Texas Insurance Code
Chapter 6001
Fire Extinguisher Service and Installation

(formerly Article 5.43-1)

and

28 TAC §§ 34.500
The Fire Extinguisher Rules

Texas Department of Insurance

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TEXAS INSURANCE CODE
TITLE 20. REGULATION OF OTHER OCCUPATIONS
CHAPTER 6001. FIRE EXTINGUISHER SERVICE AND INSTALLATION

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TEXAS INSURANCE CODE
TITLE 20. REGULATION OF OTHER OCCUPATIONS
CHAPTER 6001. FIRE EXTINGUISHER SERVICE AND INSTALLATION
SUBCHAPTER A. GENERAL PROVISIONS

Sec. 6001.001. PURPOSE.

The purpose of this chapter is to safeguard lives and property by:

(1) regulating:

(A) the leasing, selling, installing, and servicing of portable fire extinguishers; and

(B) the planning, certifying, installing, and servicing of fixed fire extinguisher systems; and

(2) prohibiting portable fire extinguishers, fixed fire extinguisher systems, or extinguisher equipment that is not listed by a testing laboratory approved by the department.

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

Added by Acts 2013, 83th Leg., R.S., eff. September 1, 2013.

Sec. 6001.002. DEFINITIONS.

In this chapter:

(1) "Firm" means an individual, partnership, corporation, or association.

(2) "Fixed fire extinguisher system" means an assembly of piping, conduits, or containers that convey liquid, powder, or gases to dispersal openings or devices protecting one or more hazards by suppressing or extinguishing fires.

(3) "Hydrostatic testing" means pressure testing by hydrostatic methods.

(4) "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.

(5) "Portable fire extinguisher" means any device that contains liquid, powder, or gases for suppressing or extinguishing fires.

(5-a) “Portable fire extinguisher inspection” means a monthly inspection to ensure that a portable fire extinguisher:

(A) is in the extinguisher’s designated location;

(B) has not been actuated or subject to tampering; and

(C) does not have any obvious physical damage or another condition that may prevent proper operation of the extinguisher.

(6) "Registered firm" means a firm that holds a registration certificate.

(7) "Service" and "servicing" mean servicing a portable fire extinguisher or a fixed fire extinguisher system by charging, filling, maintaining, recharging, refilling, repairing, or testing.

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

Added by Acts 2011, 82nd Leg., R.S., Sec. 1, eff. September 1, 2011.

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

Sec. 6001.051. ADMINISTRATION OF CHAPTER.

(a) The department shall administer this chapter.

(b) The commissioner may issue rules the commissioner considers 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. 6001.052. ADOPTION OF RULES.

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

(1) published by the National Fire Protection Association;

(2) recognized by federal law or regulation;
(3) published by any nationally recognized standards-making organization; or
(4) contained in the manufacturer's installation manuals.

(b) The commissioner shall adopt and administer rules determined essentially necessary for the protection and preservation of life and property regarding:

(1) registration of firms engaged in the business of:

(A) installing or servicing portable fire extinguishers or planning, certifying, installing, or servicing fixed fire extinguisher systems; or

(B) hydrostatic testing of fire extinguisher cylinders;

(2) the examination and licensing of individuals to:

(A) install or service portable fire extinguishers; and

(B) plan, certify, install, or service fixed fire extinguisher systems; and

(3) requirements for:

(A) installing or servicing portable fire extinguishers; and

(B) planning, certifying, installing, or servicing fixed fire extinguisher systems.

(c) The commissioner by rule shall prescribe requirements for applications and qualifications for licenses, permits, and certificates issued under this chapter.

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

Sec. 6001.053. RULES RESTRICTING ADVERTISING OR COMPETITIVE BIDDING.

(a) The commissioner may not adopt rules restricting advertising or competitive bidding by the holder of a license, permit, certificate, or approval 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, permit, certificate, or approval holder's personal appearance or voice in an advertisement;

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

(4) restricts the license, permit, certificate, or approval 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. 6001.054. GENERAL POWERS AND DUTIES OF DEPARTMENT.

(a) The department shall evaluate the qualifications of a firm:

(1) applying for a registration certificate to engage in the business of installing or servicing portable fire extinguishers or planning, certifying, installing, or servicing fixed fire extinguisher systems; or

(2) seeking approval as a testing laboratory.

(b) The department shall issue:

(1) registration certificates for firms that qualify under commissioner rules to engage in the business of installing or servicing portable fire extinguishers or planning, certifying, installing, or servicing fixed fire extinguisher systems; and

(2) licenses, apprentice permits, and authorizations to perform hydrostatic testing to firms or individuals that qualify.

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

Sec. 6001.055. FEES.

(a) The commissioner shall set the fee for:

(1) an initial firm registration certificate in an amount not to exceed $450;

(2) the renewal of a firm registration certificate in an amount not to exceed $300 annually;

(3) an initial branch office registration certificate in an amount not to exceed $100;

(4) the renewal of a branch office registration certificate in an amount not to exceed $100 annually;

(5) an initial registration certificate to perform hydrostatic testing of fire extinguishers manufactured in accordance with the specifications and procedures of the United States Department of Transportation in an amount not to exceed $250;

(6) the renewal of a registration certificate to perform hydrostatic testing of fire extinguishers manufactured in accordance with the specifications and procedures of the United States Department of Transportation in an amount not to exceed $150 annually;

(7) an initial employee license fee in an amount not to exceed $70;

(8) the annual renewal of an employee license in an amount not to exceed $50; and
(9) an apprentice permit in an amount not to exceed $30.

(b) Unless the examination or reexamination for an employee license is administered by a testing service, the commissioner shall set a nonrefundable fee for:
(1) the initial examination in an amount not to exceed $30; and
(2) each reexamination in an amount not to exceed $20.

(c) The commissioner shall set a fee in an amount not to exceed $20 for:
(1) a duplicate registration certificate, license, or apprentice permit issued under this chapter; or
(2) any request requiring changes to a registration certificate, license, or permit.

(d) On a change of ownership of a registered firm, the department shall issue a new registration certificate with a new number for a fee set by the commissioner in an amount not to exceed $450. On a change of ownership of a branch office, the commissioner shall charge a fee in an amount not to exceed $100.

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

Sec. 6001.056. DEPOSIT IN OPERATING ACCOUNT.

All money collected under this chapter, other than penalties and monetary forfeitures, shall be paid to the department and 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, LICENSE, AND PERMIT REQUIREMENTS

Sec. 6001.151. FIRM REGISTRATION CERTIFICATE REQUIRED.

Unless the firm holds a registration certificate issued by the department, a firm may not engage in the business of:
(1) installing or servicing portable fire extinguishers; or
(2) planning, certifying, installing, or servicing fixed fire extinguisher systems.

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

Sec. 6001.152. BRANCH OFFICE REGISTRATION CERTIFICATE REQUIRED.

(a) Each separate office location of a firm holding a registration certificate, other than the location identified on the firm's certificate, must have a branch office registration certificate issued by the department.

(b) Before issuing a branch office registration certificate, the department must determine that the branch office location is part of a registered firm.

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

Sec. 6001.153. HYDROSTATIC TESTING; REGISTRATION CERTIFICATE REQUIRED.

(a) A firm may not perform hydrostatic testing of fire extinguishers manufactured in accordance with the specifications and procedures of the United States Department of Transportation unless the firm:
(1) complies with the procedures specified by that department for compressed gas cylinders; and
(2) holds a registration certificate issued by the state fire marshal authorizing hydrostatic testing.

(b) The license of an individual qualified to do work described by Subsection (a) must indicate the authority of the individual to perform that work.

(c) Hydrostatic testing of fire extinguishers that is not performed under the specifications of the United States Department of Transportation must be performed in the manner recommended by the National Fire Protection Association.

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

Sec. 6001.154. 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. 6001.155. EMPLOYEE LICENSE REQUIRED.

(a) Except as provided by Section 6001.156, an individual, other than an apprentice, must hold a license issued by the department before:

(1) installing or servicing portable fire extinguishers;

(2) installing, servicing, or certifying preengineered fixed fire extinguisher systems; or

(3) planning, supervising, servicing, or certifying the installation of fixed fire extinguisher systems other than preengineered systems.

(b) An individual who holds a license to install or service portable fire extinguishers or install and service fixed fire extinguisher systems must be an employee or agent of a registered firm.

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

Sec. 6001.156. ACTIVITIES NOT REGULATED BY CHAPTER.

