



South Carolina Department of Labor, Licensing and Regulation

CONTRACTORS' LICENSING BOARD

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MEMORANDUM

To: Licensed Fire Sprinkler Contractors and Interested Parties

From: Ron Galloway, Administrator, Contractors' Licensing Board

Date: August 18, 2005

Subject: REVISION TO PREVIOUS MEMO

(Rewrite of Existing Fire Protection Sprinkler Systems Act)

Please read section 41, the last sentence was inadvertently omitted.

The statutes regulating fire sprinkler systems in this state have been totally revised and should be reviewed by all licensees and other interested parties. The department will begin enforcing the new practice act as of January 2, 2006. The old statutes have been moved and are now located in Title 40, Chapter 10 of the statutes, instead of Title 23, Chapter 45.

The new changes include:

Section 40-10-20, adds new definitions, includes requiring a qualifying party to hold a NICET Level III or IV certification.

Section 40-10-40, requires the licensee and qualifying party to notify the department of the departure of the licensee's primary qualifying party within 15 days of departure or the license will be cancelled; **all qualifying parties must keep their NICET Level III or IV certification current.**

Section 40-10-41, allows for biennial licensure; **requires a license and a qualifying party for each main office and each branch office.**

Section 40-10-43, states that it is unlawful to engage in fire sprinkler work other than the name that appears on the licensee's license; allows a licensed fire sprinkler business to subcontract regulated fire sprinkler work to another licensed fire sprinkler contractor; allows a fire sprinkler contractor to subcontract fire/burglar alarm work to a properly licensed alarm contractor, provided that fifty percent or more of the work to be performed is fire sprinkler work.

Section 40-10-44, allows a grand father contractor to change his or her style of business and the grand fathered primary qualifying party may continue to qualify the licensee.

Section 40-10-50, reduces license fees to \$200.

Section 40-10-70, protects the anonymity of a person filing a complaint for violation of Chapter 10.

Section 40-10-100, allows the department to issue citations and Cease and Desist Orders.

Section 40-10-110, provides a list of actions that are in violation of Chapter 10 and the licensee or qualifying party may be subject to disciplinary action by the board; provides for the board to impose a fine in the amount of \$5,000 for violation of Chapter 10.

Section 40-10-120, allows the board to review an action taken against a licensee that has been disciplined in another state to determine if action should be taken by the board for that action.

Section 40-10-130, lists the reasons the board may deny licensure to an applicant.

Section 40-10-200, states that if a contractor submits a bid for regulated fire sprinkler work and is not properly licensed at the time of the bid, the contractor must withdraw from the bid and cannot get licensed and submit another bid for the same work.

Section 40-10-220, states that an unlicensed fire sprinkler contractor cannot enforce the provisions of a contract.

Section 40-10-230, provides a list of work that does not require a fire sprinkler license.

Section 40-10-240, states that a fire sprinkler system must be designed and installed in accordance with the S. C. Building Codes Council and the State Fire Marshal's Office.

Section 40-10-250, states the requirements for a Fire Sprinkler System Specification Sheet.

Section 40-10-260, states the requirements for fire sprinkler system shop drawings.

Section 40-110-270, requires the licensee to have insurance to perform fire sprinkler work in the minimum amount of \$100,000.

Section 40-10-290, requires for a licensee to notify the department of bankruptcy.