) name and address of owner or occupant;

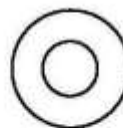
(9) building number, location or system number; and

(10) list of items not compliant with NFPA standards.

(g) Sample yellow tag:

Figure 28 TAC §34.721(g)

		<b>DO NOT REMOVE BY ORDER OF TEXAS STATE FIRE MARSHAL</b>		<b>YELLOW TAG</b>		Name & Address of Sprinkler Firm Phone Number SCR-Number		RME's License Number		Printed name of serviceperson / inspector		Signature of authorized serviceperson / inspector		<b>REPORT STATUS TO OWNER AND AHJ IN WRITING (within 5 business days)</b>		JAN		2014		
																FEB		2014		
16	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	31	MAR		2015	
17	2	3	4	5	6	7	8	9	10	11	12	13	14	15	31	APR		2015		
18	3	4	5	6	7	8	9	10	11	12	13	14	15	31	MAY		2016			
19	4	5	6	7	8	9	10	11	12	13	14	15	31	JUN		2016				
20	5	6	7	8	9	10	11	12	13	14	15	31	JUL		2017					
21	6	7	8	9	10	11	12	13	14	15	31	AUG		2017						
22	7	8	9	10	11	12	13	14	15	31	SEP		2018							
23	8	9	10	11	12	13	14	15	31	OCT		2018								
24	9	10	11	12	13	14	15	31	NOV		2019									
25	10	11	12	13	14	15	31	DEC		2019										
26	11	12	13	14	15	31	2019		2019											
27	12	13	14	15	31	2019		2019												
28	13	14	15	31	2019		2019		2019											
29	14	15	31	2019		2019		2019												
30	15	31	2019		2019		2019		2019											
31	31	2019		2019		2019		2019												

	
The system has been found to be noncompliant, is not being tested or maintained per standards, or contains recalled equipment. An authorized individual may remove this tag after a service tag has been attached indicating the condition has been corrected.	
Name of Owner or Occupant	
Address	
Building No. or Location or System No.	
List items not compliant with NFPA standards:	
_____	
_____	
_____	
_____	
_____	

**§34.722. Red Tags.**

(a) If a fire protection sprinkler system has an impairment which constitutes an emergency impairment, as defined in the adopted edition of NFPA 25, the service person or inspector must complete and attach a red tag to the respective riser of each system to indicate corrective action is necessary.

(b) Immediately after attaching a red tag, the inspector or service person must orally notify the building owner or the building owner's representative and, where available, the local AHJ of all impairments. The inspector or service person must also provide written notice to the building owner or the building owner's representative and, where available, the local AHJ of all impairments, and the written notice must be postmarked, emailed, faxed or hand delivered within 24 hours of the attachment of the red tag.

(c) The signature of the service person or inspector on the red tag certifies the impairments listed constitute an emergency impairment.

(d) A red tag may only be removed by an authorized employee of a registered firm or an authorized representative of a governmental agency with appropriate regulatory authority after the employee or representative completes and attaches a service tag that indicates the impaired conditions were corrected. The local AHJ must be notified when corrections are made and a red tag is removed or revised. The notification must be postmarked, emailed, faxed, or hand delivered within five business days of the date of the removal of the red tag.

(e) Red tags may be printed for a multiple period of years.

(f) Red tags must be the same size as service tags.

(g) Red tags must contain the following information in the format of the sample tag as set forth in subsection (h) of this section:

(1) "DO NOT REMOVE BY ORDER OF THE TEXAS STATE FIRE MARSHAL" (all capital letters, at least 10-point boldface type);

(2) firm's name, address and phone number;

(3) firm's certificate of registration number;

(4) license number of RME;

(5) printed name of service person or inspector;

(6) signature of service person or inspector;

(7) day, month, and year (to be punched);


(8) name and address of owner or occupant;

(9) building number, location or system number; and

(10) list of emergency impairments.