(a) The licensing provisions of this chapter do not apply to:

(1) the filling or charging of a portable fire extinguisher by the manufacturer before initial sale of the fire extinguisher;

(2) the servicing by a firm of the firm's portable fire extinguishers or fixed systems by the firm's personnel who are specially trained for that servicing;

(2-a) the inspection of a firm's portable fire extinguisher by a person who is:

(A) specially trained to perform portable fire extinguisher inspections; and

(B) under contract with the firm for that purpose;

(3) the installation of portable fire extinguishers in a building by the building owner, the owner's managing agent, or an employee of the building owner or the owner's managing agent;

(4) the installation or servicing of water sprinkler systems installed in compliance with the National Fire Protection Association's Standards for the Installation of Sprinkler Systems;

(5) a firm that is engaged in the retail or wholesale sale of portable fire extinguishers that carry the listing of a testing laboratory approved by the department, but that is not engaged in the installation or servicing of those extinguishers;

(6) a fire department that services portable fire extinguishers as a public service without charge, if the members of the fire department are trained in the proper servicing of the fire extinguishers;

(7) a firm that is a party to a contract under which:

(A) the installation of portable fire extinguishers or a fixed fire extinguisher system is performed under the direct supervision of and certified by a firm appropriately registered to install and certify portable extinguishers or fixed systems; and

(B) the registered firm assumes full responsibility for the installation; or

(8) an engineer licensed under Chapter 1001, Occupations Code, while acting solely in the engineer's professional capacity.

(b) Except as provided by Subsection (a), only the holder of a license or an apprentice permit issued under this chapter may:

(1) install or service portable fire extinguishers; or

(2) install and maintain fixed fire extinguisher systems.

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

Added by Acts 2011, 82nd Leg., R.S., Sec. 2, eff. September 1, 2011.

Added by Acts 2013, 83th Leg., R.S., eff. September 1, 2013.

Sec. 6001.157. LICENSE EXAMINATION.

(a) The state fire marshal shall:

(1) establish the scope and type of an examination required by this chapter; and

(2) examine each applicant for a license under 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 a license 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. 6001.158. EXAMINATION RESULTS.

(a) Not later than the 30th day after the date on which a licensing 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 conducted, graded, or reviewed by a testing service, the state fire marshal shall send notice to the examinees 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 under Subsections (a) and (b).

(e) If requested in writing by an individual who fails the licensing 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. 6001.159. CONTINUING EDUCATION REQUIREMENTS.

(a) The commissioner may adopt procedures for certifying and may certify continuing education programs for individuals licensed under this chapter.

(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. 6001.160. 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. 6001.161. APPRENTICE PERMIT REQUIRED.

(a) An individual may not install or service portable fire extinguishers or fixed fire extinguisher systems as an apprentice unless the individual holds an apprentice permit issued by the department.

(b) An apprentice may perform a service described by Subsection (a) only under the direct supervision of an individual who holds a license issued under this chapter and who works for the same firm as the apprentice.

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

Sec. 6001.162. NOT TRANSFERABLE.

A registration certificate, license, or permit 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, LICENSE, OR PERMIT

Sec. 6001.201. RENEWAL REQUIRED; FEE.

(a) 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.

(b) An apprentice permit expires on the first anniversary of the date of issuance.

(c) The commissioner by rule may adopt a system under which registration certificates, licenses, and permits expire on various dates during the year. For the year in which an expiration date of a registration certificate, license, or permit 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, license, or permit pays only that portion of the renewal fee that is allocable to the number of months during which the registration certificate, license, or permit is valid. On each subsequent renewal, the total renewal fee is payable.

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

Sec. 6001.202. NOTICE OF EXPIRATION.

At least 30 days before the expiration date of a registration certificate or license, the state fire marshal 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. 6001.203. 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) A firm or individual 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) A firm or individual 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) A firm or individual whose registration certificate or license has been expired for two years or longer may not renew the certificate or license. The firm or individual 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. 6001.251. PROHIBITED PRACTICES.

(a) An individual or firm may not:

(1) engage in the business of installing or servicing portable fire extinguishers without holding a registration certificate;

(2) engage in the business of planning, certifying, installing, or servicing fixed fire extinguisher systems without holding a registration certificate;

(3) install, service, or certify the servicing of portable fire extinguishers or plan, certify, service, or install fixed fire extinguisher systems without holding a license;

(4) perform hydrostatic testing of fire extinguisher cylinders manufactured in accordance with the specifications and requirements of the United States Department of Transportation without holding a hydrostatic testing registration certificate;

(5) obtain or attempt to obtain a registration certificate or license by fraudulent representation;

(6) install or service portable fire extinguishers or plan, certify, service, or install fixed fire extinguisher systems in violation of this chapter or the rules adopted and administered under this chapter;

(7) except as provided by Subsection (b), install, service, or hydrostatically test a fire extinguisher that does not have the proper identifying labels;

(8) sell, install, service, or recharge a carbon tetrachloride fire extinguisher; or

(9) except as provided by Subsection (b), lease, sell, service, or install a portable fire extinguisher, a fixed fire extinguisher system, or extinguisher equipment unless it carries an approval label or listing label issued by a testing laboratory approved by the department.

(b) The commissioner by rule shall permit an individual or firm to service a portable fire extinguisher regardless of whether the extinguisher carries a label described by Subsection (a).

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

Sec. 6001.252. DISCIPLINARY ACTIONS.

(a) The state fire marshal may suspend, revoke, or refuse to issue or renew a registration certificate, license, or permit if, after notice and hearing, the state fire marshal finds that the applicant, registrant, license holder, or permit 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.

(b) Subject to Section 6001.253, the commissioner may suspend, revoke, or refuse to issue or renew a certificate, license, permit, or approval.

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

Sec. 6001.253. DISCIPLINARY HEARING.

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

(b) Proceedings for a disciplinary action are governed by Chapter 2001, Government Code.

(c) 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. 6001.254. REAPPLICATION REQUIREMENTS.

(a) An applicant or holder of a registration certificate, license, or permit whose certificate, license, or permit has been 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, license, or permit before the first anniversary of the effective date of the refusal or revocation.

(b) After the first anniversary of the effective date of the refusal or revocation, the applicant may:

(1) reapply; and

(2) in a public hearing, show good cause why the issuance of the registration certificate, license, or permit is not against the public safety and welfare.

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

Sec. 6001.255. REEXAMINATION AFTER REVOCATION.

An individual whose license to service portable fire extinguishers or to install or service fixed fire extinguisher systems has been revoked must retake and pass the required written examination before a new license may be issued.

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

SUBCHAPTER G. CRIMINAL PENALTY

Sec. 6001.301. CRIMINAL PENALTY.

(a) A person commits an offense if the person knowingly violates Section 6001.251(a).
(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 5.43-1, Fire Extinguishers
Acts 1971, 62nd Leg., p. 1993, ch. 616, eff. June 4, 1971. Amended by Acts 1975, 64th Leg., p. 899, ch. 335, § 1, eff. June 19, 1975; Acts 1979, 66th Leg., p. 903, ch. 412, § 1, eff. Aug. 27, 1979; Acts 1981, 67th Leg., p. 416, ch. 175, § 1, eff. Sept. 1, 1981; Acts 1983, 68th Leg., p. 1091, ch. 245, §§ 1 to 3, eff. May 27, 1983; Acts 1983, 68th Leg., p. 3934, ch. 622, §§ 24, 47, eff. Sept. 1, 1983; Acts 1987, 70th Leg., ch. 267, §§ 1 to 10, eff. June 5, 1987; Acts 1989, 71st Leg., ch. 762, §§ 1, 2, 4 to 8, 21, eff. June 15, 1989; Acts 1989, 71st Leg., ch. 762, § 3, eff. Sept. 1, 1989; Acts 1989, 71st Leg., ch. 823, §§ 1 to 3, eff. June 14, 1989; Acts 1991, 72nd Leg., ch. 628, §§ 11, 12, eff. Sept. 1, 1991; Acts 1997, 75th Leg., ch. 1172, §§ 4.01 to 4.04, 4.14, eff. Sept. 1, 1997; Acts 2001, 77th Leg., ch. 235, §§ 1, 2, eff. Sept. 1, 2001, Acts 2003, 78th Leg., ch 1014, §§ 1, 2, eff. June 20, 2003.

Texas Insurance Code Chapter 6001 Fire Extinguisher Service and Installation
Re-codified with nonsubstantive changes HB2636, 80th Leg.; Added by Acts 2007, 80th Leg., R.S., Ch. 730, Sec. 1J.001, eff. April 1, 2009; Added by Acts 2011, 82nd Leg., R.S., Sec. 1, eff. September 1, 2011. Added by Acts 2013, 83rd Leg., R.S., eff. September 1, 2013.

Sections amended September 1, 2013, are marked with a vertical line in the margin.

Substantive Sections Amended June 23, 2016,
Are Marked With A Vertical Line In The Margin.

