

CR 82-63

# RULES CERTIFICATE

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STATE OF WISCONSIN        )  
                                  ) SS  
DEPT. OF INDUSTRY,        )  
LABOR & HUMAN RELATIONS)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, James J. Gosling, Secretary of the Department of Industry, Labor and Human Relations, and custodian of the official records of said department, do hereby certify that the annexed rule(s) relating to Apprenticeship and Licensing of Plumbers were duly approved and adopted by this department on July 2, 1982 (Date)

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at 2:30 pm in the city of Madison, this 2nd day of July A.D. 1982.

James J. Gosling  
Secretary

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# ORDER OF ADOPTION

Pursuant to authority vested in the Department of Industry, Labor and Human Relations by section(s) 145.165, 145.175, 145.18, Stats., the Department of Industry, Labor and Human Relations hereby  creates;  amends;  repeals and recreates; and  repeals and adopts rules of Wisconsin Administrative Code chapter(s):

H 61 Apprenticeship and Licensing of Plumbers  
(Number) (Title)

The attached rules shall take effect on the first day of the month following  
publication in the Wisconsin Administrative Register, pursuant to section  
227.026, Stats.

Adopted at Madison, Wisconsin, this 2nd  
day of July, A.D., 1982

DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS

James J. Ashby  
Secretary



State of Wisconsin \ Department of Industry, Labor and Human Relations

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# RULES in FINAL DRAFT FORM

Rule: W.A.C. Chapter H61

Relating to: Apprenticeship and Licensing of Plumbers

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Administrative rules to create H 61.001 and H 61.17, relating to automatic fire sprinkler maintenance registration certificates.

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ANALYSIS OF RULES

The Division of Safety and Buildings of the Department of Industry, Labor and Human Relations is responsible for promulgating and enforcing the rules of ch. H 61, Wis. Adm. Code, concerning the licensure of persons installing automatic fire sprinkler systems.

The proposed rules establish a registration procedure for a business establishment that wants to do its own maintenance and repair work for an existing automatic fire sprinkler system within its facilities. The rules establish the minimum qualifications needed for registration and the scope of maintenance and repair activities permitted once registration has been obtained.

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Pursuant to the authority vested in the state of Wisconsin, Department of Industry, Labor and Human Relations by ss. 145.165, 145.175 and 145.18, Stats., and chs. 20 and 60, laws of 1981, the department hereby creates rules interpreting ss. 145.08 (1) (Lm) and (nm), 145.12, 145.165, 145.175 and 145.18, Stats., as follows:

SECTION 1. H 61.001 is created to read:

H 61.001 DEFINITIONS. In this chapter: (1) "Business establishment" means any industrial or commercial organization or enterprise operated for profit, including but not limited to a proprietorship, partnership, firm, business trust, joint venture, syndicate, corporation or association;

(2) "Department" means the department of industry, labor and human relations.

SECTION 2. H 61.17 is created to read:

H 61.17 REGISTRATION FOR THE MAINTENANCE OF AUTOMATIC FIRE SPRINKLERS. (1) GENERAL. Unless a temporary permit is secured in accordance with sub. (4), a business establishment shall obtain a registration certificate from the department prior to initiating any repair or maintenance activities to an existing automatic fire sprinkler system within its facilities.

(2) APPLICATION FOR REGISTRATION CERTIFICATE. A business establishment applying for an automatic fire sprinkler maintenance registration certificate shall:

(a) Submit to the department a completed application on forms furnished by the department;

Note: Application for registration certificate is to be on form SBD 6796.

(b) Submit to the department a \$100 registration fee; and

(c) Employ at least one person:

1. Who will be responsible for the repair and maintenance activities to the existing automatic fire sprinkler system; and

2. Who has demonstrated a knowledge of repairing and maintaining an automatic fire sprinkler system by passing a department examination.

(3) DEPARTMENT EXAMINATION. (a) At least 3 department examinations for a person of a business establishment which is seeking an automatic fire sprinkler maintenance registration certificate shall be conducted annually at such time and place as the department may direct.

(b) All applications for examination shall be on file in the office of the department's bureau of plumbing, platting and fire protection systems at least 4 weeks prior to the date of examination. Failure to have the application on file within the required time shall necessitate postponement of the applicant's appearance until the next examination. All applications shall expire after a period of one year from the date of filing.

(c) An examination fee for each applicant shall be submitted to and received by the department prior to the date of the examination. Examination fees are:

1. \$50.00 for the first examination; and
2. \$30.00 for each subsequent examination.

(d) Notice of the time and place of examination shall be sent by first class mail to those who have approved applications on file. Such notice shall be mailed to the address given on the application blank and shall be presented by the applicant to gain admittance to the examination room. Failure to receive the notice due to change in address shall not be the responsibility of the department.

(e) Applicants shall participate in all portions of the examination. A grade of 75 percent or better is required in order to pass the examination. Applicants who fail to acquire a passing grade shall be required to rewrite the complete examination.

(4) TEMPORARY PERMIT. (a) General. Prior to obtaining an automatic fire sprinkler maintenance registration certificate, the department may issue a temporary permit to a business establishment to engage in the repair and maintenance activities specified in sub. (5) upon submission of:

1. A completed application for an automatic fire sprinkler maintenance registration certificate;
2. Satisfactory evidence documenting the knowledge of automatic fire sprinkler systems of the person responsible for the repair and maintenance activities; and
3. A \$125.00 temporary permit fee, which includes the examination fee of \$50.00 for the first examination.