(h) Sample red tag:

Figure 28 TAC §34.722(h)



**DO NOT REMOVE BY ORDER OF  
TEXAS STATE FIRE MARSHAL**

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29	
30	
31	

**RED TAG**

*Name & Address  
of Sprinkler Firm  
Phone Number  
SCR-Number*

\_\_\_\_\_

RME's License Number

\_\_\_\_\_

Printed name of service  
person


\_\_\_\_\_

Signature of authorized  
service person

\_\_\_\_\_

**IMMEDIATELY  
REPORT STATUS TO  
OWNER AND AHJ  
(and in writing within  
24 hrs)**

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	2010
												2009
												2008
												2007
												2006
												2005



If the system impairments constitute an "emergency" impairment as defined in NFPA 25, attach this red tag to the applicable system riser. An authorized individual may remove this tag after a service tag has been attached indicating the condition has been corrected.

\_\_\_\_\_

Name of Owner or Occupant

\_\_\_\_\_

Address

\_\_\_\_\_

Building No. or Location or System No.

\_\_\_\_\_

List Emergency Impairments:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**§34.723. Enforcement.**

(a) The state fire marshal is authorized and directed to enforce the provisions of Insurance Code Chapter 6003 and this subchapter. The state fire marshal must make, or cause to be made, inspections from time to time and as circumstances dictate to determine that licensed firms and persons engaged in the business act in conformity with the requirements of the law and this subchapter.

(b) Such inspections shall be made by the state fire marshal or the state fire marshal's representative. When an inspection discloses violations of the law or this subchapter, the firm or person responsible for correcting the violation shall be notified within 30 days after completion of the inspection report. In all cases in which a violation is not corrected within a reasonable time, the state fire marshal shall take such steps as may be necessary to enforce correction of the violation and may initiate appropriate administrative action.

**§34.724. Administrative Actions.**

The failure to comply with the provisions of this subchapter and the provisions of Insurance Code Chapter 6003 by certificate holders or licensees may subject them, as provided in Government Code §417.010, to administrative action including, but not limited to, suspension, revocation, or refusal to issue or renew a license or a certificate of registration or issuance of a cease and desist order, administrative penalty, order for restitution to persons harmed, or combination of them.

**§34.725. Severability.**

If any provision of this subchapter or the application thereof to any person or circumstance is held invalid for any reason, the invalidity shall not affect the other provisions or any other application of this subchapter which can be given effect without the invalid provisions or application. To this end, all provisions of this subchapter are declared to be severable.

**§34.726. Military Service Members, Military Veterans, or Military Spouses.**

- (a) Waiver of licensed application and examination fees. The department will waive the license application and examination fees for an applicant who is:
  - (1) a military service member or military veteran whose military service, training, or education substantially meets all of the requirements for the license; or
  - (2) a military service member, military veteran, or military spouse who holds a current license issued by another jurisdiction that has licensing requirements that are substantially equivalent to the requirements for the license in this state.
- (b) Apprentice requirements. Verified military service, training, or education that is relevant to the occupation will be credited toward the apprenticeship requirements for the license.
- (c) Extension of license renewal deadlines. A military service member who holds a license is entitled to two years' additional time to complete any continuing education requirements and any other requirements related to the renewal of the military service member's license.
- (d) Alternative licensing. The state fire marshal, after reviewing the applicant's credentials, may waive any prerequisite to obtaining a license for a military service member, military veteran, or military spouse that:
  - (1) holds a current license issued by another jurisdiction that has licensing requirements that are substantially equivalent to the requirements for the license in this state; or
  - (2) within the five years preceding the application date, held the license in this state.

*Substantive Sections Amended June 23, 2016,  
Are Marked With a Vertical Line in the Margin.*



## TEXAS DEPARTMENT OF INSURANCE

### State Fire Marshal's Office (112-FM)

333 Guadalupe, Austin, Texas 78701 ★ PO Box 149221, Austin, Texas 78714-9221  
(512) 676-6800 | F: (512) 490-1063 | (800) 578-4677 | TDI.texas.gov | @TXSFMO

## LICENSING INVESTIGATION COMPLAINT FORM

Upon receipt, the SFMO will give this complaint a case number and assign it to an investigator. The investigator may contact you to obtain additional information. This form may be mailed, faxed or e-mailed to the State Fire Marshal's Office.

