

STATEMENT OF SCOPE

Department of Safety and Professional Services

Rule No.: SPS 302, 305, 314, and 361-366

Relating to: Inspection of Fire and Smoke Dampers

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

The objective of the proposed rule is to specify that the inspection of fire and smoke dampers is required to be conducted by a Fire Life Safety technician with current accreditation from the American National Standards Institute.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Current rules require the inspection of fire and smoke dampers to be performed by a qualified person with knowledge and understanding of the operating components of the type of assembly to be tested. The Department has determined that more specific requirements are needed to ensure qualified persons are conducting inspections of fire and smoke dampers. The proposed rule will require the inspection of fire and smoke dampers to be conducted by a Fire Life Safety technician with current accreditation from the American National Standards Institute.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 101.02 (1) (b), Stats., provides “[t]he department shall adopt reasonable and proper rules and regulations relative to the exercise of its powers and authorities and proper rules to govern its proceedings and to regulate the mode and manner of all investigations and hearings ...”

Section 101.02 (15) (j), Stats., provides “[t]he department shall ascertain, fix and order such reasonable standards or rules for constructing, altering, adding to, repairing, and maintaining public buildings and places of employment in order to render them safe.”

Section 101.14 (4) (a), Stats., provides “[t]he department shall make rules, pursuant to ch. 227, requiring owners of places of employment and public buildings to install such fire detection, prevention or suppression devices as will protect the health, welfare and safety of all employers, employees and frequenters of places of employment and public buildings.”

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

80 hours

6. List with description of all entities that may be affected by the proposed rule:

The proposed rules may affect any business or other entity involved with the ownership, design, construction, use, maintenance, alteration, or inspection of public buildings, including multifamily dwellings and places of employment.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule :

None.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

The proposed rule is anticipated to have minimal to no economic impact on small businesses and the state's economy as a whole.

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