TEXAS ADMINISTRATIVE CODE
TITLE 28. TEXAS DEPARTMENT OF INSURANCE
PART 1. TEXAS DEPARTMENT OF INSURANCE
CHAPTER 34. STATE FIRE MARSHAL
SUBCHAPTER E. FIRE EXTINGUISHER AND INSTALLATION
28 TAC §§34.501-34.524

§34.501. ***Purpose.***
The purpose of this subchapter is to regulate the business of leasing, renting, selling, installing, and servicing of portable fire extinguishers and the planning, certifying, installing, or servicing of fixed fire extinguisher systems and to prohibit portable fire extinguishers, fixed fire extinguisher systems, and extinguisher equipment not listed by a testing laboratory approved by the commissioner in the interests of protecting and preserving lives and property under Insurance Code Chapter 6001.

§34.502. ***Title.***
These sections of this subchapter shall be known and may be cited as the extinguisher rules and shall be administered by and through the state fire marshal.

§34.503. ***Applicability of Subchapter.***
This subchapter shall apply to all firms and persons engaged in the business of leasing, renting, selling, installing, and servicing of portable fire extinguishers and the planning, certifying, installing, or servicing of fixed fire extinguisher systems and not to the general public.

§34.504. ***Exceptions.***
The exceptions of Insurance Code §6001.156 are applicable to the sections of this subchapter.

§34.505. ***Notices.***
Notice by the state fire marshal and required by any provisions of the statutes or of this subchapter must be given by personal service or mailed, postage prepaid, to the person's residence or business address as it appears on the records in the Office of the State Fire Marshal.

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

(1) Apprentice--A person to whom a permit has been issued by the state fire marshal to perform various acts of service or installation while under the direct supervision of a person working for the same firm and holding a valid fire extinguisher service license to perform such acts.

(2) Business--The planning, certifying, installing, leasing, renting, selling, or servicing of portable fire extinguishers or fixed fire extinguisher systems.

(3) Certificate--The certificate of registration issued by the state fire marshal.

(4) Certify--To attest to the proper planning, installing, or servicing of portables and systems by attaching a completed service tag or other form required by a governmental authority.

(5) Commissioner--The commissioner of insurance.

(6) Department--The Texas Department of Insurance.

(7) DOT Specification Fire Extinguisher Cylinder--All fire extinguisher cylinders manufactured, tested and stamped with the specification number as required by the United States Department of Transportation.

(8) DOT Nonspecification Fire Extinguisher Cylinder--All fire extinguisher cylinders manufactured and tested but not stamped with a specification number as required by the United States Department of Transportation. These cylinders may be marked by a label with the words "Meets DOT Requirements."

(9) Installation--The initial placement of a portable or fixed fire extinguisher system or an extension or alteration after initial placement.

(10) License--The license issued by the state fire marshal to an employee of a registered firm.

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

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

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

(14) Person--A natural person.

(15) Plan--To lay out, detail, draw, calculate, devise, or arrange an assembly of detection or suppression devices and appurtenances in accordance with either fire protection standards adopted in this subchapter or specifications specially designed by a Texas registered professional engineer acting solely in his professional capacity.

(16) Registered firm--A person, partnership, corporation, or association holding a current certificate of registration.

(17) Shop--A facility, whether at a specific location or in a mobile unit, of a registered firm where servicing, repairing, or hydrostatic testing is performed and where parts and equipment, which are required by this subchapter or in the adopted standards, are maintained.

(18) Test--The act of subjecting a portable or fixed system to any procedure necessary to determine whether it is properly installed or operates correctly.

(19) Direct supervision--The oversight by a licensee of the services performed by another licensee or permittee. The licensee, performing the direct supervision at the shop, must be present at all times on the premises where the supervised licensee or permittee is performing the service. When not at the shop, the individual being supervised must be within sight of the licensee performing the direct supervision when installing or servicing portable fire extinguishers or pre-engineered fixed fire extinguisher systems. The licensee performing the direct supervision of an engineered fixed fire extinguisher system is not required to be on-site at all times when the installation is performed.

§34.507. ***Adopted Standards.***

The commissioner adopts by reference in their entirety, except as noted, the following copyrighted standards and recommendations in this subchapter. If a standard refers to a provision in a specific edition of another standard, the provision is applicable only if it does not conflict with the adopted standard shown in this section. The standards are 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 10-2013, Standard for Portable Fire Extinguishers.

(2) NFPA 11-2010, Standard for Low-, Medium-, and High-Expansion Foam and Combined Agent Systems.

(3) NFPA 12-2011, Standard on Carbon Dioxide Extinguishing Systems.

(4) NFPA 12A-2009, Standard on Halon 1301 Fire Extinguishing Systems.

(5) NFPA 15-2012, Standard for Water Spray Fixed Systems for Fire Protection.

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

(7) NFPA 17-2013, Standard for Dry Chemical Extinguishing Systems.

(8) NFPA 17A-2013, Standard for Wet Chemical Extinguishing Systems.

(9) NFPA 18-2011, Standard on Wetting Agents.

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

(11) NFPA 33-2011, Standard for Spray Application Using Flammable or Combustible Materials.

(12) NFPA 96-2014, Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations.

(13) NFPA 2001-2012, Standard on Clean Agent Fire Extinguishing Systems.

(14) NFPA 2010-2010, Standard for Fixed Aerosol Fire-Extinguishing Systems.

§34.508. ***Approved Testing Laboratories.***

The commissioner approves an organization as an approved testing laboratory which lists equipment and appurtenances for use in compliance with standards adopted in §34.507 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 title (relating to Testing Laboratory Rules).

§34.509. ***Approved Certification Organization.***
The commissioner approves the National Institute for Certification in Engineering Technologies (NICET) as a testing standards organization for testing license applicants.

§34.510. ***Certificates of Registration.***

(a) Required. Each firm and each branch office engaged in the business must obtain a certificate of registration from the state fire marshal.

(b) Properly equipped licensed person. Before engaging in the business, each registered firm must have at least one licensed person who must be properly equipped to perform the act or acts authorized by its certificate.

(c) Types of certificates. The business activity authorized by the certificate is limited to the business activity(ies) authorized under the license of its employees. A separate Type C registration is required to engage in the business of hydrostatic testing of U.S. Department of Transportation (U.S. DOT) specification fire extinguisher cylinders.

(d) Business location. Each registered firm must maintain a specific business location and the business location must be indicated on the certificate.

(e) Shop. A registered firm must establish and maintain a shop, whether at a specific business location or in a mobile unit designed so that servicing, repairing, or hydrostatic testing can be performed. The shop must be adequately equipped to service or test all fire extinguishers or systems the registered firm installs and services. At a minimum a firm must maintain the following:

(1) a copy of the most recently adopted edition of NFPA 10;

(2) a copy of the most recently adopted Insurance Code Chapter 6001 and this chapter;

(3) a list of manufacturers or types of portable extinguishers serviced with their respective manuals or part lists;

(4) portable scale to accurately measure extinguisher gross weights;

(5) seals or tamper indicators;

(6) temporary fire extinguishers replacements;

(7) if performing annual maintenance on carbon dioxide extinguishers, at a minimum, the following additional items are required:

(A) conductivity tester, and

(B) conductivity test label.

(8) if performing internal maintenance for portable extinguishers, a written notice must be kept on file indicating the registered firm performing the maintenance or, at a minimum, the following additional items are required:

(A) appropriate tools to remove and reinstall a valve head;

(B) charging adapters;

(C) Teflon tape, silicone grease, solvent or other lubricant used;

(D) supply of spare parts for respective manufacturers and type of fire extinguishers serviced;

(E) appropriate recharge agents;

(F) agent fill funnels;

(G) light designed to be used for internal inspections;

(H) dry chemical closed recovery system or sufficient new dry chemical;

(I) leak test equipment;

(J) dry nitrogen cylinders, regulator and calibrated gauges for pressurizing cylinders;

(K) verification collar rings; and

(L) six-year maintenance labels.

(9) if performing hydrostatic testing for portable extinguishers, a written notice must be kept on file indicating the registered firm performing the test or, at a minimum, the following additional items are required:

(A) working hydrostatic test pump with flexible connection, check valves and fittings;

(B) protective cage or barrier;

(C) calibrated gauges;

(D) drying equipment;

(E) hydrostatic test log; and

(F) hydrostatic test labels.

(10) if performing maintenance for U.S. DOT specification portable fire extinguishers, a written notice must be kept on file indicating the registered firm that would perform the hydrostatic test when required or, at a minimum, the following additional items are required:

(A) a current Type C registration issued by the State Fire Marshal's Office; and

(B) verification of registration through the U.S. DOT.

(11) if installing or servicing a fixed fire extinguisher system, at a minimum, the following additional items are required:

(A) copy of the latest adopted edition of applicable NFPA standards with respect to the type of system installed or serviced;

(B) applicable manufacturer's service manuals for the type of system; and

(C) any special tools or parts as required by the manufacturer's manual.

(f) Business vehicles. All vehicles used regularly in installation, 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 in height and 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 ECR-number. A business vehicle must be adequately equipped for the type of service that is being provided.

