

TITLE 29 DEPARTMENT OF STATE POLICE
SUBTITLE 06 FIRE PREVENTION COMMISSION
CHAPTER 05 FIRE SPRINKLER CONTRACTOR LICENSING REGULATIONS
Authority: Public Safety Article §6-206 and §§9-901 to 9-905
Annotated Code of Maryland
(Amended Effective October 7, 2019)

.01 Purpose.

This chapter establishes licensing requirements for persons who inspect, test, perform maintenance on, install, repair, modify, or lay out fire sprinkler systems in any residential or commercial building in Maryland.

.02 Scope.

A. Except as provided in §B of this regulation, a person who inspects, tests, performs maintenance on, installs, repairs, modifies, or lays out fire sprinkler systems in any residential or commercial building in the State shall apply to, and obtain from, the State Fire Marshal, a Fire Sprinkler Contractor License, as provided for in Regulation .04 of this chapter.

B. A license is not required for the following activities:

- (1) Inspections and tests by insurance representatives acting in the performance of their assigned duty;
- (2) Inspections, tests, and repairs by a full-time maintenance employee of the property owner, knowledgeable about fire sprinkler systems, acting in the performance of the employee's assigned duty for the property owner;
- (3) Inspections, tests, plan review, and ensuring the maintenance of, and any emergency maintenance activity on, a fire sprinkler system, or restoration of an operating, or recently operated, fire sprinkler system to active service by an individual acting in the individual's capacity as a member of a state, county, municipal, career, or volunteer fire department, or authority having jurisdiction;
- (4) Installation of a limited area fire sprinkler system or emergency temporary repairs performed by a licensed master plumber in accordance with COMAR 29.06.01;
- (5) Inspections, tests, preparation of design and specification documents, hydraulic calculations, layout, and plan review of fire sprinkler systems by a Maryland-registered professional engineer knowledgeable about fire sprinkler systems; or
- (6) Installation, testing, servicing, and maintenance of specialized equipment that is associated with automatic fire sprinkler systems, but not regulated by the specific provisions of NFPA 13, NFPA 13D, or NFPA 13R, performed by persons under the responsible charge of a licensed fire sprinkler contractor who shall verify that such persons have the appropriate qualifications and certifications to perform these specific functions and who shall be responsible for the installation and continued approved operation of all equipment associated with the fire sprinkler system.

C. These regulations are minimum statewide requirements which are not intended to prohibit any jurisdiction from adopting a more stringent local law or ordinance which establishes standards or qualifications for fire sprinkler contractors.

.03 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

- (1) "Designated Qualified Individual" means an owner or permanent and dedicated employee of a fire sprinkler contractor, who is responsible for overseeing work performed by other persons employed by the contractor, and who possesses the required NICET or

- equivalent qualification or professional engineer qualifications in accordance with the appropriate class of license as listed in this chapter.
- (2) "Fire Sprinkler Contractor" means a person that inspects, tests, performs maintenance on, installs, repairs, modifies, or lays out a fire sprinkler system in accordance with standards adopted by reference in COMAR 29.06.01.
- (3) "Fire Sprinkler System" means a sprinkler system for fire protection purposes which:
- (a) Is an integrated system of piping laid out in accordance with standards adopted in COMAR 29.06.01;
 - (b) Includes, as the portion of the fire sprinkler system above ground, a network of specially sized or hydraulically designed piping and associated equipment installed in a building, structure, or area, generally overhead, and to which fire sprinklers are connected in a systematic pattern;
 - (c) Is activated by a device capable of detecting heat or combustion by-products produced by a fire, and which discharges water over the fire area; and
 - (d) Does not include the first connection to a potable water supply that is downstream of a backflow preventer, and the final connection that discharges indirectly into a public or private disposal system, sanitary drainage facility, or storm drainage facility.
 - (e) Includes potable water multipurpose piping systems as defined in NFPA 13D.
- (4) "International Building Code" means the edition of the *International Building Code*, with amendments, which is currently adopted by reference in COMAR 29.06.01.
- (5) "Layout" means the preparation of shop drawings implementing engineering contract documents and applicable codes and standards.
- (6) "Limited Area Fire Sprinkler System" means a:
- (a) Fire sprinkler system, except a system installed in a townhouse or other single family dwelling, which is laid out within one fire area, and which is enclosed within approved separation assemblies, with no more than 20 sprinklers based on the spacing limitations of NFPA 13, and laid out in accordance with the *International Building Code*, and which has a water supply that consists of one of the following:
 - (i) A standpipe system capable of supplying a 500 gallon/minute (1890 liters/minute) minimum flow and which has an automatic water supply, or
 - (ii) A connection in compliance with the Maryland State Plumbing Code to a domestic water system laid out to adequately support the design flow of the largest number of sprinklers required to be hydraulically calculated by NFPA 13 in any fire area plus the domestic demand; or
 - (b) Fire sprinkler system consisting of not more than six sprinklers for any isolated hazardous area connected to a domestic water supply having a capacity sufficient to provide 0.15 gallon/minute/square foot (6.1 liter/minute/square meter) of floor area throughout the entire enclosed area installed in accordance with NFPA 101.
- (7) "NFPA" refers to standards produced by the National Fire Protection Association, Batterymarch Park, Quincy, MA 02269, which are currently adopted by reference in COMAR 29.06.01.
- (8) "NICET" means the National Institute for the Certification in Engineering Technologies.
- (9) "Person" means an individual, receiver, trustee, guardian, personal representative, fiduciary, representative of any kind, partnership, firm, association, corporation, or other entity.
- (10) "State Fire Marshal" means the Fire Marshal for the State of Maryland or, in the Fire Marshal's absence, an individual who has been specially designated by the State Fire Marshal to enforce the provisions of this chapter.
- (11) "Workmanlike Manner" means a quality of work typical of the standard recognized within the industry and befitting a skilled workman or craftsman.