*You may request a copy of the investigation report under the Open Records Act after the investigation has been completed. A written request is necessary and may be submitted by mail, fax, e-mail or in person to the attention of the "Open Records Request".*

### PLEASE PRINT OR TYPE

YOUR INFORMATION			
Your name		Phone number for contact	Employer (Optional)
Address (street address, city, state, zip code)			Date

ALLEGED VIOLATOR <i>(Optional)</i>	
Company Name of Alleged Violator (optional)	Registration Number (if known)
Individual Involved in Alleged Violation(optional)	License Number (if known)

LOCATION OF ALLEGED VIOLATION <i>(At least one location must be provided)</i>
Name of property
Location address and city
Name of contact person and phone number (if known)

BRIEF BACKGROUND/DESCRIPTION OF THE COMPLAINT <i>(Attach additional sheets if necessary)</i>

By submission of this form to the State Fire Marshal's Office, it is implied that the information herein is true and correct to the best of my knowledge.

#### NOTICE ABOUT CERTAIN INFORMATION LAWS AND PRACTICES

*With few exceptions, you are entitled to be informed about the information that the Texas Department of Insurance (TDI) collects about you. Under sections 552.021 and 552.023 of the Texas Government Code, you have a right to review or receive copies of information about yourself, including private information. However, TDI may withhold information for reasons other than to protect your right to privacy. Under section 559.004 of the Texas Government Code, you are entitled to request that TDI correct information that TDI has about you that is incorrect. For more information about the procedure and costs for obtaining information from TDI or about the procedure for correcting information kept by TDI, please contact the Agency Counsel Section of TDI's General Counsel Division at (512) 676-6551 or visit the Corrections Procedure section of TDI's website at [www.tdi.texas.gov](http://www.tdi.texas.gov).*



# TEXAS DEPARTMENT OF INSURANCE

## State Fire Marshal's Office (112-FM)

333 Guadalupe, Austin, Texas 78701 \* PO Box 149221, Austin, Texas 78714-9221  
(512) 676-6800 | F: (512) 490-1063 | (800) 578-4677 | TDI.texas.gov | @TXSFM

### Contractor's Material and Test Certificate for Aboveground Piping

#### PROCEDURE

Upon completion of work, inspection and tests shall be made by the contractor's representative and witnessed by an owner's representative. All defects shall be corrected and system left in service before contractor's personnel finally leave the job.

A certificate shall be filled out and signed by both representatives. Copies shall be prepared for approving authorities, owners and the contractor. It is understood the owner's representative's signature in no way prejudices any claim against contractor for faulty material, poor workmanship, or failure to comply with approving authorities requirements or local ordinances.