(g) Branch office initial certificate of registration fees and expiration dates. The initial fee for a branch office certificate of registration is $100 and is not prorated. Branch office certificates of registration expire and renew on the same date as the certificate of registration for the registered firm's main office.

(h) 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.

(i) 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.

(j) 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.

(k) 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 registered firm must submit written notification of the necessary change accompanied by the required fee to the State Fire Marshal's Office.

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

(m) Initial alignment of the expiration and renewal dates of existing branches. For branch offices in existence as of the effective date of this rule, branch office certificates of registration shall expire and renew on the same date as the certificate of registration issued to the main office for that firm. All fees associated with the initial alignment of expiration and renewal dates for the branch office certificate of registration shall be prorated accordingly.

§34.511. ***Fire Extinguisher Licenses.***

(a) Types of licenses. Each license must be identified by type, which indicates the business activity authorized under the license.

(1) Type PL--For the planning, supervising, certifying, installing, or servicing of all fixed systems other than pre-engineered systems. A system planning licensee may also perform, supervise, or certify the installation or servicing of all pre-engineered fixed systems and portable fire extinguishers.

(2) Type A--For certifying or servicing the installation of all fixed fire extinguisher systems other than pre-engineered systems or for installing, certifying, or servicing of all pre-engineered fixed fire extinguisher systems and the certifying and servicing of portable extinguishers.

(3) Type B--For the servicing, certifying, and low-pressure hydrostatic testing of portables.

(4) Type K--For installing, certifying, or servicing of pre-engineered fixed fire extinguisher systems for the protection of cooking areas and the certifying and servicing of portable extinguishers.

(5) Type R--For installing, certifying, or servicing of pre-engineered fixed residential range top fire extinguisher systems.

(b) Pocket license. A licensee must carry a pocket license for identification while engaged in the activities of the business.

(c) Duplicate license. A duplicate license must be obtained from the state fire marshal to replace a lost or destroyed license. The license holder or registered firm must submit written notification of the loss or destruction, accompanied by the required fee.

(d) Revised license. The change of a licensee's registered firm or mailing address requires a revised license. Within 14 days after the change requiring the revision, the license holder or registered firm must submit written notification of the necessary 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 license is neither temporarily nor permanently transferable from one person to another.

(3) A registered firm must notify the state fire marshal within 14 days after termination of employment of a licensee.

(4) A Type A or Type K license will not be issued to an individual unless the individual has held an apprentice permit or a Type B license for at least six months or has held a license to service fixed extinguisher systems for at least six months from another state.

(5) It will not be necessary for the applicant of a Type R license to hold an apprentice permit prior to the issuance of a Type R license.

§34.512. ***Apprentice Permit.***

(a) Pocket permit. A permit holder must carry a pocket permit for identification while engaging in the business.

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

(c) Revised permits. The change of a permittee's employer, home address, or mailing address requires a revised permit. Within 14 days after the change requiring the revision, the permit holder or registered firm must submit written notification to the State Fire Marshal's Office of the necessary change accompanied by the required fee.

(d) Nontransferable. A permit is neither temporarily nor permanently transferable from one person to another.

(e) Apprentice. An individual holding a current apprentice permit may, under the direct supervision of the licensee, assist in all respective services of the licensee; however, the licensee must sign all documents requiring the licensee's signature.

§34.513. ***Alteration of Certificates, Licenses, or Permits.***

Alteration of such documents renders them invalid and is the basis for administrative action pursuant to Insurance Code §6001.252.

§34.514. ***Applications.***

(a) Certificates of registration.

(1) Applications for certificates and branch office certificates must be submitted on forms provided by the state fire marshal and accompanied by all other information required by Insurance Code Chapter 6001 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, or 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 be accompanied by evidence of compliance with the Assumed Business or Professional Name Act, Texas Business and Commerce Code, Chapter 71. The application must also include written authorization by the applicant permitting 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 6001 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's office.

(4) Applications for Type C certificates must be accompanied by a copy of the U.S. DOT letter registering the applicant's facility <u>and that issues</u> a registration number to the facility.

(5) The applicant must comply with the following requirements concerning liability insurance.

(A) The state fire marshal must not issue a certificate of registration under this subchapter unless the applicant files <u>a proof of liability insurance with the State Fire Marshal's Office</u>. 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 as required.

(C) Evidence of public liability insurance, as required by Insurance Code §6001.154, must be in the form of a certificate of insurance executed by an insurer authorized to do business in this state.

(D) If a certificate of registration is to be issued in the name of a corporation, the corporate name must be used on the applicable insurance forms. If the corporation is obtaining a certificate of registration in an assumed name, the insurance must be issued to the corporation doing business as (dba) the assumed name. Example: XYZ Corporation dba XXX Extinguisher Service.

(E) Insurance issued for a partnership must be issued to the name of the partnership or to the names of all the individual partners.

(F) Insurance for a proprietorship must be issued to the individual owner. If an assumed name is used, the insurance must be issued to the individual doing business as (dba) the assumed name. Example: William Jones dba XXX Extinguisher Service.

(b) Fire extinguisher licenses.

(1) Original 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 and accompanied by a criminal history report from the Texas Department of Public Safety, and all other information required by Insurance Code Chapter 6001 and this subchapter.

(2) Applications for Type A and Type K licenses must be accompanied by a written statement from the certificate holder (employer) certifying that the applicant meets the minimum requirements of §34.511(f)(4) of this title (relating to Fire Extinguisher Licenses) and is competent to install or service fixed systems.

(3) Applications for Type PL licenses must be accompanied by one of the following documents to evidence technical qualifications for a license:

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

(B) a copy of NICET's (National Institute for Certification in Engineering Technologies) notification letter regarding the applicant's successful completion of examination requirements for certification at Level III for Special Hazard Systems Layout or Special Hazard Suppression Systems.

(4) All applications must indicate if the individual is an employee or agent of the registered firm.

(A) If the individual is an employee of the registered firm, the State Fire Marshal's Office may request from the registered firm verification of employment of the individual.

(B) If the individual is an agent of the fire extinguisher firm, the State Fire Marshal's Office may request the firm to provide a letter or other document acceptable to the State Fire Marshal's Office issued by the firm's insurance company, verifying the policy number and that the acts of the individual are covered by the same insurance policy required by this subchapter to obtain the firm's registration. If required, the verifying document must be submitted to the State Fire Marshal's Office before a license will be issued or when there is a change in the licensee's registered firm. Unless otherwise required by the State Fire Marshal's Office, renewal of a license does not require insurance verification unless there has been a change in the insurance carrier.

(c) Complete application required for renewal. Renewal applications for certificates of registration and licenses must be submitted on forms provided by the state fire marshal and accompanied by a criminal history report obtained through the Texas Department of Public Safety and all other information required by Insurance Code Chapter 6001 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.

(d) Timely filed. A license or registration will 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 will 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.

(e) Requirements for applicants holding licenses from other states. An applicant holding a valid license in another state who desires to obtain a Texas license through reciprocity must submit the following documentation with the application in addition to all other information required by Insurance Code Chapter 6001 and this subchapter:

(1) a letter of certification from the licensing entity of another state certifying the applicant holds a valid license in that state; and

(2) additional information from the state detailing material content of any required examination used to qualify for license, including NFPA or other standards, if applicable.

(f) Apprentice permits. Each person employed as an apprentice by a firm engaged in the business must make application for a permit on a form provided by the state fire marshal and accompanied by the required fee.

(g) 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 State Fire Marshal's Office of the initial application, be

complete and accompanied by all other information required by Insurance Code Chapter 6001 and this subchapter, or a new application must be submitted, including all applicable fees.

§34.515. ***Fees.***

(a) Except for fees specified in subsection (d) 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 non-refundable.

(b) Fees are as follows.

(1) Certificates of registration:

(A) initial fee--$450;

(B) renewal fee (for two years)--$600;

(C) renewal late fee (expired 1 day to 90 days)--$225 plus $50 for each branch office operated by the registered firm;

(D) renewal late fee (expired 91 days to two years)--$450 plus $100 for each branch office operated by the registered firm;

(E) branch office initial fee--$100;

(F) branch office renewal fee (for two years)--$200.

(2) Certificate of registration (Type C):

(A) initial fee--$250;

(B) renewal fee (for two years)--$300;

(C) renewal late fee (expired 1 day to 90 days)--$125;

(D) renewal late fee (expired 91 days to two years)--$250.

(3) Fire extinguisher license (Type A, B, R and K):

(A) initial fee--$70;

(B) renewal fee (for two years)--$100;

(C) renewal late fee (expired 1 day to 90 days)--$35;

(D) renewal late fee (expired 91 days to two years)--$70.