.04 Licensure.

A. Each fire sprinkler contractor who performs work in Maryland shall possess a valid license of the appropriate class as listed in this regulation. A fire sprinkler contractor, except a person exempt under this chapter or Public Safety Article §9-903(b), Annotated Code of Maryland, who inspects, tests, performs maintenance on, installs, repairs, modifies, or lays out a fire sprinkler system in a residential or commercial building in the State shall possess a valid license under this regulation. The following table illustrates the capabilities of each class of the sprinkler contractor license:

Function	Class I	Class IIa	Class IIb	Class IIc	Class IIc	Class IIIa	Class IIIb	Class IIIc
Inspect	All							
Test	All							
Maintain	All							
Install		Res		Res	13D	All		All
Repair		Res		Res	13D	All		All
Modify		Res		Res	13D	All		All
Layout			Res	Res			All	All

Where: "All" indicates that the function may be performed on commercial or residential systems in accordance with NFPA 13, 13D, and 13R; "Res" indicates that the function may be performed on residential systems in accordance with NFPA 13D and 13R only; and "13D" indicates that the function may be performed on residential systems in accordance with NFPA 13D only.

B. Class I Fire Sprinkler Contractor License.

(1) A fire sprinkler contractor engaged in the inspection, testing, and performance of maintenance of residential or commercial fire sprinkler systems that are in accordance with NFPA 13, NFPA 13D, or NFPA 13R shall possess a class I fire sprinkler contractor license.

(2) To obtain a class I fire sprinkler contractor license, a person shall:

- (a) Have not less than 3 years experience in the inspection, testing, and performance of maintenance of residential and commercial fire sprinkler systems as determined by the State Fire Marshal; and
- (b) Employ at least one designated qualified individual who possesses and maintains a NICET Engineering Technician Level II or higher certification or equivalent in the field of fire protection, inspection, and testing of water-based systems.

C. Class IIa Fire Sprinkler Contractor License.

(1) A fire sprinkler contractor engaged in the installation, repair, or modification of residential fire sprinkler systems that are in accordance with NFPA 13D or NFPA 13R shall possess a class IIa fire sprinkler contractor license.

(2) To obtain a class IIa fire sprinkler contractor license, a person shall:

- (a) Have not less than 3 years experience in the installation, repair, or modification of residential fire sprinkler systems as determined by the State Fire Marshal; and
- (b) Employ at least one designated qualified individual who possesses and maintains a NICET Engineering Technician Level II or higher certification or equivalent in the field of fire protection, automatic sprinkler system layout.

(3) For potable water multipurpose piping systems, contractors shall also possess a Maryland master plumber license and shall comply with all applicable provisions of Business Occupations and Professions Article, Title 12, Annotated Code of Maryland.

D. Class IIb Fire Sprinkler Contractor License.

(1) A fire sprinkler contractor engaged in the layout of residential fire sprinkler systems that are in accordance with NFPA 13D or NFPA 13R shall possess a class IIb fire sprinkler contractor license.

