



**OPPOSE HB 2026 – Enacting the fire sprinkler industry act.**

To: House Committee on Commerce, Labor and Economic Development  
Rep. Sean Tarwater, Chair

From: Johnson County Building Officials Association

Date: February 12, 2019

Honorable Chair and Committee Members:

House Bill No. 2026 requires statewide licensing for contractors involved in the business of designing, installing, inspecting, and maintaining fire sprinkler systems. The bill describes various grades of proposed licensing and describes what level of work each type of licensee is able to perform. There is no data to show why this bill is needed and no history on the purpose of the proposal. As building code officials who review and inspect thousands of fire sprinkler installations each year, we are concerned with this bill for several reasons.

Primarily, the bill infringes on the Home Rule authority of municipalities to conduct business that is appropriate to our local jurisdiction. Currently, our jurisdictions require local licensing for this type of contractor – and also for other contractors that work with components of fire sprinkler systems that this bill does not cover. At a minimum, the bill should clearly note the issuance of a state license does not preclude the need for licensing at the local level.

Furthermore, scope of the bill is ambiguous. It is unclear whether underground fire line pipe supplying the sprinkler system is subject to the provisions of the bill. The installation and maintenance of the underground piping as well as the installation of low voltage wiring are handled by different subcontractors. Sprinkler contractors generally do not have the training to complete some of this work. However, they are major components in the installation and functionality of the sprinkler systems.

Additionally, the bill does not identify who responsible for confirming a sprinkler contractor has the appropriate license. There is also no mechanism for how local jurisdictions will be notified if and when a state license is revoked. The bill implies local fire departments may be delegated authority by the Office of the State Fire Marshal (OSFM) to enforce their requirements, but it should be clear the local authorities already have jurisdiction to regulate these activities.



In addition to the aforementioned reasons we oppose the bill, there are several other areas of concern:

- The proposed licensing tiers are too complex, effectively redundant, overreaching, and unenforceable.
- The bill does not include provisions to address installers working on current projects.
- The requirements for background checks are overly restrictive, arduous, and would be excessively demanding to execute.
- The legislation could be interpreted to give the OSFM authority over local fire departments.
- The bill subjects local fire departments to unspecified training at the discretion of the OSFM.
- The bill could be interpreted as requiring municipal plans examiners and inspectors to be licensed by the OSFM.
- The measure would prohibit plumbers from installing fire sprinklers in single family homes per International Residential Code guidelines.
- HB 2026 could be interpreted as prohibiting plumbers from installing outside service lines from the public water supply to structures, per current industry standards.

As written, we don't believe the bill would improve the work product in the industry and would likely result in a significant financial impact for contractors and property owners. We also believe that the bill reduces flexibility for local fire and building code departments to respond to local contractors who we already work with on a daily basis. We appreciate the Committee's time and urge you to reject HB 2026.

Respectfully,

A handwritten signature in blue ink that reads "Matt Souders".

Johnson County Building Officials Association  
Matt Souders, President