



Fire Marshal's Alert!

February 23, 2006

State Fire Marshal Announces Fire Extinguisher Rule Changes

Please be advised that the Commissioner of Insurance, through the State Fire Marshal, has amended the Fire Extinguisher Rules, based on recommendations from the Fire Extinguisher Advisory Council. The new rules will take effect April 1, 2006. At that time, a complete copy can be downloaded from the SFMO fire extinguisher web site at: <http://www.tdi.state.tx.us/fire/fmliexting.html> then click on "Rules". The following is a synopsis of some of the substantive changes.

- §34.506(19) **Definitions.** The definition of "Direct Supervision" was modified to permit the direct supervision of the installation of an engineered fixed system (not pre-engineered) to be performed off-site by the supervising and responsible licensee.
- §34.507 **Adopted Standards.** The latest edition of certain standards was adopted. NFPA 10-2002 (with one exception); NFPA 17-2002 (with one exception); NFPA 17A-2002 (with one exception); NFPA 96-2001(with one exception).
- §34.511 **Fire Extinguisher Licenses.** A new specialized Type R license was established including the fees (§34.515) and test qualifications (§34.516) to exclusively install residential range top fire extinguisher systems. Type PL, A and K licensees can also install these system.
- §34.514(a)(4) **Applications.** The requirement for a firm, applying for a registration or renewal, to provide statements detailing the experience and education supporting the firm's qualifications, were deleted.
- §34.517(e) **Installation and Service.** An employee of a registered firm, installing an engineered (not pre-engineered) system under the direct supervision of a licensee, is not required to hold a license.
- §34.517(f) **Installation and Service.** After January 1, **2008**, when servicing a fixed fire extinguishing system for a commercial cooking area that does not comply with UL 300, a RED tag shall be attached.
- §34.517(k) **Installation and Service.** All pre-engineered dry chemical fixed systems, installed after January 1, 2006, must comply with UL 1254.
- §34.520(b) **Service Tags.** After any service, either a service tag, a yellow tag, (as described in new section §34.524) or a red tag shall be attached as applicable.
- §34.524 **Yellow Tags.** (*NEW TAG*) This section describes the color, content, placement, duration, use, and procedures concerning a yellow tag. When servicing a fixed fire extinguishing system for a commercial cooking area that does not comply with UL 300, a YELLOW tag shall be attached. In addition, within five business days, a written notice shall be mailed, e-mailed, faxed, or hand delivered to the owner and the local AHJ indicating that the system does not comply with UL Standard 300, that the system may not extinguish a typical fire, that a red tag will be attached after January 1, 2008, and that the owner should consider replacing or upgrading the system before that time.

The adopted NFPA standards have many changes. You are responsible to obtain a copy and install, service and maintain all portable and fixed fire extinguishing systems according to these standards. You may obtain these from NFPA at www.nfpa.org

Attached is a summary of the actual text changes to the rules.

FireMarshal@tdi.state.tx.us (e-mail) <http://www.tdi.state.tx.us/fire/fmli.html> (Web site)

State Fire Marshal's Office, Texas Department of Insurance

The Licensing Enforcement section of the State Fire Marshal's Office would like to remind you of some violations of the **current** requirements in the rules and adopted standards that we have recently observed.

1) Signs on vehicles.

Fire Extinguisher Rule § 34.510. Certificates of Registration

(f) Display of registration information. All vehicles used 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 permanently affixed or magnetically attached to a side panel and/or a front-door panel in a color contrasting with the background color of the vehicle. The certificate-of-registration number must be designated as: Tex: ECR (number).

2) After operating the pull pin, during ANNUAL maintenance of a portable fire extinguisher, replace the seal with a correctly dated flag.

NFPA 10 - 6.3.2.2 Seals or Tamper Indicators. At the time of the maintenance, the tamper seal of rechargeable fire extinguishers shall be removed by operating the pull pin or locking device. After the applicable maintenance procedures are completed, a new tamper seal shall be installed.

AND

Fire Extinguisher Rule § 34.517. Installation and Service

(j) After operating the pull pin or locking device during maintenance of a portable fire extinguisher, the flag of the new seal or tamper indicator shall bear the year it was attached.

3) Maintain, in your shop, a detailed record of the hydrostatic test of cylinders.

NFPA 10 - 7.6 Recording of Hydrostatic Tests. 7.6.1* A permanent record shall be maintained for each cylinder tested. (The appendix clarifies) A.7.6.1 The permanent record should include, as a minimum, the date of test, cylinder serial number or extinguisher serial number, model number, cylinder size, test pressure, visual inspection result, cylinder disposition, and initials of person performing the test. Refer to CGA C-1, *Methods of Hydrostatic Testing of Compressed Gas Cylinders*, for a sample form for recording test results.

4) Keep hydrostatic test gauges calibrated.

NFPA 10 - 7.4 Test Equipment. 7.4.1.5 Pressure gauges used on test equipment shall be calibrated at least semiannually. Master gauges or dead weight testers shall be calibrated at least annually. (You should maintain records of these calibrations.)

5) Maintain a shop with adequate tools and supplies.

Fire Extinguisher Rule § 34.510. Certificates of Registration

(e) Shop. A registered firm must establish and maintain a shop whether at a specific 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 shall maintain the following: (*See fire extinguisher rules §34.510(e) for a list of items*)

ALSO

§34.510(e)(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.