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December 20, 2009

Dear Code Official:

The Alabama Board of Licensure for Professional Engineers and Land Surveyors and the Alabama State Fire Marshal are sending this joint letter to promulgate the Board of Licensure's position statement on the designing of fire protection systems.

The Board has studied the issue of fire protection design and is concerned that in some cases there may have been a misconception on who should be responsible for those designs. To clarify the position of the Board, the Board has adopted the enclosed position statement. Prior to the adopting of this position, the Board contacted the State Fire Marshal who concurred with the position.

The citizens of Alabama have the right to expect that fire protection systems are designed, installed and operate in accordance with proper fire safety codes and standards. Various individuals working as a team are needed to ensure that installed fire protection systems are designed, installed, and maintained in good working order. The efforts begin with professional engineers designing the systems. Certified installers are needed to ensure that the systems are installed as called for in those designs. Competent maintenance technicians are needed to ensure the good working order of those installed systems. Each profession has a vital role in assuring that Alabama's fire protection systems work.

The National Institute for Certification in Engineering Technology (NICET) is a not-for-profit organization created by the National Society of Professional Engineers. NICET provides a method to certify technicians in various civil, mechanical and electrical engineering areas. These certification programs include building construction, transportation, land management and water control, low voltage communication systems, industrial instrumentation, and fire protection. NICET has adopted a policy which specifically delineates the difference between NICET certification and the practice of engineering.

December 20, 2009

Page 2

“Policy 32. The NICET certification programs are intended to award certification to individuals who have demonstrated appropriate and adequate engineering technician or technologist work experience. The NICET certification programs are not designed or intended to award certification to any individual to perform engineering services as defined under any state law or regulation as the “practice of engineering.” NICET is opposed to any effort by any individual or group to misrepresent the NICET certification program as a program designed or intended to demonstrate qualifications to practice engineering as defined under state law or regulations.”

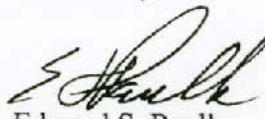
While NICET certification meets a requirement it does not replace the requirement for professional licensure. The designing of fire protection systems is engineering and as such must be designed by or under the direct supervision of professional engineers qualified to design fire protection systems. Only fire protection designs that have been signed and sealed by a qualified Alabama licensed professional engineer should be approved for construction.

If you have any questions in regards to this position statement, please contact Regina Dinger, Executive Director, Board of Licensure for Professional Engineers and Land Surveyors at the board office at (334) 242-5568 or toll free (866) 461-7640.

Yours truly,

  
William C. Ulrich, Jr., PE  
Chair

Yours truly,

  
Edward S. Paulk  
State Fire Marshal

Enclosure: Fire Protection Position Statement

## **Fire Protection Position Statement**

The Alabama Board of Licensure for Professional Engineers and Land Surveyors recognizes the importance of all Fire Protection Systems, including fire detection, alarm, and suppression systems, for the life safety and protection of the public and property. The Licensing Board also recognizes the design and calculation of fire protection systems to be the practice of engineering.

As mandated by the provisions of Chapter 11, Title 34, Code of Alabama, 1975, the practice of engineering includes the design of mechanical and hydraulic systems insofar as they involve the safeguarding life, health, or property. The licensure provisions identify that only those individuals licensed as professional engineers or are exempt from the licensure law can practice or offer to practice engineering.

The Alabama Board of Licensure for Professional Engineers and Land Surveyors recognizes that the State Fire Marshal is responsible for the oversight of the requirements for the installation, repair, alteration, maintenance or inspection of fire protection sprinkler systems by fire protection sprinkler contractors. Nothing in this position statement deletes the requirements as identified in Chapter 33, Title 34, Code of Alabama, 1975.

It is the position of the Alabama Board of Licensure for Professional Engineers and Land Surveyors that:

- Contract drawings should include a set of fire protection drawings that are sealed by a licensed professional engineer;
- Fire protection drawings must meet as a minimum the standards as identified in the current editions of the adopted building codes and the National Fire Protection Association standards;
- Supervision by a licensed professional engineer is required relative to the review of fire protection installation shop drawings for compliance with engineer's design and specifications; and
- Field observations by a licensed professional engineer is required relative to the installation of original permitted design

Adopted June 17, 2005