Property Name						Date								
Property Address						City		State		Zip				
PLANS	Accepted by approving authorities(names)													
	Address													
	Installation conforms to accepted plans <input type="checkbox"/> Yes <input type="checkbox"/> No													
	Equipment used is approved? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, explain deviations													
INSTRUCTIONS	Has person in charge of fire equipment been instructed as to location of control valves and care and maintenance of this new equipment? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, explain													
	Have copies of the following been left on the premises?													
	1. System Components Instructions <input type="checkbox"/> Yes <input type="checkbox"/> No													
	2. Care and Maintenance Instructions <input type="checkbox"/> Yes <input type="checkbox"/> No													
LOCATION OF SYSTEM	3. NFPA 25 <input type="checkbox"/> Yes <input type="checkbox"/> No													
	Supplies buildings													
SPRINKLERS	Make		Model		Year of Manufacture		Orifice Size		Quantity		Temperature Rating			
PIPE AND FITTINGS	Type of pipe													
	Type of fittings													
ALARM VALVE OR FLOW INDICATOR	ALARM DEVICES										Maximum time to operate through test connection			
	Type		Make		Model		Minutes		Seconds					
DRY PIPE OPERATING TEST	DRY VALVE					Q.O.D.								
	Make		Model		Serial No.		Make		Model		Serial No.			
			Time to trip through test connection <sup>1,2</sup>		Water Pressure		Air Pressure		Trip Point Air Pressure		Time water reached test outlet <sup>1,2</sup>		Alarm operated properly	
			Minutes Seconds		psi		psi		psi		Minutes Seconds		Yes No	
	Without Q.O.D.													
	With Q.O.D.													
	If no, explain													
DELUGE & PREACTION VALVES	Operation <input type="checkbox"/> Pneumatic <input type="checkbox"/> Electric <input type="checkbox"/> Hydraulic													
	Piping supervised <input type="checkbox"/> Yes <input type="checkbox"/> No										Detection media supervised <input type="checkbox"/> Yes <input type="checkbox"/> No			
	Does valve operate from the manual trip, remote, or both control stations? <input type="checkbox"/> Yes <input type="checkbox"/> No													
	Is there an accessible facility in each circuit for testing? <input type="checkbox"/> Yes <input type="checkbox"/> No					If no, explain								
	Make		Model		Does each circuit operate supervision loss alarm?		Does each circuit operate valve release?		Maximum time to operate release?					
					Yes No		Yes No		Minutes Seconds					

<sup>1</sup> Measured from time inspector's test connection is opened.

<sup>2</sup> NFPA 13 only requires the 60-second limitation in specific sections

PRESSURE REDUCING VALVE TEST	Location & Floor	Make & Model	Setting	STATIC PRESSURE		RESIDUAL PRESSURE (flowing)		FLOW RATE
				Inlet (psi)	Outlet (psi)	Inlet (psi)	Outlet (psi)	Flow (GPM)
TEST DESCRIPTION	<b>HYDROSTATIC:</b> Hydrostatic tests shall be made at not less than 200 psi (13.6 bars) for two hours or 50 psi (3.4 bars) above static pressure in excess of 150 psi (10.2 bars) for two hours. Differential Dry-Pipe Valve clappers shall be left open during test to prevent damage. All aboveground piping leakage shall be stopped.							
	<b>PNEUMATIC:</b> Establish 40 psi (2.7 bars) air pressure and measure drop, which shall not exceed 1-1/2 psi (0.1 bars) in 24 hours. Test pressure tanks at normal water level and air pressure and measure air pressure drop, which shall not exceed 1-1/2 psi (0.1 bars) in 24 hours.							
TESTS	All pipe hydraulically tested at: _____ psi (_____ bar) for _____ hrs			If no, state reason				
	Dry Pipe pneumatically tested <input type="checkbox"/> Yes <input type="checkbox"/> No							
	Equipment operates properly <input type="checkbox"/> Yes <input type="checkbox"/> No							
	Do you certify as the sprinkler contractor that additives and corrosive chemicals, sodium silicate or derivatives of sodium silicate, brine, or other corrosive chemicals were not used for testing systems or stopping leaks? <input type="checkbox"/> Yes <input type="checkbox"/> No							
	<b>DRAIN TEST</b>	Reading of gage located near water supply test connection: _____ psi (_____ bar)			Residual pressure with valve in test connection open wide. _____ psi (_____ bar)			
	Underground mains and lead in connections to system risers flushed before connection made to sprinkler piping							
Verified by copy of the Contractor's Material & Test Certificate for Underground Piping. <input type="checkbox"/> Yes <input type="checkbox"/> No								
Flushed by installer of underground sprinkler piping. <input type="checkbox"/> Yes <input type="checkbox"/> No								
If powder driven fasteners are used in concrete, has representative sample testing been satisfactorily completed? <input type="checkbox"/> Yes <input type="checkbox"/> No								
If no, explain								
BLANK TESTING GASKETS	Number used	Locations						Number removed
WELDING	Welded piping <input type="checkbox"/> Yes <input type="checkbox"/> No							
	If yes...							
	Do you certify as the sprinkler contractor that welding procedures comply with the requirements of at least AWS B2.1? <input type="checkbox"/> Yes <input type="checkbox"/> No							
	Do you certify that the welding was performed by welders qualified in compliance with the requirements of at least AWS B2.1? <input type="checkbox"/> Yes <input type="checkbox"/> No							
	Do you certify that the welding was carried out in compliance with a documented quality control procedure to ensure that all discs are retrieved, that openings in piping are smooth, that slag and other welding residue are removed, and that the internal diameters of piping are not penetrated? <input type="checkbox"/> Yes <input type="checkbox"/> No							
CUTOUTS (DISCS)	Do you certify that you have a control feature to ensure that all cutouts (disks) are retrieved? <input type="checkbox"/> Yes <input type="checkbox"/> No							
HYDRAULIC DATA NAMEPLATE	Nameplate provided? <input type="checkbox"/> Yes <input type="checkbox"/> No			If no, explain				
REMARKS	DATE left in service with all control valves open: _____ _____ _____							
Signature	Name of sprinkler contractor					C of R No. <b>SCR-</b>		
	Contractor's Address				City	State	Zip	
	<b>Tests witnessed by</b>							
	For property owner (signed)					Title	Date	
	For sprinkler contractor (signed)					Title	Date	
	Additional explanation and notes							

