

1 Department of Public Safety

2 State Fire Marshal Division

3

4 Adopted Permanent Rules Relating to Fire Protection Systems

5

6 Rules as Adopted

7 7512.0100 DEFINITIONS.

8 Subpart 1. Scope. The terms used in parts 7512.0100 to
9 7512.2800 have the meanings given them in this part and in
10 Minnesota Statutes, section 299M.01.

11 Subp. 2. Authority having jurisdiction. "Authority having
12 jurisdiction" means the governmental organization, office, or
13 individual responsible for approving equipment and installation
14 or a procedure.

15 Subp. 3. Board member. "Board member" means a director in
16 a corporation and a governor in a limited liability company.

17 Subp. 4. Building code. "Building code" means the
18 Minnesota State Building Code adopted pursuant to Minnesota
19 Statutes, section 16B.61, subdivision 1, and includes future
20 amendments to the building code.

21 Subp. 5. Commissioner. "Commissioner" means the
22 commissioner of public safety, acting directly or through the
23 state fire marshal and other authorized agents.

24 Subp. 6. Days. "Days" means calendar days when referring
25 to the amount of time when the performance or doing of any act,
26 duty, matter, payment, or thing is ordered, directed, or
27 prescribed. A period of time measured in days, except as
28 otherwise provided, must be computed so as to exclude the first
29 and include the last day of the prescribed or fixed period or
30 duration of time. When the last day of the period falls on a
31 Saturday, Sunday, or legal holiday, that day must be omitted
32 from the computation.

33 Subp. 7. Federal approval agency. "Federal approval
34 agency" means the United States Department of Labor, Bureau of
35 Apprenticeship and Training.

1 Subp. 8. Fire code. "Fire code" means the Minnesota
2 Uniform Fire Code adopted pursuant to Minnesota Statutes,
3 section 299F.011, subdivision 1, and includes future amendments
4 to the fire code.

5 Subp. 9. Fire protection-related work. "Fire
6 protection-related work," when applied to a licensed fire
7 protection contractor, means the sale, design, installation,
8 modification, or inspection of a fire protection system, its
9 parts, or related equipment, or the offer to do so. Fire
10 protection-related work, when applied to a journeyman sprinkler
11 fitter or an apprentice sprinkler fitter, means the
12 installation, connection, alteration, repair, or addition to a
13 fire protection system.

14 Subp. 10. Inspect or inspection. "Inspect" or
15 "inspection" means conducting a final acceptance test; trip test
16 of dry pipe, deluge, or preaction valves; or a test that an
17 authority having jurisdiction requires to be conducted under the
18 supervision of a contractor.

19 Subp. 11. Officer. "Officer" means an officer of a
20 corporation and a manager of a limited liability company.

21 Subp. 12. Owner. "Owner" means the sole proprietor of a
22 sole proprietorship, a partner in a partnership, a shareholder
23 holding an interest of five percent or more in a corporation,
24 and a member holding an interest of five percent or more in a
25 limited liability company.

26 Subp. 13. Potable water source. "Potable water source"
27 means a gravity tank, fire pump, reservoir or pressure tank,
28 well, city main, or any combination of these that provides a
29 reliable, constant, and sufficient supply of water capable of
30 being used for human consumption.

31 Subp. 14. State approval agency. "State approval agency"
32 means the Department of Labor and Industry or a state agency in
33 Minnesota or another state if the commissioner determines that
34 the state agency approves training programs and monitors
35 apprentice or trainee progress in a manner comparable to that
36 done by the Department of Labor and Industry or by the United

1 States Department of Labor, Bureau of Apprenticeship and
 2 Training.

3 7512.0200 PURPOSE.

4 The purpose of parts 7512.0100 to 7512.2800 is to provide
 5 fire protection (sprinkler and standpipe) system rules relating
 6 to persons who sell, design, inspect, install, modify, alter,
 7 add to, repair, or connect the systems to ensure readiness
 8 intended for protecting life and property from fire and relating
 9 to the administration and enforcement of Minnesota Statutes,
 10 chapter 299M.

11 7512.0300 SCOPE; EFFECTIVE DATE.

12 Parts 7512.0100 to 7512.2800 are intended to be consistent
 13 with Minnesota Statutes, chapter 299M. Parts 7512.0100 to
 14 7512.2800 govern regulation by municipalities; permit, filing,
 15 inspection, certificate, and license fees; qualifications,
 16 examination, and licensing of fire protection contractors;
 17 certification of journeyman sprinkler fitters; registration of
 18 apprentices; and the administration and enforcement of parts
 19 7512.0100 to 7512.2800 and Minnesota Statutes, chapter 299M.

