

527 CMR: BOARD OF FIRE PREVENTION REGULATIONS

527 CMR 40.00: INSPECTION, TESTING AND MAINTENANCE OF WATER-BASED FIRE PROTECTION SYSTEMS

Section

40.01: Scope and Purpose

40.02: Incorporation of NFPA 25 (2011 Edition) by Reference with Modifications

40.03: Modifications to NFPA 25 (2011 Edition)

40.01: Scope and Purpose

527 CMR 40.00 establishes the minimum requirements for the periodic inspection, testing, and maintenance of water based fire protection systems, including land based and marine applications. The purposes of 527 CMR 40.00 is to provide requirements that ensure a reasonable degree of protection for life and property from fire through minimum inspection, testing, and maintenance methods for water-based fire protection systems.

40.02: Incorporation of NFPA 25 (2011 Edition) by Reference with Modifications

(1) 527 CMR 40.00 incorporates by reference the National Fire Prevention Association (NFPA) Standard NFPA 25 (2011 Edition) entitled: *Standard for the Inspection, Testing, and Maintenance of Water-based Fire Protection Systems* with modifications stated in 527 CMR 40.03.

(2) In the event of a conflict between the provisions of 527 CMR 40.00, and any other provision of 527 CMR, the standard that requires the greater level of safety shall prevail.

40.03: Modifications to NFPA25(2011Edition)

NFPA 25 (2011 Edition) is hereby modified as follows:

(1) Add exception as follows:

3.3.19 Exception: Inspection, test and maintenance items summarized within NFPA-25 frequency requirements requiring or identified as each shift, daily, weekly, and monthly, which do not require impairment of a water based fire protection system, may be provided by personnel under the control of the employer

(2) Unless otherwise stated in 527 CMR 40.00, terms and definitions used in 527 CMR 40.00 shall the following meaning:

AHJ or Authority Having Jurisdiction, unless otherwise indicated by reference or Massachusetts General Laws, shall mean the head of the fire department or a designee of the head of the fire department. AHJ or Authority Having Jurisdiction shall not abrogate the obligation of said head of the fire department to notify other officials about the existence of violations or compliance of other Massachusetts regulatory codes in accordance with 527 CMR 1.06(6): *Notification to Other Officials*.

Marshal. The State Fire Marshal.

Add the following definition:

Property Owner. Any person, agent, firm or corporation having a legal or equitable interest in the property, including any buildings or structures thereon.

Delete the definition of Qualified and replace it with the following:

Qualified. Fire protection sprinkler system contractor, sprinkler fitter/journeyman sprinkler fitter and apprentice sprinkler fitter properly licensed in accordance with M.G.L. c. 146, §§ 81 through 89 and 528 CMR: *Bureau of Pipefitters & Refrigeration Technicians*.

40.03: continued

(4) Add the following:

4.3.1.1 On an annual basis on written request of the head of the Fire Department the property owner shall transmit, a written report relative to the inspection, testing and maintenance activity required by 527 CMR 40.00 on a form prescribed by the Marshal.

REGULATORY AUTHORITY

527 CMR 40.00: M.G.L. c. 22D, § 4; c. 148, §§ 10 and 28.