RME CERTIFICATION	<b>I certify that the information herein is true and that this sprinkler system was installed in accordance with Chapter 6003, Texas Insurance Code and the rules and standards adopted by the State Fire Marshal's Office.</b>	
	Responsible Managing Employee (signature)	
	Responsible Managing Employee (print or type name)	
	RME License Number	Date

**DISTRIBUTION:** Original COPY 1 Posted at site or give to owner COPY 2 for the installing firm in file accessible to SFMO  
COPY 3 for local approving authority within 10 days after completion



# TEXAS DEPARTMENT OF INSURANCE

## State Fire Marshal's Office (112-FM)

333 Guadalupe, Austin, Texas 78701 ★ PO Box 149221, Austin, Texas 78714-9221  
(512) 676-6800 | F: (512) 490-1063 | (800) 578-4677 | TDI.texas.gov | @TXSFM

### Contractor's Material and Test Certificate for Underground Piping

#### PROCEDURE

Upon completion of work, inspection and tests shall be made by the contractor's representative and witnessed by an owner's representative. All defects shall be corrected and system left in service before contractor's personnel finally leave the job.

A certificate shall be filled out and signed by both representatives. Copies shall be prepared for approving authorities, owners, and the contractor. It is understood the owner's representative's signature in no way prejudices any claim against contractor for faulty material, poor workmanship, or failure to comply with approving authority's requirements or local ordinances.