20 The effective date of parts 7512.0100 to 7512.2800 is ~~June~~
 21 ~~17-1993~~ February 21, 1994. A person who submits satisfactory
 22 proof to the commissioner of actively engaging in full-time fire
 23 protection system installation either as a fire protection
 24 contractor ~~or-journeyman-sprinkler-fitter~~ for a period of five
 25 years before ~~June-17-1993~~ February 21, 1994, and who applies for
 26 a license ~~or-certificate~~ on or before ~~August-17-1993~~ April 21,
 27 1994, is eligible for licensure ~~or-certification~~ without
 28 examination until ~~June-17-1995~~ February 21, 1996. A person who
 29 submits satisfactory proof to the commissioner of actively
 30 engaging in full-time fire protection systems installation as a
 31 sprinkler fitter for a period of five years before February 21,
 32 1994, and who applies for a certificate on or before February
 33 21, 1994, is eligible for certification without examination
 34 until February 14, 1996. A person who is exempt from
 35 examination for the two-year period, fulfills all other

1 requirements under this chapter and under Minnesota Statutes,
2 chapter 299M, and pays the required annual fee must be granted
3 the appropriate license or certificate. A person who is exempt
4 from examination by this part must pass the examination by ~~June~~
5 ~~17-1995~~ February 21, 1996, or surrender the license or
6 certificate. A license or certificate obtained without
7 examination is not renewable on or after ~~June-17-1995~~ February
8 21, 1996, until the appropriate examination is passed.

9 FIRE PROTECTION CONTRACTOR

10 7512.0400 CONTRACTOR LICENSE REQUIRED; EXCEPTIONS.

11 Subpart 1. License required. Except as provided in
12 subpart 2, a person must have a fire protection contractor
13 license to perform fire protection-related work.

14 Subp. 2. Exceptions. A person does not need a fire
15 protection contractor license for the following activities:

16 A. A person does not need a contractor license to
17 sell fire protection system parts or related equipment to a
18 licensed contractor.

19 B. A person does not need a contractor license to
20 install or service a special agent fire suppression system that
21 is not connected to a potable water source. A special agent
22 fire suppression system uses extinguishing agents other than
23 water and includes such systems as dry chemical systems, carbon
24 dioxide systems, halogenated and gaseous agent systems, foam
25 systems, and wet chemical systems.

26 C. A person does not need a contractor license when
27 acting in an official capacity as a building official, fire
28 official, or insurance inspector.

29 D. A person licensed as a plumber under Minnesota
30 Statutes, section 326.40, does not need a contractor license to
31 sell, design, install, modify, or inspect a standpipe or hose
32 system only.

33 E. A person licensed as a professional engineer under
34 Minnesota Statutes, section 326.03, who is competent in fire
35 protection system design does not need a contractor license to

1 perform activities authorized by the professional engineer
2 license.

3 F. A person licensed as an alarm and communication
4 contractor under Minnesota Statutes, section 326.2421, or a
5 Minnesota-licensed electrical contractor under Minnesota
6 Statutes, section 326.242, does not need a fire protection
7 contractor license to perform activities authorized by the alarm
8 and communication contractor license or electrical contractor
9 license.

10 G. A person does not need a contractor license to
11 maintain a fire protection system. For purposes of this item,
12 "maintain" means the scheduled activities to keep a fire
13 protection system operable. Maintain also means to make
14 emergency repairs to correct an emergency impairment of a fire
15 protection system, until such time as permanent repairs can be
16 done by a licensed fire protection contractor.

17 7512.0500 INITIAL APPLICATION FOR CONTRACTOR LICENSE.

18 Subpart 1. Contents of application. An initial
19 application for a fire protection contractor license must be on
20 a form provided or approved by the commissioner and must meet
21 the following requirements:

22 A. The application must contain the name, address,
23 and telephone number of the applicant. The application must
24 also contain each additional name and address that the applicant
25 will use to conduct business transactions.

26 B. The application must indicate whether the
27 applicant is an individual, partnership, corporation, or limited
28 liability company. The application must also list each owner,
29 officer, and board member.

30 C. The application must give the name of the managing
31 employee for the contractor.

32 D. The application must contain the full name, date
33 of birth, and driver's license number of each person named on
34 the application. If a person does not have a driver's license,
35 the application must contain the identification card number of

1 that person. If a person's driver's license or identification
2 card was issued by another state or country, the application
3 must list the name of the state or country.