(4) Fire extinguisher license (Type PL):

(A) initial fee--$70;

(B) renewal fee (for two years)--$100;

(C) renewal late fee (expired 1 day to 90 days)--$35;

(D) renewal late fee (expired 91 days to two years)--$70.

(5) Apprentice permit fee--$30.

(6) Duplicate or revised certificates, licenses, permits, or other requested changes to certificates, licenses, or permits--$20.

(7) Initial test fee (if administered by the SFMO)--$20.

(8) Retest fee (if administered by the SFMO)--$20.

(c) 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.

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

§34.516. ***Tests.***

(a) Applicants for licenses are required to take a test and obtain a grade of at least 70 percent on the test. Tests may be supplemented by practical tests or demonstrations deemed necessary to determine the applicant's knowledge and ability. The test content, frequency, location, and outsource testing service must be designated by the state fire marshal.

(1) The Type B license test will include questions on the following:

(A) this subchapter and Insurance Code Chapter 6001; and

(B) installing and servicing of portables.

(2) The Type A license test will include questions on the following:

(A) this subchapter and Insurance Code Chapter 6001;

(B) installing and servicing of portables;

(C) fixed systems; and

(D) installing and servicing pre-engineered fixed fire extinguisher systems for the protection of cooking areas.

(3) The Type K license test will include questions on the following:

(A) this subchapter and Insurance Code Chapter 6001;

(B) installing and servicing of portables; and

(C) installing and servicing pre-engineered fixed fire extinguisher systems for the protection of cooking areas.

(4) The Type PL license test will include questions on the following:

(A) this subchapter and Insurance Code Chapter 6001; and

(B) a technically qualifying test to be conducted through NICET.

(5) The Type R license test will include questions on this subchapter and Insurance Code Chapter 6001.

(b) The standards used in the tests will be adopted by the State Fire Marshal's Office.

(c) Examinees who fail any topic on the test must file a retest application accompanied by the required fee.

(d) 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.

(e) 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.

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

(g) 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 through NICET; otherwise, the test is voided and the individual will have to pass the test again.

§34.517. ***Installation and Service.***

(a) The following requirements are applicable to all portable extinguishers.

(1) Portable extinguishers must be installed, serviced, and maintained in compliance with the manufacturer's instructions and with the applicable standards adopted in this subchapter <u>except when the installation or servicing complies with a standard that has been adopted by the political subdivision in which the system is installed.</u>

(2) A service tag certifying the work performed must be securely attached by the licensee to the portable extinguisher upon completion of the work.

(3) When requested in writing by the owner, a portable fire extinguisher of the type described in subparagraphs (A), (B), <u>or</u> (C) of this paragraph may be serviced in accordance with the requirement of this subchapter, regardless of whether it carries the label of approval or listing of a testing laboratory approved in accordance with this subchapter.

(A) All portable fire extinguishers that are serviced in accordance with the requirements of the United States Coast Guard and installed for use in foreign shipping vessels;

(B) All portable carbon dioxide fire extinguishers that are serviced in accordance with the requirements of the United States Department of Transportation; or

(C) Cartridge-actuated portable fire extinguishers used exclusively by employees of the firm owning the extinguishers.

(4) A licensee who services portable fire extinguishers in accordance with paragraph (3) of this subsection, shall comply with the following:

(A) The back of the service tag shall be plainly marked with the words "No Listing Mark".

(B) All missing markings, code symbols, instructions and information, required by the applicable performance standard and fire test standard specified in §34.507(1) of this <u>title</u> (relating to Adopted Standards), except for the approving or listing mark of the testing laboratory, shall be affixed to each extinguisher in the form of a label designated in the standard.

(b) The following requirements are applicable to all fixed fire extinguisher systems.

(1) Fixed systems must be planned, installed, and serviced in compliance with the manufacturer's installation manuals and specifications or the applicable standards adopted in this subchapter <u>except when the installation or servicing complies with a standard that has been adopted by the political subdivision in which the system is installed</u>.

(2) Upon completion of the installation of a pre-engineered fixed fire extinguisher system, a licensee authorized to certify pre-engineered fixed fire extinguishing systems under the provisions of this subchapter must place an installation label on the system to certify that the system was installed in compliance with the manufacturer's installation manuals and specifications or standards adopted by the commissioner in this subchapter. The licensee whose signature appears on the installation label must be present for the final test of the system prior to certification.

(3) Upon completion of the installation of a fixed fire extinguisher system other than a pre-engineered system, a Type A or Type PL licensee must place an installation label on the system to certify that the system was installed in compliance with the manufacturer's installation manuals and specifications, plans developed by a Type PL licensee or professional engineer, or standards adopted by the commissioner in this subchapter. The licensee whose signature appears on the installation label must be present for the final test of the system prior to certification.

(4) A service tag certifying the work performed must be securely attached by the licensee to the system upon completion of servicing.

(c) Pre-engineered fixed fire extinguisher systems must be installed and serviced by a licensee authorized to install or service pre-engineered fixed fire extinguishing systems under the provisions of this subchapter.

(d) A pre-engineered fixed fire extinguisher system, except those covered by subsection (f) of this section, that has been previously installed in one location may be reinstalled in another location if:

(1) the system is of the size and type necessary to protect all hazards;

(2) all parts and equipment, when installed, will function as designed by the manufacturer; and

(3) the system complies with all applicable adopted standards.

(e) Fixed fire extinguisher systems other than pre-engineered systems must be planned, installed, or serviced by a Type PL licensee or professional engineer. Installation and servicing of these systems may also be performed by or supervised by a Type A licensee. An employee of the registered firm may install these systems, under the direct supervision of a Type A or PL licensee, without obtaining a license or permit.

(f) All pre-engineered fixed fire extinguishing systems, installed or modified after July 1, 1996, in accordance with NFPA 17 or NFPA 17A or NFPA 96 of the adopted standards for the protection of commercial cooking areas, must meet the minimum requirements of Underwriters Laboratories, Inc., Standard 300, "Fire Testing of Fire Extinguishing Systems for Protection of Restaurant Cooking Area" (UL 300). After January 1, 2008, all existing pre-engineered fixed fire extinguishing systems, installed in accordance with NFPA 17 or NFPA 17A or NFPA 96 of the adopted standards, for the protection of commercial cooking areas, must meet the minimum requirements of Underwriters Laboratories, Inc., Standard 300, "Fire Testing of Fire Extinguishing Systems for Protection of Restaurant Cooking Area" (UL 300) or a red tag shall be attached following the procedures in §34.521 of this title (relating to Red Tags).

(g) If the installation or servicing of a fixed fire extinguishing system includes the installation or servicing of any part of a fire alarm or detection system or a fire sprinkler system other than the installation and servicing of mechanical or pneumatic detection or actuation devices in connection with the fire extinguishing system, the licensing requirements of the appropriate Insurance Code Chapters 6002 or 6003 must be satisfied.

(h) The fixed-temperature sensing elements of the fusible metal alloy type, replaced while servicing a kitchen hood fire extinguishing system, must bear the manufacturer's date stamp which must be within one year of the date of the replacement. The year of manufacture, temperature, and quantity for new fusible links must be listed on the service tag under service performed.

(i) The disposable actuation cartridge, replaced while servicing a kitchen hood fire extinguisher system, must bear the date of replacement.

(j) After operating the pull pin or locking device during maintenance of a portable fire extinguisher, the flag of the new tamper seal must bear the year it was attached. The date must be imprinted or embossed on the flag of the new tamper seal. Dates applied with a marker are not allowed.

(k) All pre-engineered dry chemical fixed fire extinguishing systems, installed in new, remodeled, or relocated protected areas after January 1, 2006, must meet the minimum requirements of the second edition (1996) or more recent edition of Underwriters Laboratories, Inc., Standard 1254, Pre-engineered Dry Chemical Extinguishing System Units.

§34.518. ***Fire Extinguisher Fixed System Plans for Other Than Pre-engineered Systems.***

(a) A set of shop drawings and hydraulic calculations showing details of system piping, calculations, and alarm configurations must be provided to the building owner or his representative when installation of a fixed extinguisher system protecting special hazards is complete. The firm must also maintain a set of shop drawings for the life of the system.

(b) Subsequent alterations or additions must be legibly noted on updated plans and provided to the owner. Additions to systems protecting previously unprotected hazards also require updated plans. Updated plans must be maintained by the firm for the life of the system.

(c) All shop drawings must bear the signature of a Type PL licensee, his license number, the date of installation, and the certificate-of-registration number of the registered firm.

(d) A rubber stamp may be used to supply the required information; however, a stamped signature is prohibited. If a rubber stamp is used, it shall produce an imprint 2 1/2 inches wide by one inch high, all in boldface type and capital letters and in the following sample format.