(2) To obtain a class IIb fire sprinkler contractor license, a person shall:

(a) Have not less than 3 years experience in the layout of residential fire sprinkler systems as determined by the State Fire Marshal; and

(b) Employ at least one designated qualified individual who possesses and maintains a NICET Engineering Technician Level II or higher certification or equivalent in the field of fire protection, automatic sprinkler system layout.

E. Class IIc Fire Sprinkler Contractor License.

(1) A fire sprinkler contractor engaged in the installation, repair, modification and layout of residential fire sprinkler systems that are in accordance with NFPA 13D or NFPA 13R shall possess a class IIc fire sprinkler contractor license.

(2) To obtain a class IIc fire sprinkler contractor license, a person shall:

(a) Have not less than 3 years experience in the installation, repair, modification and layout of residential fire sprinkler systems as determined by the State Fire Marshal; and

(b) Employ at least one designated qualified individual who possesses and maintains a NICET Engineering Technician Level II or higher certification or equivalent in the field of fire protection, automatic sprinkler system layout.

(3) For potable water multipurpose piping systems, contractors shall also possess a Maryland master plumber license and shall comply with all applicable provisions of Business Occupations and Professions Article, Title 12, Annotated Code of Maryland.

F. Class II d Fire Sprinkler Contractor License.

(1) A fire sprinkler contractor engaged in the installation, repair, or modification of residential fire sprinkler systems that are in accordance with NFPA 13D shall possess a class II d fire sprinkler contractor license.

(2) To obtain a class II d fire sprinkler contractor license, a person shall:

(a) Possess a Maryland master plumber license and comply with all applicable provisions of Business Occupations and Professions Article, Title 12, Annotated Code of Maryland; and

(b) Employ at least one designated qualified individual who possesses and maintains a NICET Engineering Technician Level II or higher certification or equivalent in the field of fire protection, automatic sprinkler system layout.

G. Class IIIa Fire Sprinkler Contractor License.

(1) A fire sprinkler contractor engaged in the installation, repair, or modification of commercial and residential fire sprinkler systems that are in accordance with NFPA 13, 13D, or 13R shall possess a class IIIa fire sprinkler contractor license.

(2) To obtain a class IIIa fire sprinkler contractor license, a person shall:

(a) Have not less than 5 years experience in the installation, repair or modification of commercial and residential fire sprinkler systems as determined by the State Fire Marshal; and

(b) Employ at least one designated qualified individual who possesses and maintains a NICET Engineering Technician Level II or higher certification or equivalent in the field of fire protection, automatic sprinkler system layout.

(3) For potable water multipurpose piping systems, contractors shall also possess a Maryland master plumber license and shall comply with all applicable provisions of Business Occupations and Professions Article, Title 12, Annotated Code of Maryland.

H. Class IIIb Fire Sprinkler Contractor License.

(1) A fire sprinkler contractor engaged in the layout of commercial or residential fire sprinkler systems that are in accordance with NFPA 13, 13D, or 13R shall possess a class IIIb fire sprinkler contractor license.

(2) To obtain a class IIIb fire sprinkler contractor license, a person shall:

(a) Have not less than 5 years experience in the layout of commercial and residential fire sprinkler systems as determined by the State Fire Marshal; and

(b) Employ at least one designated qualified individual who possesses and maintains a NICET Engineering Technician Level III or higher certification or equivalent in the field of fire protection, automatic sprinkler system layout.

I. Class IIIc Fire Sprinkler Contractor License.

(1) A fire sprinkler contractor engaged in the installation, repair, modification, and layout of commercial or residential fire sprinkler systems that are in accordance with NFPA 13, 13D or 13R shall possess a class IIIc fire sprinkler contractor license.

(2) To obtain a class IIIc fire sprinkler contractor license, a person shall:

(a) Have not less than 5 years experience in the installation, repair, modification and layout of commercial and residential fire sprinkler systems as determined by the State Fire Marshal; and

(b) Employ at least one designated qualified individual who possesses and maintains a NICET Engineering Technician Level III or higher certification or equivalent in the field of fire protection, automatic sprinkler system layout.

(3) For potable water multipurpose piping systems, contractors shall also possess a Maryland master plumber license and shall comply with all applicable provisions of Business Occupations and Professions Article, Title 12, Annotated Code of Maryland.

