

BEFORE THE BOARD OF PROFESSIONAL  
ENGINEERS AND LAND SURVEYORS  
DEPARTMENT OF LABOR AND INDUSTRY  
STATE OF MONTANA

In the matter of the proposed ) NOTICE OF PUBLIC HEARING  
adoption of NEW RULE I, ) ON PROPOSED ADOPTION  
related to fire protection )  
system shop drawings )

TO: All Concerned Persons

1. On August 16, 2002, at 10:00 a.m., a public hearing will be held in room 443, old Federal Building, 301 South Park Avenue, Helena, Montana to consider the proposed adoption of the above-stated rule.

2. The Department of Labor and Industry will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing or need an alternative accessible format of this notice. If you require an accommodation, contact the Board of Professional Engineers and Land Surveyors no later than 5:00 p.m., on August 12, 2002, to advise us of the nature of the accommodation that you need. Please contact Todd Boucher, Board of Professional Engineers and Land Surveyors, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2368; Montana Relay 1-800-253-4091; TDD (406) 444-2978; facsimile (406) 841-2309; e-mail dlibsdpels@state.mt.us.

3. The proposed new rule provides as follows:

NEW RULE I FIRE PROTECTION SHOP DRAWINGS (1) When fire protection shop drawings are used to finalize engineering concepts:

(a) The licensee (a licensed professional engineer) shall provide the design concept adequate for shop drawing preparation by others. The design concept for sprinkler systems must include as a minimum:

(i) the density and water flow pressure requirements for the sprinkler system design;

(ii) the classification of commodities to be protected; and

(iii) confirmation of adequate water supply.

(b) A properly qualified technician or licensee shall execute the design concept and prepare shop drawings. Shop drawings for sprinkler systems must include as a minimum:

(i) layout of risers;

(ii) cross-mains;

(iii) branch lines;

(iv) sprinkler heads;

(v) sizing of pipe;

(vi) hanger locations; and

(vii) hydraulic calculations, in accordance with the design concepts.

(2) The licensee should not seal the shop drawings. A letter of review must be prepared indicating the licensee's acceptance of the shop drawings as being in accordance with the design concept. Such review letter may be made available to appropriate jurisdictional authorities and interested parties.

(3) For the purposes of (1)(b), a "qualified technician" is a person who has at least one of the following qualifications:

(a) a national institute for certification in engineering technologies (NICET) level III technician certification;

(b) a NICET level IV technician certification; or

(c) 20 years experience in the field of automatic sprinkler layout in Montana, with the end of the 20-year experience term terminating February 1, 2002.

(4) A licensee shall not be required to provide design concepts or letter of review for:

(a) projects exempt from building code requirements for fire protection;

(b) remodeling involving less than 100 sprinklers to an existing fire protection system, provided there is no change in occupancy classification, storage configuration, or other change in occupancy use that would require design concept modifications; or

(c) routine maintenance, when accomplished in accordance with national fire protection association (NFPA) standard #25, "Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems."

(5) Information regarding the organizations referred to in this rule can be obtained from:

(a) NICET, 1420 King Street, Alexandria VA, 23314, or via the internet at <http://nicet.org>; and

(b) NFPA, PO Box 9101, Quincy, Massachusetts, 02269-9101, or via the internet at <http://www.nfpa.org/Home/index.asp>.

AUTH: 37-67-202, MCA

IMP: 37-67-101, MCA

REASON: There is reasonable necessity to adopt proposed NEW RULE I in response to numerous inquiries and confusion expressed by the public and members of the engineering profession. NEW RULE I clarifies the responsibility of the professional engineer and the layout technician, and their respective roles in the design of fire protection systems. This rule clarifies the difference between design concepts as established by licensed professional engineers and shop or layout drawings prepared by others. Creation of the design concept in fire protection system design falls within the definition of the "practice of engineering" provided by section 37-67-101, MCA. The Board notes that NEW RULE I is a result of a collaborative effort among the Board, professional engineers, layout technicians, and fire sprinkler installers.

4. Concerned persons may present their data, views or arguments either orally or in writing at the hearing. Written

data, views or arguments may also be submitted to the Board of Professional Engineers and Land Surveyors, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, by facsimile to (406) 841-2305, or by e-mail to [dlibsdpels@state.mt.us](mailto:dlibsdpels@state.mt.us), and must be received no later than 5:00 p.m., August 23, 2002.

5. An electronic copy of this Notice of Public Hearing is available through the Department's site on the World Wide Web at <http://discoveringmontana.com/dli/bsd> under the Board of Professional Engineers and Land Surveyors rule notice section. The Department strives to make the electronic copy of this Notice conform to the official version of the Notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the Notice and the electronic version of the Notice, only the official printed text will be considered. In addition, although the Department strives to keep its website accessible at all times, concerned persons should be aware that the website may be unavailable during some periods, due to system maintenance or technical problems, and that a person's technical difficulties in accessing or posting to the e-mail address does not excuse late submission of comments.

6. The Board of Professional Engineers and Land Surveyors maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this board. Persons who wish to have their name added to the list shall make a written request which includes the name and mailing address of the person to receive notices and specifies that the person wishes to receive notices regarding all Board of Professional Engineers and Land Surveyors administrative rulemaking proceedings or other administrative proceedings. Such written request may be mailed or delivered to the Board of Professional Engineers and Land Surveyors, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, faxed to the office at (406) 841-2309, e-mailed to [dlibsdpels@state.mt.us](mailto:dlibsdpels@state.mt.us) or may be made by completing a request form at any rules hearing held by the agency.

7. Lon Mitchell, attorney, has been designated to preside over and conduct this hearing.

8. The bill sponsor notice requirements of 2-4-302, MCA, do not apply.

BOARD OF PROFESSIONAL ENGINEERS  
AND LAND SURVEYORS  
STEVE WRIGHT, CHAIRMAN

/s/ KEVIN BRAUN  
Kevin Braun  
Rule Reviewer

By: /s/ WENDY J. KEATING  
Wendy J. Keating, Commissioner  
DEPARTMENT OF LABOR & INDUSTRY

Certified to the Secretary of State, July 15, 2002.