XYZ EXTINGUISHER CO.
555 SPRING LANE
HOMEVILLE, TEXAS 77777
ECR-0000
H.B. BROWN
LICENSE NO. EPL-0000

_____
(Signature) (Date)

§34.519. ***Installation Labels for Fixed Extinguisher Systems.***

(a) After an installation has been completed, an installation label must be affixed to the control head or panel of the fixed fire extinguisher system. The signature of the licensee on the label certifies that the system has been installed according to law. Labels must be five inches in height and four inches in width and must be of the gum label type. They must not be red in color. Installation labels must contain only the following information in the format of the label shown in subsection (b) of this section:

(1) the inscription "DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL--SYSTEM INSTALLATION RECORD" (all in capital letters, at least 10-point boldface type);

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

(3) the firm's certificate-of-registration number;

(4) the signature and license number of the licensee authorized to certify a fixed fire extinguishing system (a stamped signature is prohibited);

(5) the date of installation; and

(6) identification of the manufacturer's manual(s) used for installation.

(b) Installation label:

DO NOT REMOVE
BY ORDER OF
THE STATE FIRE MARSHAL
SYSTEM INSTALLATION RECORD

Firm Name _____

Firm Address _____

City _____

Telephone _____

Cert. of Registration No. _____

Name of Licensee _____

License Number _____

_____

(Signature of Licensee)

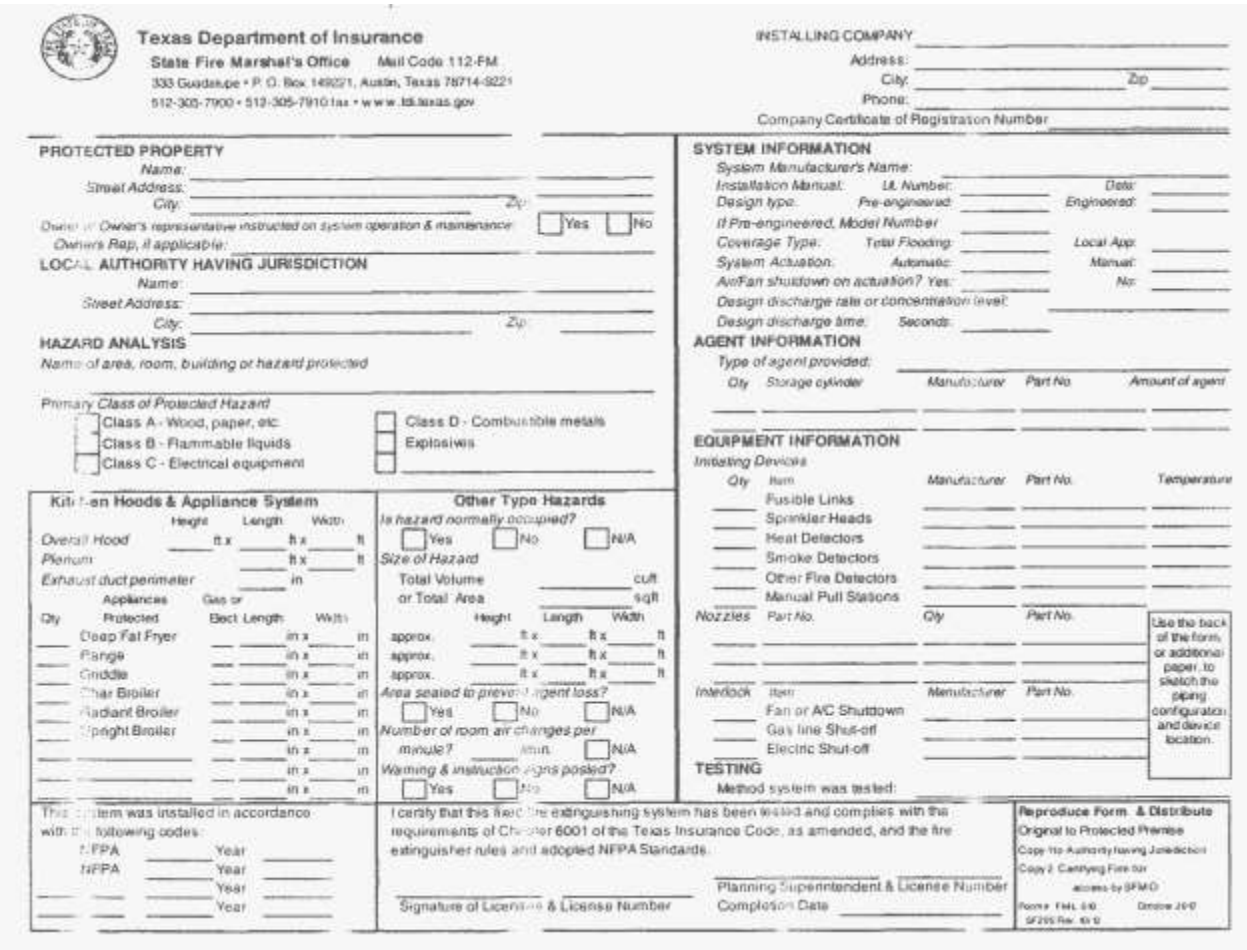
Installation Date _____

Manufacturer's Installation Manual _____

_____

_____

(c) Certificate of Installation.



Texas Department of Insurance
State Fire Marshal's Office Mail Code 112-FM
333 Guadalupe • P. O. Box 149221, Austin, Texas 78714-9221
512-305-7900 • 512-305-7910 fax • www.tdi.texas.gov

INSTALLING COMPANY
Address:
City: Zip
Phone:
Company Certificate of Registration Number

PROTECTED PROPERTY
Name:
Street Address:
City: Zip
Owner or Owner's representative instructed on system operation & maintenance: Yes No
Owners Rep, if applicable:

LOCAL AUTHORITY HAVING JURISDICTION
Name:
Street Address:
City: Zip

HAZARD ANALYSIS
Name of area, room, building or hazard protected

Primary Class of Protected Hazard
Class A - Wood, paper, etc.
Class B - Flammable liquids
Class C - Electrical equipment
Class D - Combustible metals
Explosives

Kitchen Hoods & Appliance System
Height Length Width
Overall Hood ft x ft x ft
Plenum ft x ft
Exhaust duct perimeter in
Qty Appliances Protected Gas or Elect Length Width
Deep Fat Fryer in x in
Range in x in
Griddle in x in
Char Broiler in x in
Radiant Broiler in x in
Upright Broiler in x in

Other Type Hazards
Is hazard normally occupied? Yes No N/A
Size of Hazard
Total Volume cuft
or Total Area sqft
Height Length Width
approx. ft x ft x ft
approx. ft x ft x ft
approx. ft x ft x ft
Area sealed to prevent agent loss? Yes No N/A
Number of room air changes per minute? min. N/A
Warning & instruction signs posted? Yes No N/A

SYSTEM INFORMATION
System Manufacturer's Name:
Installation Manual: UL Number: Date:
Design type: Pre-engineered: Engineered:
If Pre-engineered, Model Number
Coverage Type: Total Flooding: Local App:
System Actuation: Automatic: Manual:
Air/Fan shutdown on actuation? Yes: No:
Design discharge rate or concentration level:
Design discharge time: Seconds:

AGENT INFORMATION
Type of agent provided:
Qty Storage cylinder Manufacturer Part No. Amount of agent

EQUIPMENT INFORMATION
Initiating Devices
Qty Item Manufacturer Part No. Temperature
Fusible Links
Sprinkler Heads
Heat Detectors
Smoke Detectors
Other Fire Detectors
Manual Pull Stations
Nozzles Part No. Qty Part No.
Interlock Item Manufacturer Part No.
Fan or A/C Shutdown
Gas line Shut-off
Electric Shut-off
Use the back of the form, or additional paper, to sketch the piping configuration and device location.

TESTING
Method system was tested:

This system was installed in accordance with the following codes:
NFPA Year
NFPA Year
Year
Year

I certify that this fixed fire extinguishing system has been tested and complies with the requirements of Chapter 6001 of the Texas Insurance Code, as amended, and the fire extinguisher rules and adopted NFPA Standards.
Signature of Licensee & License Number
Planning Superintendent & License Number
Completion Date

Reproduce Form & Distribute
Original to Protected Premise
Copy to Authority having Jurisdiction
Copy 2 Certifying Firm for access by SFMO

(d) After completion of the installation, modification, or addition of a fixed fire extinguisher system, the licensee must complete an installation certificate in the format provided by the state fire marshal (see Certificate of Installation). When an installation certificate has been completed, legible copies must be distributed as follows:

(1) original to owner or posted on site at control head or panel;
(2) a copy to main authority having jurisdiction, if required; and
(3) a copy to certifying firm to retain in their office for access by SFMO.

§34.520. ***Service Tags.***

(a) After any service, a service tag must be completed in detail, indicating all work that has been done, and then attached to the portable or fixed system in such a position as to permit convenient inspection and not hamper its actuation or operation. The signature of the licensee on the service tag certifies that the service performed complies with requirements of law.