Note: Upon successful passage of the examination, the \$100.00 fee as specified in sub. (2) (b) must be submitted prior to the issuance of the registration certificate.

(b) Expiration. A temporary permit shall be void upon the date of the first examination following issuance of the permit.

(5) REPAIR AND MAINTENANCE ACTIVITIES. A business establishment possessing a valid automatic fire sprinkler maintenance registration certificate or a temporary permit may, within its facilities:

- (a) Replace or repair any component of an existing automatic fire sprinkler system including daily maintenance and emergency repairs to underground fire mains and fire pumps; and
- (b) Modify or extend an existing automatic fire sprinkler system by no more than 15 sprinkler heads per project.

Note: Section Ind 51.23, Wis. Adm. Code, requires that all installed automatic fire sprinkler systems be maintained for efficient service as specified in NFPA No. 13A-1981.

(6) **TERMINATION OF QUALIFYING PERSON.** If the person who is responsible for the repair and maintenance activities permitted under sub. (5) and who has qualified a business establishment for an automatic fire sprinkler maintenance registration certificate under sub. (2) (c) leaves the employment of the business establishment, the business establishment:

(a) Shall surrender to the department its automatic fire sprinkler maintenance registration certificate; and

(b) May apply for a new automatic fire sprinkler system registration certificate or a temporary permit.

(7) **EXPIRATION AND RENEWAL OF REGISTRATION CERTIFICATE.** No automatic fire sprinkler maintenance registration certificate issued to a business establishment may be valid for longer than one year and all registration certificates shall expire at midnight on December 31 of each year.

(a) An automatic fire sprinkler maintenance registration certificate may be renewed upon the submittal of an application and fee made to the department prior to the expiration of the certificate.

(b) The department may renew an automatic fire sprinkler maintenance registration certificate upon submission of an application made after December 31, if it is satisfied that the applicant has good cause for not filing prior to the expiration date and has submitted the renewal fee as specified in par. (c) 2.

(c) The renewal fee for an automatic fire sprinkler maintenance registration certificate shall be:

1. \$100 for each renewal, if the application is made on or prior to the registration certificate's expiration; or

2. \$125 for each renewal, if the application is made after the registration certificate's expiration.

(8) **FITTER MAINTENANCE REGISTRATION.** An employe of a business establishment possessing a valid automatic fire sprinkler maintenance registration certificate shall obtain from the department an automatic fire sprinkler fitter maintenance registration certificate before engaging in any of the repair or maintenance activities specified in sub. (5).

(a) Limitations of Registration Certificate. 1. A person possessing a valid automatic fire sprinkler fitter maintenance registration certificate may perform the repair and maintenance activities specified in sub. (5) for only one business establishment.

2. The automatic fire sprinkler fitter maintenance registration certificate shall indicate the specific business establishment for which a person may perform the repair and maintenance activities specified in sub. (5).

3. Upon the expiration, revocation or nonrenewal of the automatic fire sprinkler maintenance registration certificate of the business establishment, all automatic fire sprinkler fitter maintenance registration certificates issued under that business establishment shall become invalid.

(b) Application. A person seeking an automatic fire sprinkler fitter maintenance registration certificate shall submit to the department:

1. A completed application on forms furnished by the department; and

Note: Application for registration certificate is to be made on for SBD 6796.

2. A \$15 registration certificate fee.

(c) Termination of Employment. If for any reason an employe possessing a valid automatic fire sprinkler fitter maintenance registration certificate leaves the employment of the business establishment for which the person may perform the repair and maintenance activities specified in sub. (5), the registration certificate shall expire on the day of termination.

(d) Certificate Renewal. No automatic fire sprinkler fitter maintenance registration certificate issued to an individual shall be valid for longer than one year and all registration certificates shall expire at midnight on December 31 of each year.

1. An automatic fire sprinkler fitter maintenance registration certificate may be renewed upon the submission of an application and a fee to the department made prior to the expiration of the certificate.

2. The department may renew an automatic fire sprinkler fitter maintenance registration certificate upon submittal of an application made after December 31, if it is satisfied that the applicant has good cause for not filing prior to the expiration date and has submitted the renewal fee specified in par. (e) 2.

(e) Renewal Fees. The renewal fee for an automatic fire sprinkler fitter maintenance registration certificate shall be:

1. \$15.00 for each renewal, if the application is made on or prior to the registration certificate's expiration; or

2. \$25.00 for each renewal, if the application is made after the registration certificate's expiration.

(9) REVOCATION OF CERTIFICATES. The department may revoke any automatic fire sprinkler maintenance registration certificate of a business establishment or any automatic fire sprinkler fitter maintenance registration certificate for any misrepresentation of facts on which the certificate was issued or for violations of this chapter.

(10) TESTING AND EMERGENCY REPAIRS. Weekly or monthly test of sprinkler alarm equipment, fire pumps, valves, or appurtenances and refilling of storage and pressure tanks, or replacement of automatic fire sprinkler heads under emergency conditions shall not require registration under this chapter.

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EFFECTIVE DATE

Pursuant to s. 227.026 (1), (intro) Stats., these rules shall take effect on the first day of the month following publication in the Wisconsin Administrative Register.

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