J. A person may not be permitted to serve as a designated qualified individual for more than three licensed fire sprinkler contractors.

K. Additional Authorized Work.

(1) A fire sprinkler contractor in possession of a class IIIa fire sprinkler contractor license may engage in any fire sprinkler system work covered by a class IIa or class IIc fire sprinkler contractor license.

(2) A fire sprinkler contractor in possession of a class IIIb fire sprinkler contractor license may engage in any fire sprinkler system work covered by a class IIb fire sprinkler contractor license.

(3) A fire sprinkler contractor in possession of a class IIIc fire sprinkler contractor license may engage in any fire sprinkler system work covered by all other classes of fire sprinkler contractor licenses except class I.

(4) A fire sprinkler contractor in possession of a class IIa fire sprinkler contractor license may engage in any fire sprinkler system work covered by a class IIc fire sprinkler contractor license only on residential fire sprinkler systems that are in accordance with NFPA 13D or NFPA 13R.

(5) A fire sprinkler contractor in possession of a class IIc fire sprinkler contractor license may engage in fire sprinkler system work covered by a class IIa, class IIb, or class IIc fire sprinkler contractor license only on residential fire sprinkler systems that are in accordance with NFPA 13D or NFPA 13R.

L. Fire Sprinkler System Layout.

- (1) Layout of plans and preparation for automatic fire sprinkler systems shall be prepared under the supervision of one of the following:
 - (a) The designated qualified individual employed by a fire sprinkler contractor who meets the qualification listed for the appropriate license classification under §D, E, H, or I of this regulation; or
 - (b) A Maryland registered professional engineer, knowledgeable in areas about fire sprinkler systems.
- (2) Plans shall be marked with the fire sprinkler contractor license number and one of the following:
 - (a) The designated qualified individual's original signature, NICET level, certification number, and expiration date; or
 - (b) The original signature and seal of a professional engineer who is registered in Maryland.
- (3) Plans submitted utilizing an electronic format shall be marked with the fire sprinkler contractor license number and one of the following:
 - (a) The designated qualified individual's digital signature, NICET level, certification number and expiration date; or
 - (b) The digital signature and seal of a professional engineer who is registered in Maryland.

M. Notification Requirements.

- (1) Within 14 days of any change of address, the fire sprinkler contractor shall:
 - (a) Notify the Office of the State Fire Marshal in writing of the change;
 - (b) Return the license certificate requiring the revision; and
 - (c) Submit the fee as specified in §Q of this regulation for a revised license certificate.
- (2) Within 5 business days from the termination of a designated qualified individual, the fire sprinkler contractor shall notify the Office of the State Fire Marshal in writing of the termination.
- (3) Within 30 days of termination of the designated qualified individual, or prior to the expiration of a current license, whichever occurs first, the fire sprinkler contractor shall submit a new application to the Office of the State Fire Marshal identifying the new designated qualified individual as defined in Regulation .03 of this chapter.
- (4) Within 14 days of any change to information submitted on the license application, the fire sprinkler contractor shall notify the Office of the State Fire Marshal in writing of the change.

N. License Expiration.

All fire sprinkler contractor licenses expire 2 years after the date issued.

O. Liability Insurance Requirements.

- (1) To hold any class fire sprinkler contractor license, a person shall maintain continuous comprehensive general liability insurance coverage and provide proof of this coverage in the form of a certificate of insurance with a 30-day cancellation notification provision. The Office of the State Fire Marshal shall be named as the certificate holder. Coverage under this subsection shall include:
 - (a) A minimum of \$1,000,000 combined single limit bodily injury or death and property damage liability insurance; and
 - (b) Products and completed operations insurance.
- (2) Failure to maintain the required coverage is considered sufficient grounds for suspension or revocation of the license.

P. Application.

- (1) An application for an initial fire sprinkler contractor license shall be made to the State Fire Marshal on a form designated by the State Fire Marshal.
- (2) An application for renewal of a fire sprinkler contractor license shall be submitted to the Office of the State Fire Marshal at least 30 days before the expiration date of the license on a form designated by the State Fire Marshal.
- (3) The application shall be signed by the sole proprietor, by each partner of a partnership, or by an officer of the corporation or organization.
- (4) Proof of the required insurance coverage, in the form of a certificate of insurance with a 30-day cancellation notification provision shall be submitted with the application. The Office of the State Fire Marshal shall be named as the certificate holder.
- (5) Proof of current NICET qualification or professional engineer registration status shall be submitted with the application.
- (6) The appropriate nonrefundable fee as specified in §Q of this regulation shall be submitted with the application.