(b) A new service tag, yellow tag or red tag, as applicable, must be attached each time service is performed.

(c) Service tags must bear the following information in the format of the tag shown in subsection (g) of this section:

(1) "DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL" (all capital letters, at least 10-point boldface type);
(2) firm's name, address, and telephone number;
(3) firm's certificate-of-registration number;
(4) licensee's name and license number;
(5) licensee's signature (a stamped signature is prohibited);
(6) month and year (to be punched);
(7) type of work (to be punched);

(8) service performed;
(9) name and address of owner or occupant; and
(10) extinguisher type, size, and location.

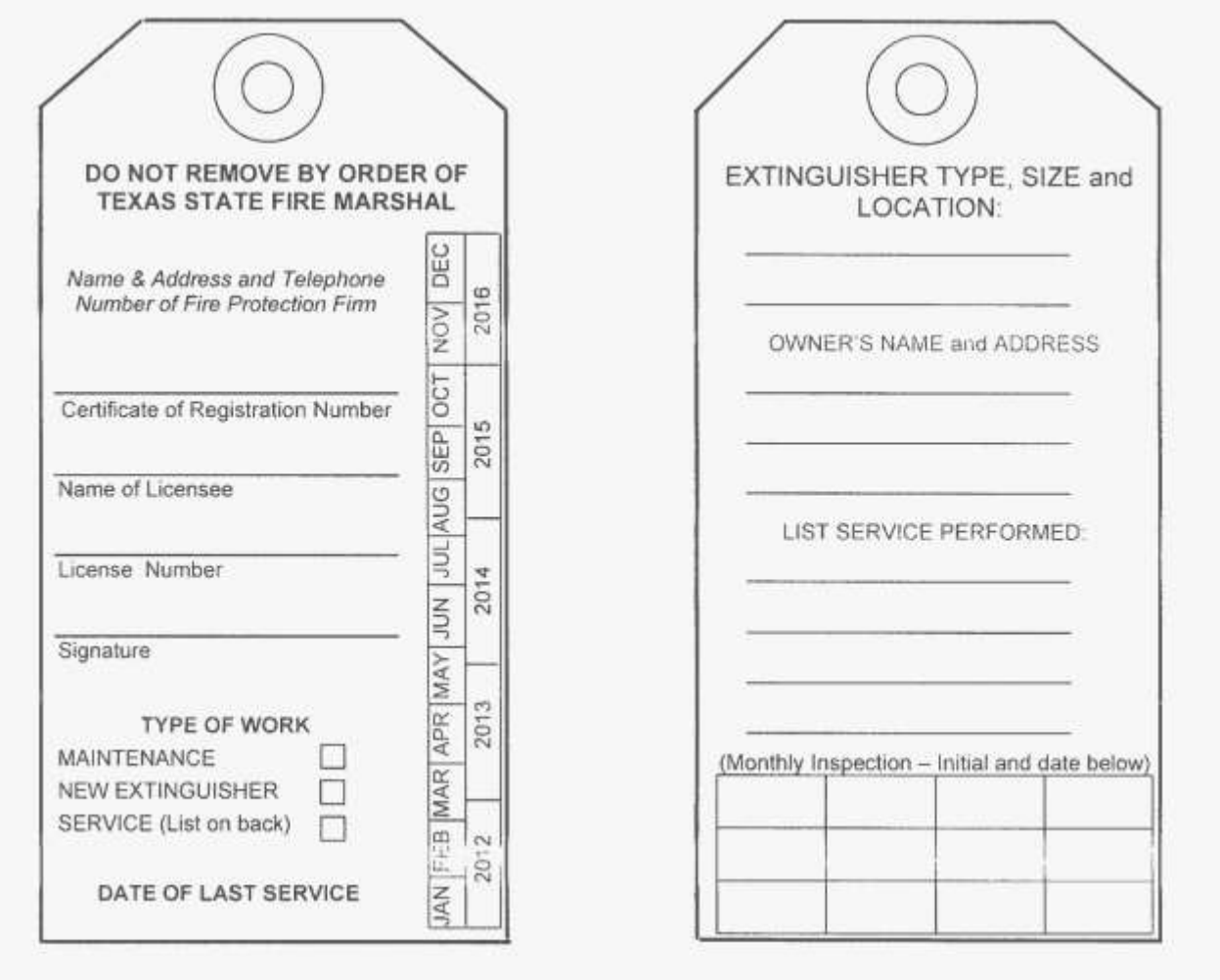
(d) Tags must be 5 1/4 inches in height and 2 5/8 inches in width. Service tags must not be red in color.

(e) Tags may be printed and established for any five-year period.

(f) A service tag may be removed only 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 regulatory authority.

(g) Service tag:

Figure 28 TAC §34.520(g)



(h) Adhesive label type tags are permitted. The label must bear all information required by subsection (c) of this section.

§34.521. ***Red Tags.***

(a) If impairments exist that make a portable extinguisher or fixed system unsafe or inoperable, the owner or the owner's representative must be notified in writing of all impairments. The registered firm must notify the owner or the owner's representative immediately and must also notify the local authority having jurisdiction (AHJ) when available within 24 hours by phone, fax, or email describing the impairments or deficiencies. A copy of the written notice to the owner must be submitted to the AHJ within three business days. A completed red tag must be attached to indicate that corrective action or replacement is necessary.

The signature of the licensee on the tag certifies that the impairments listed indicate that the equipment is unsafe or inoperable. A service tag must not be attached until the impairments have been corrected or the portable extinguisher or fixed system replaced and the extinguisher or fire extinguisher system re-inspected and found to be in good operating condition. 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 removal of the red tag.

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

(c) Red tags must bear the following information in the format of the tag shown in subsection (e) of this section:

(1) "DO NOT REMOVE--EQUIPMENT IMPAIRED" (all capital letters, at least 10-point boldface type);

(2) firm's name and address;

(3) firm's certificate-of-registration number;

(4) licensee's name and license number;

(5) licensee's signature (a stamped signature is prohibited);

(6) date;

(7) list of impairments; and

(8) name and address of owner or occupant.

(d) A red tag may be removed only by an authorized employee of a registered firm who has corrected the impairments and certified the service, an employee of the State Fire Marshal's Office, or an employee of another governmental agency with regulatory authority.

(e) Red tag:

§34.522. ***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.

§34.523. ***Savings Clause.***
Each cause of action, pending litigation, matter in process before the commissioner or the state fire marshal, or matter hereafter arising from an event occurring prior to the time this subchapter becomes effective shall be determined in accordance with and governed by the provisions of statutes, sections, orders, or official interpretations in effect at the time of the occurrence of the subject event.

§34.524. ***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.

§34.525. ***Yellow Tags.***

(a) After any service of a pre-engineered fixed fire extinguishing system installed in accordance with NFPA 17, NFPA 17A or NFPA 96 of the adopted standards for the protection of commercial cooking areas, if it is determined that the system is not in compliance with the minimum requirements of Underwriters Laboratories, Inc., Standard 300, "Fire Testing of Fire Extinguishing Systems for Protection of Restaurant Cooking Area" (UL 300), a yellow tag must be completed in detail indicating all work that has been done, and then attached to the system in such a position as to permit convenient inspection and to not hamper its actuation or operation. The owner or the owner's representative must be notified in writing that the system does not comply with UL Standard 300 and that the system may not extinguish a typical fire, that a red tag shall be attached to the system after January 1, 2008, and that the owner should consider replacing or upgrading the system before that time. A copy of the written notice to the owner shall be postmarked, e-mailed, faxed, or hand delivered to the AHJ within 5 business days. The signature of the licensee on the tag certifies that the service performed complies with requirements of law.

(b) The yellow tag shall be attached instead of a service tag.

(c) Tags must be 5 1/4 inches in height and 2 5/8 inches in width.

(d) Yellow tags must be yellow in color.

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

(f) A yellow tag may be removed only by an authorized employee of a registered firm who has corrected the impairments and certified the service, an employee of the state fire marshal's office, or an authorized representative of a governmental agency with appropriate regulatory authority.

