The Commonwealth of Massachusetts
Department of Public Safety
One Ashburton Place, Room 1301
Boston, Massachusetts 02108-1618
Phone (617) 727-3200
Fax (617) 727-5732
TTY (617) 727-0019
www.mass.gov/dps

Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Kevin M. Burke
Secretary

Thomas G. Gatzunis, P.E.
Commissioner

MEMORANDUM

FROM: Mark F. Mooney, Chief of Inspections - Mechanical MFM
RE: Official interpretation of sprinklerfitter license requirement
DATE: 9/17/2008

I. Introduction

This shall serve as an official interpretation relative to the necessity of a license issued by the Department of Public Safety ("Department") to perform work on fire protection sprinkler systems. This opinion is being issued by the Department as it is the agency[1] that enforces G.L. c.146, §§81-88.[2] There are two specific questions that have been raised: (1) when it comes to the installation and maintenance of pipes that ultimately service fire protection sprinkler systems, when is a fire protection sprinkler system contractor's license required? and (2) is a license required to install or maintain piping leading to a municipal fire hydrant? Each question is addressed in turn below.

II. When is a license required?

No person shall work as a fire protection sprinkler system contractor unless that person is lawfully licensed by the Department for those purposes. See GL. c.146, §84. Work on a fire protection sprinkler system includes:

> the installation of all fire protection and fire control systems, including both overhead and underground water mains, fire hydrants and hydrant mains, standpipes and hose connections to sprinkler systems, sprinkler tank heaters, air lines and thermal systems, hot water fire protection systems and standpipes connected to sprinkler systems.

G.L. c.146, §81.

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[1] Via its division of inspection.

[2] The Bureau of Pipefitters, Refrigeration Technicians and Sprinklerfitters' jurisdiction extends solely to the promulgation of rules and regulations for the examining and licensing of fire sprinkler contractors, not to the enforcement of G.L. c.146.

Given the complexity of piping systems involved in the conveyance of water, questions have been raised as to precisely where in a system a license is first required to perform work.[3] Certainly, the law does not require a person to be a licensed fire protection sprinkler system contractor to perform work on a pipe that services numerous depots and is miles underground from a fire protection sprinkler system. As such, the Department shall enforce the law in the following manner as it is the only practical approach towards furthering the clear intent of the statutory scheme.

A fire protection sprinkler system contractor license is only required when the work at issue involves *dedicated* fire protection sprinkler lines. That is, in order to install or maintain a pipe the sole purpose of which is to provide water to a fire protection sprinkler system, a license is required. Alternatively stated, if a pipe is bifurcated or serves any purpose other than supplying water to a fire protection sprinkler system (e.g.- delivering potable water) , no sprinklerfitter license is required to install it or perform work on it. A pipe shall be considered to begin at the first circumferential joint off of a main line.

III. Municipal piping

The law does not provide for any exemption for work being performed on municipal fire protection sprinkler systems. The analysis employed in section II above applies equally to systems on municipal property. Accordingly, any municipal employee who installs, removes, repairs, or maintains a pipe or other component of a municipal fire protection sprinkler system (e.g.- fire hydrants) must be properly licensed by the Department of Public Safety.

Though G.L. c.40N does grant municipalities the power to create a commission to oversee an effective and efficient system of water and sewer works, it does not in any way exempt municipal employees from the licensing requirements of GL. c.146, §84. Similarly, G.L. c.40, §§38-42 grants municipalities the right to create, maintain, and operate a water supply system. However, both chapters are silent when it comes to licensing issues. It is not inconsistent with the purposes of either chapter to require licensure to perform work on municipal fire protection sprinkler systems. To the contrary, it will serve to ensure that such work is undertaken by qualified individuals. Just as a town snow plow driver must possess a state issued driver's license, a town employee engaging in fire protection sprinkler work must possess a Department issued license.

[3] By statute, the term 'work' includes "the execution of contracts, the preparation of technical drawings, sale, installation, alteration, modification, inspection, maintenance, removal and repairing of any [fire protection sprinkler] system or any part of such system." G.L. c.146, §81.