Q. Fees.

- (1) A nonrefundable fee set by the State Fire Prevention Commission shall be paid to the Office of the State Fire Marshal to obtain or renew a fire sprinkler contractor license or for services as follows:
 - (a) Initial application – \$300;
 - (b) Renewal application – \$200;
 - (c) Duplicate or revised license certificate – \$25.
- (2) A fire sprinkler contractor who does not submit a renewal application on or prior to the expiration date of the license shall pay a late fee of \$300 in addition to the license renewal fee.
- (3) The State Fire Marshal shall collect the fees, keep all records of fees paid, and pay all fees collected to the General Fund of the State.

.05 Denial, Suspension, and Revocation of Applications and Licenses.

A. The State Fire Marshal may deny a license to an applicant, reprimand a licensee, or suspend or revoke a fire sprinkler contractor license if the applicant or licensee:

- (1) Willfully makes any false statement or misrepresentation in an initial or renewal license application;
- (2) Assists a person in fraudulently or deceptively obtaining, or attempting to obtain, a license;
- (3) Fails to satisfy or maintain any of the requirements set forth in Regulation .04 of this chapter;
- (4) While unlicensed, performs fire sprinkler work that requires a license under this chapter;
- (5) Signs or affixes the licensee's seal to any plan, print, specification, or report that has not been prepared by the licensee, either personally or under the licensee's immediate supervision;
- (6) Violates COMAR 29.06.01 or any other regulation adopted by the State Fire Prevention Commission (by the fire sprinkler contractor or any employee of the fire sprinkler contractor); or
- (7) Is convicted of any felony or misdemeanor violation of the State Fire Code or the fire code of any other state or the District of Columbia (by the fire sprinkler contractor or applicant, or any employee of the fire sprinkler contractor or applicant).

B. In determining whether the criminal conviction may serve as the basis for denial, suspension, revocation, or the issuance of a reprimand, the State Fire Marshal shall consider the following factors:

- (1) The nature of the crime;
- (2) The relationship of the crime to the activities authorized by the license;
- (3) The relevance of the conviction to the fitness and qualification of the applicant or licensee to perform work authorized by the license;
- (4) Any other crimes of which the applicant or licensee has been convicted;
- (5) The length of time since the conviction; and
- (6) The conduct of the applicant or licensee before and after the conviction.

.06 Hearings for Denied, Suspended, and Revoked Applications and Licenses.

A. Except as provided in Regulation .07 of this chapter, and before any action is taken under Regulation .05 of this chapter, the State Fire Marshal shall mail to the applicant or fire sprinkler contractor at the last known address of the applicant or fire sprinkler contractor written notice stating:

- (1) The basis for the contemplated action; and
- (2) That the applicant or fire sprinkler contractor may request a hearing before the State Fire Prevention Commission by mailing or delivering a written request to the Commission within 20 days of the date of the written notice.

B. If an applicant or fire sprinkler contractor requests a hearing, the hearing shall be conducted by the State Fire Prevention Commission in accordance with COMAR 29.06.02.

C. Except as provided in Regulation .07 of this chapter, the State Fire Marshal may not act to deny, suspend, revoke, or reprimand until after the decision of the State Fire Prevention Commission or until after the time for requesting a hearing has expired.

.07 Summary Suspension.

A. The State Fire Marshal may order summarily the suspension of a license if the State Fire Marshal finds that the public health, safety, or welfare imperatively requires emergency action.

B. The State Fire Marshal shall promptly give the fire sprinkler contractor/licensee:

- (1) Written notice of the suspension, the finding, and the reasons that support the finding; and
- (2) An opportunity for a hearing before the State Fire Marshal.

.08 Appellate Procedure.

A person aggrieved by a final decision of the State Fire Prevention Commission is entitled to judicial review, as provided in State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland.

.09 Penalties.

A. Unless otherwise exempt, a person may not inspect, test, perform maintenance on, install, repair, modify, or lay out any fire sprinkler system in a residential or commercial building in the State without first obtaining the appropriate license required under this chapter.

B. A person who violates any provision of this chapter is guilty of a misdemeanor and, upon conviction, is subject to a fine of \$1,000 or imprisonment for not more than 10 days, or both.