(g) Yellow tags must contain the following information in the format of the tag shown 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 telephone number;

(3) firm's certificate of registration number;

(4) licensee's name and license number;

(5) licensee's signature (a stamped signature is prohibited);

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

(7) type of work, maintenance or service (to be punched);

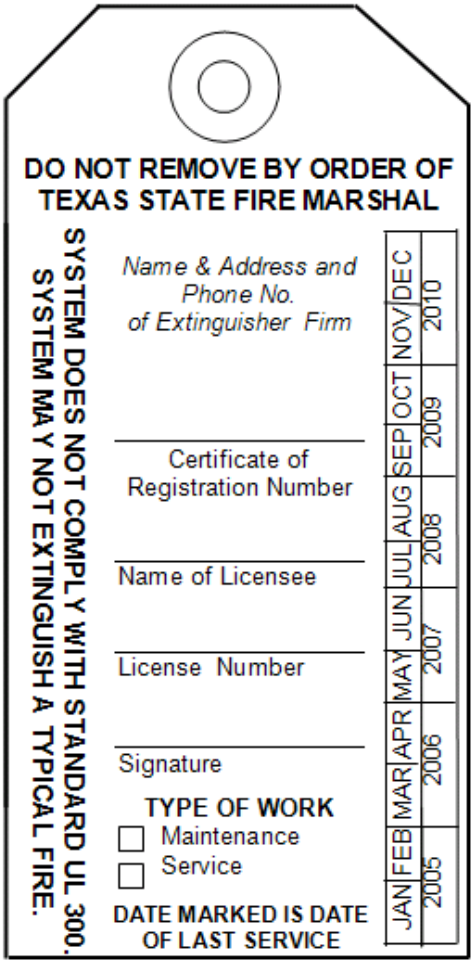
(8) the inscription "SYSTEM DOES NOT COMPLY WITH STANDARD UL300. SYSTEM MAY NOT EXTINGUISH A TYPICAL FIRE." (all capital letters, at least 10-point boldface type);

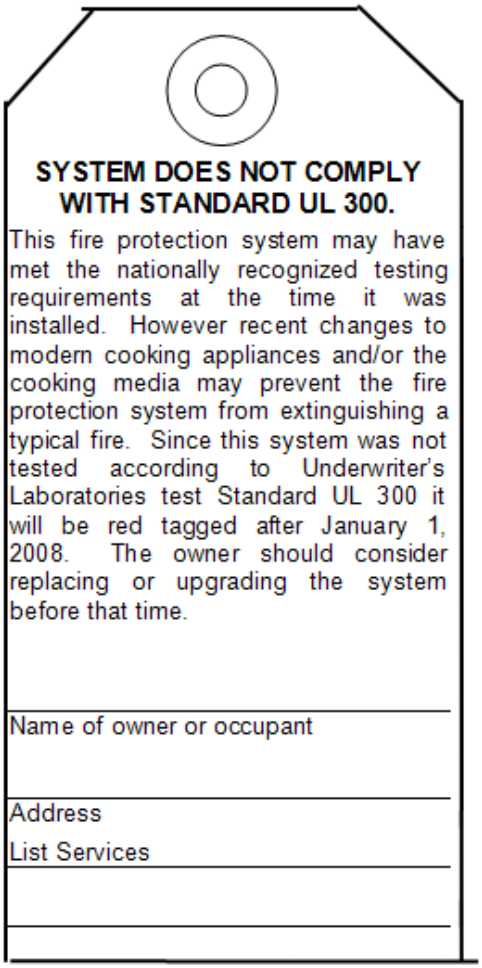
(9) the inscription "This fire protection system may have met the nationally recognized testing requirements at the time it was installed. However recent changes to modern cooking appliances and/or the cooking media may prevent the fire protection system from extinguishing a typical fire. Since this system was not tested according to Underwriter's Laboratories test Standard UL 300 it will be red tagged after January 1, 2008. The owner should consider replacing or upgrading the system before that time.";

(10) name and address of owner or occupant; and

(11) service performed.

(h) Sample Yellow tag:





Substantive Sections Amended June 23, 2016
Are Marked With A Vertical Line In The Margin.

Texas Department of Insurance

State Fire Marshal's Office, Mail Code 112-FM
333 Guadalupe • P. O. Box 149221, Austin, Texas 78714-9221
512-305-7900 • 512-305-7910 fax • www.tdi.texas.gov
e-mail fire.marshal@tdi.texas.gov

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 *(Optional)*	
Company Name of Alleged Violator (optional)	Registration Number (if known)
Individual Involved in Alleged Violation(optional)	License Number (if known)

LOCATION OF ALLEGED VIOLATION *(At least one location must be provided)*
Name of property
Location address and city
Name of contact person and phone number (If known)

BRIEF BACKGROUND/DESCRIPTION OF THE COMPLAINT *(Attach additional sheets if necessary)*

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 Legal & Compliance Division at (512) 475-1757 or visit the Corrections Procedure section of TDI's web page at www.tdi.texas.gov.

Fire Extinguisher System Installation Certification

TEXAS STATE FIRE MARSHAL'S OFFICE

P. O. Box 149221
Austin, TX 78714-9221

INSTALLING COMPANY _____
Address: _____
City _____ Zip _____
Phone: _____
Company Certificate of Registration Number _____

PROTECTED PROPERTY

Name: _____
Street Address: _____
City: _____ *Zip:* _____
Owner or Owner's representative instructed on system operation & maintenance: ☐ Yes ☐ No
Owners Rep, if applicable: _____

LOCAL AUTHORITY HAVING JURISDICTION

Name: _____
Street Address: _____
City: _____ *Zip:* _____

HAZARD ANALYSIS

Name of area, room, building or hazard protected
_____

Primary Class of Protected Hazard

- ☐ Class A - Wood, paper, etc.
- ☐ Class B - Flammable liquids
- ☐ Class C - Electrical equipment
- ☐ Class D - Combustible metals
- ☐ Explosives
- ☐ _____

Kitchen Hoods & Appliance System

	Height	Length	Width
Overall Hood	____ ft x	____ ft x	____ ft
Plenum		____ ft x	____ ft
Exhaust duct perimeter		____ in	

Qty	Appliances Protected	Gas or Elect	Length	Width
____	Deep Fat Fryer	____	____ in x	____ in
____	Range	____	____ in x	____ in
____	Griddle	____	____ in x	____ in
____	Char Broiler	____	____ in x	____ in
____	Radiant Broiler	____	____ in x	____ in
____	Upright Broiler	____	____ in x	____ in
____	_____	____	____ in x	____ in
____	_____	____	____ in x	____ in
____	_____	____	____ in x	____ in

Other Type Hazards

Is hazard normally occupied?
☐ Yes ☐ No ☐ N/A

Size of Hazard
Total Volume _____ cuft
or Total Area _____ sqft

	Height	Length	Width
approx.	____ ft x	____ ft x	____ ft
approx.	____ ft x	____ ft x	____ ft
approx.	____ ft x	____ ft x	____ ft

Area sealed to prevent agent loss?
☐ Yes ☐ No ☐ N/A

Number of room air changes per minute? _____ /min. ☐ N/A

Warning & instruction signs posted?
☐ Yes ☐ No ☐ N/A

SYSTEM INFORMATION

System Manufacturer's Name: _____
Installation Manual: *UL Number:* _____ *Date:* _____
Design type: *Pre-engineered:* _____ *Engineered:* _____
If Pre-engineered, Model Number _____
Coverage Type: *Total Flooding:* _____ *Local App:* _____
System Actuation: *Automatic:* _____ *Manual:* _____
Air/Fan shutdown on actuation? *Yes:* _____ *No:* _____
Design discharge rate or concentration level: _____
Design discharge time: *Seconds:* _____

AGENT INFORMATION

Type of agent provided: _____

Qty	Storage cylinder	Manufacturer	Part No.	Amount of agent
____	_____	_____	_____	_____
____	_____	_____	_____	_____

EQUIPMENT INFORMATION

Initiating Devices

Qty	Item	Manufacturer	Part No.	Temperature
____	Fusible Links	_____	_____	_____
____	Sprinkler Heads	_____	_____	_____
____	Heat Detectors	_____	_____	_____
____	Smoke Detectors	_____	_____	_____
____	Other Fire Detectors	_____	_____	_____
____	Manual Pull Stations	_____	_____	_____

Nozzles	*Part No.*	*Qty*	*Part No.*
____	_____	_____	_____
____	_____	_____	_____
____	_____	_____	_____

Interlock	*Item*	*Manufacturer*	*Part No.*
____	Fan or A/C Shutdown	_____	_____
____	Gas line Shut-off	_____	_____
____	Electric Shut-off	_____	_____

Use the back of the form, or or additional paper, to sketch the piping configuration and device location

TESTING

Method system was tested: _____

This system was installed in accordance with the following codes:

NFPA	_____	Year	_____
NFPA	_____	Year	_____
_____	_____	Year	_____
_____	_____	Year	_____

I certify that this fixed fire extinguishing system has been tested and complies with the requirements of Chapter 6001 of the Texas Insurance Code, as amended, and the fire extinguisher rules and adopted NFPA Standards.

_____ _____ _____ _____
Signature of Licensee & License Number Planning Superintendent & License Number
Completion Date _____

Reproduce Form & Distribute
Original to Protected Premise
Copy 1 to Installing Contractor
Copy 2 Authority having Jurisdiction
Copy 3 State Fire Marshal's Office

Form # FML 010 January 1999
SF205 Rev. 05/09