Property Name		Date	
Property Address		City	State Zip
PLANS	Accepted by approving authorities (names)		
	Address		
	Installation conforms to accepted plans		<input type="checkbox"/> Yes <input type="checkbox"/> No
	Equipment used is approved If no, state deviations		<input type="checkbox"/> Yes <input type="checkbox"/> No
INSTRUCTIONS	Has person in charge of fire equipment been instructed as to location of control valves and care and maintenance of this new equipment? If no, explain		<input type="checkbox"/> Yes <input type="checkbox"/> No
	Have copies of appropriate instructions and care and maintenance charts been left on premises? If no, explain		<input type="checkbox"/> Yes <input type="checkbox"/> No
LOCATION	Supplies buildings		
UNDERGROUND PIPES AND JOINTS	Pipe types and class		Type joints
	Pipe conforms to _____ Standard		<input type="checkbox"/> Yes <input type="checkbox"/> No
	Fittings conform to _____ Standard If no, explain		<input type="checkbox"/> Yes <input type="checkbox"/> No
	Joints needed anchorage clamped, strapped or blocked in accordance with _____ standard If no, explain		<input type="checkbox"/> Yes <input type="checkbox"/> No
TEST DESCRIPTION	<p><b>FLUSHING:</b> Flow the required rate until water is clear as indicated by no collection of foreign material in burlap bags at outlets such as hydrants and blow-offs. Flush at flows not less than 390 GPM (1476 L/min) for 4-inch pipe, 880 GPM (3331 L/min) for 6-inch pipe, 1560 GPM (5905 L/min) for 8-inch pipe, 2440 GPM (9235 L/min) for 10-inch pipe, and 3520 GPM (13323 L/min) for 12-inch pipe. When supply cannot produce stipulated flow rates, obtain maximum available.</p> <p><b>HYDROSTATIC:</b> Hydrostatic tests shall be made at not less than 200 psi (13.8 bars) for two hours or 50 psi (3.4 bars) above static pressure in excess of 150 psi (10.3 bars) for two hours.</p> <p><b>LEAKAGE:</b> New pipe laid with rubber gasketed joints shall, if the workmanship is satisfactory, have little or no leakage at the joints. The amount of leakage at the joints shall not exceed 2 quarts per hour (1.89 L/hr) per 100 joints irrespective of pipe diameter. The leakage shall be distributed over all joints. If such leakage occurs at a few joints, the installation shall be considered unsatisfactory and necessary repairs made. The amount of allowable leakage specified above can be increased by 1 fl oz per inch valve diameter per hour (30 mL/25 mm/hr) for each metal seated valve isolating the test section. If dry barrel hydrants are tested with the main valve open so the hydrants are under pressure, an additional 5 oz per minute (150 mL/min) leakage is permitted for hydrant.</p>		
FLUSHING TESTS	New underground piping flushed according to _____ standard by (company) If no, explain		<input type="checkbox"/> Yes <input type="checkbox"/> No
	How flushing flow was obtained <input type="checkbox"/> Public water <input type="checkbox"/> Tank or reservoir <input type="checkbox"/> Fire pump		Through what type of opening <input type="checkbox"/> Hydrant butt <input type="checkbox"/> Open pipe
	Lead-ins flushed according to _____ standard by (company) If no, explain		<input type="checkbox"/> Yes <input type="checkbox"/> No
	How flushing flow was obtained <input type="checkbox"/> Public water <input type="checkbox"/> Tank or reservoir <input type="checkbox"/> Fire pump		Through what type of opening <input type="checkbox"/> Y connection to flange spigot <input type="checkbox"/> Open pipe

<b>HYDROSTATIC TEST</b>	All new underground piping hydrostatically tested at _____ psi for _____ hours		Joints covered <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>LEAKAGE TEST</b>	Total amount of leakage measured _____ gallons _____ hours			
	Allowable leakage _____ gallons _____ hours			
<b>HYDRANTS</b>	Number installed	Type and make	All operate satisfactorily <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>CONTROL VALVES</b>	Water control valves left wide open If no, state reason		<input type="checkbox"/> Yes <input type="checkbox"/> No	
	Hose threads of fire department connections and hydrants interchangeable with those of the fire department answering alarm		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>REMARKS</b>	Date left in service _____ _____ _____			
<b>Signature</b>	Name of installing contractor		C of R No. <b>SCR-</b>	
	Contractor's Address	City	State	Zip
	<b>Tests witnessed by</b>			
	For property owner (signed)	Title	Date	
	For installing contractor (signed)	Title	Date	
Additional explanation and notes				

<b>RME CERTIFICATION</b>	<b>I certify that the information herein is true and that this portion of the sprinkler system was installed in accordance with Chapter 6003, Texas Insurance Code and the rules and standards adopted by the State Fire Marshal's Office.</b>	
	Responsible Managing Employee (signature)	
	Responsible Managing Employee (print or type name)	
	RME License Number	Date

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