

City of Lenexa, Kansas Fire Department

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OPPOSE HB 2026 – Enacting the fire sprinkler industry act.

To: House Committee on Commerce, Labor and Economic Development
Rep. Sean Tarwater, Chair

From: Lenexa Fire Department

Date: February 12, 2019

Honorable Chair and Committee Members:

The fire sprinkler industry act, HB 2026, requires statewide licensing for contractors involved in the business of designing, installing, inspecting, and maintaining fire sprinkler systems. The bill describes various levels of proposed licensing and describes the duties each level of licensee is able to perform. As far as we understand, there is no data to demonstrate why this bill is needed and no history on the purpose of the legislation. We have many concerns with the proposal.

First, the bill infringes on the Home Rule for municipalities to conduct business that is appropriate to our local jurisdiction. Currently, we require local licensing for this type of contractor – and also for other contractors that work with components of sprinkler systems that this bill does not cover. The bill should clearly note the issuance of a state license does not preclude the need for licensing at the local jurisdiction level.

The scope of the bill is also unclear. It does not appear to include the underground fire line pipe supplying the sprinkler system. The installation and maintenance of the underground piping are typically completed by a completely different contractor, as is the low voltage wiring components of the sprinkler system. Sprinkler contractors do not have the training or background to complete some of this work, yet it is a major component in the installation and functionality for ensuring sprinkler systems notify local fire departments when they activate.

There is nothing in the bill enumerating who is responsible for confirming the sprinkler contractor is appropriately licensed. There is also nothing in the bill to show how a local jurisdiction will be notified if and when a state license is revoked. The bill implies the local

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fire department may be designated by the Office of the State Fire Marshal (OSFM) to exercise authority to enforce these requirements, but it should be clear the local authorities already have jurisdiction to regulate these activities.

We understand the intent of the bill is trying to establish, but feel state licensing for this work is unnecessary. Local jurisdictions already enforce their own requirements which we believe are effective. This bill would restrict our flexibility to work with local contractors who we interact with on a daily basis. As written, I don't see how the bill could improve the work product in the industry. I also think that this bill may result in a significant financial impact for contractors and property owners.

We appreciate the committee's time and consideration. We oppose HB 2026 and urge the committee to reject the measure.

Respectfully,

/s/

Andrew Diekemper
Division Chief – Fire Marshal
Lenexa Fire Department