

FIRE INSPECTOR REGISTRATION

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Senate Bill 235 (Substitute H-1)

Sponsor: Sen. Rick Jones

House Committee: Regulatory Reform

Senate Committee: Regulatory Reform

Complete to 10-10-13

A SUMMARY OF SENATE BILL 235 (H-1) AS REPORTED FROM COMMITTEE

The bill would amend the Building Officials and Inspectors Registration Act to require the State Construction Code Commission to allow for the registration of an individual as a fire protection systems plan reviewer or a fire protection systems inspector without having to take and pass an examination if the individual is properly certified by certain national fire protection organizations.

Currently, Section 11 of the Building Officials and Inspectors Registration Act allows the Commission to register or reregister without examination individuals who are registered as a building official, inspector, or plan reviewer, if the applicant is licensed or registered in such a capacity by another state or a national organization. This applies as long as the Commission has determined that the requirements of the other state or national organization are equivalent to Michigan's requirements for the purpose of establishing reciprocity privileges for building officials, inspectors, and plan reviewers. In this instance, applicants would need only to provide proof of registration or certification and pay the registration fee established in Section 13 of the Act (\$10 if paid after September 30, 2015; \$25 if paid on or before September 30, 2015).

Specifically, Senate Bill 235 (H-1) would require the Commission, upon receiving the registration fee and without an examination, to provide registration to the following individuals:

- As a fire protection systems plan reviewer, applicants that are certified by the National Fire Protection Association or the International Code Council as both a fire inspector I and a fire plans examiner. Applicants registered in this manner would only be authorized to conduct plan reviews on fire protection systems.
- As a fire protection systems inspector, applicants that are certified by the National Fire Protection Association or the International Code Council as a fire inspector II. Applicants registered in this manner would only be authorized to inspect fire protection systems.

"*Fire protection system plan reviewer*" would mean an individual that meets the qualifications of the act that is responsible for the inspection of fire protection systems in

accordance with the design and installation standards referenced by the Michigan Building Code.

"Fire protection system inspector" would mean an individual that meets the qualifications of the act that is responsible for the inspection of fire protection systems in accordance with the design and installation standards referenced by the Michigan Building Code.

The bill would take effect 90 days after being signed into law.

MCL 338.2302 and 338.2311

FISCAL IMPACT:

The bill would not have a significant fiscal impact on the Bureau of Construction Codes (BCC) as LARA has stated that the \$25 registration fee is sufficient to cover BCC's costs to administer the registry.

BACKGROUND INFORMATION AND DISCUSSION:

According to testimony, some communities have been forced to eliminate inspectors as a result of economic conditions and others have difficulty finding qualified fire inspectors. As a result, there can be long waits to have new construction projects inspected. The bill would allow certain nationally certified fire personnel to provide inspection services to local communities for plan reviews and fire protection systems. The bill is not intended to otherwise alter any permit requirements but would allow trained fire personnel to do limited inspections in areas where this service may be lacking. This change is intended to address the backlog of fire inspections in communities that do not have regular fire inspectors by allowing certified fire personnel to perform the duties that are currently required to be done by a licensed fire inspector. Individuals registered under this bill would only be able to perform those inspection duties for which they are certified.

The department expressed concern with the educational requirements needed to be certified under the bill and whether that education was sufficient to inspect these types of systems.

Additionally, while the Michigan Building Code is modeled after the International Code Council's model building code, the state has authority to enact more stringent regulations where needed. By placing specific references to national and international standards into the bill, the Construction Code Commission would be required to issue a license to anyone with those credentials, with no assurances that they know the state-specific aspects of the Building Code. According to testimony, it would be possible for these individuals to understand the common parts of the building code as taught by a national certifying organization but that would not guarantee that state-specific provisions are fully understood.

POSITIONS:

Michigan Department of Licensing and Regulatory Affairs is neutral on the bill. (9-17-13)

Michigan Association of Fire Chiefs supports the bill. (9-17-13)

Michigan Fire Service Instructors Association supports the bill. (9-17-13)

Michigan Fire Inspectors supports the bill. (9-17-13)

Michigan Professional Fire Fighters Union supports the bill. (9-17-13)

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.