4 E. The application must contain a history of fire
5 protection contractor licensure of each person, partnership,
6 corporation, and limited liability company named on the
7 application. The history must be of each license applied for or
8 issued by Minnesota or by another jurisdiction and must include
9 the issuance and expiration dates of the license. If the
10 jurisdiction refused to issue, revoked, or suspended a license,
11 the history must give the date and the reason.

12 F. The application must give the name of the provider
13 and the policy number of the applicant's insurance required
14 under part 7512.1000. The application must be accompanied by
15 documentation showing that the insurance meets the requirements
16 of part 7512.1000. The documentation must be in the form of a
17 certificate of insurance executed by an insurer authorized to do
18 business in Minnesota and countersigned by an insurance agent
19 licensed in Minnesota.

20 G. The application must be accompanied by a bond
21 meeting the requirements of part 7512.1000.

22 H. The application must be accompanied by a completed
23 tax information form required by the commissioner of revenue
24 under Minnesota Statutes, section 270.72.

25 I. The application must be accompanied by
26 documentation showing compliance with the workers' compensation
27 insurance coverage requirement of Minnesota Statutes, section
28 176.181, subdivision 2. The documentation must contain the name
29 of the insurance company, the policy number, and dates of
30 coverage, or the permit to self-insure.

31 J. The application must be accompanied by a license
32 fee of \$575.

33 K. The application must contain or be accompanied by
34 other information requested by the commissioner as necessary to
35 determine whether the applicant meets the requirements for a
36 contractor of parts 7512.0100 to 7512.2800 and Minnesota

1 Statutes, chapter 299M.

2 L. Each person named on the application shall sign
3 the application, verifying that the information in the
4 application is true.

5 Subp. 2. Issuing license. Except as provided in subpart
6 3, the commissioner shall use the provisions of this subpart to
7 determine whether to issue a fire protection contractor
8 license. The commissioner shall issue a fire protection
9 contractor license to the applicant, unless there is a reason to
10 refuse to issue. The commissioner shall refuse to issue a
11 license for any of the following reasons:

12 A. The application or the items filed with the
13 application do not meet the requirements of subpart 1.

14 B. The person designated on the application as
15 managing employee does not meet the requirements of a managing
16 employee set out in parts 7512.1300 to 7512.1600.

17 C. The applicant is currently under revocation or
18 suspension as a contractor or managing employee.

19 D. A person named on the application was an owner,
20 officer, board member, or managing employee of a fire protection
21 contractor whose license was revoked under part 7512.2600.
22 After the revocation period has elapsed, an applicant is not
23 disqualified.

24 E. The commissioner of revenue notifies the
25 commissioner of public safety under Minnesota Statutes, section
26 270.72, that the applicant owes the state delinquent taxes,
27 penalties, or interest.

28 F. The applicant does not meet the requirements for a
29 contractor set out in parts 7512.0400 to 7512.1200 and Minnesota
30 Statutes, chapter 299M.

31 Subp. 3. Designer contractor license. The commissioner
32 shall issue a designer contractor license to an applicant who
33 performs fire protection-related work that is limited to the
34 design of fire protection systems. To obtain a designer
35 contractor license, the applicant shall submit to the
36 commissioner a license application that meets the requirements

1 of subpart 1, except that the bond amount must be \$10,000 and
2 the license fee must be \$150. The annual license renewal fee is
3 \$75. The person designated on the application as managing
4 employee must meet the requirements of a managing employee set
5 out in parts 7512.1300 to 7512.1600, except that to qualify for
6 examination, the person must hold a Level IV certification by
7 the National Institute for Certification in Engineering
8 Technologies, in the field of fire protection, and in the
9 subfield of automatic sprinkler system layout. When performing
10 fire protection-related work, the designer contractor is limited
11 to designing fire protection systems.

12 7512.0600 CONTRACTOR LICENSE RENEWAL.

13 Subpart 1. License expiration date. A fire protection
14 contractor license expires at midnight on June 30 of each year.
15 A license is valid upon renewal until the following June 30.

16 Subp. 2. Renewal application. A renewal application for a
17 contractor license must be on a form provided or approved by the
18 commissioner and must contain the following information and
19 items:

20 A. The application must contain the contractor's name
21 and contractor number.

22 B. The application must verify that the contractor
23 information is accurate as of the date of renewal. Contractor
24 information includes information or items submitted with the
25 contractor's initial license application, as amended by a notice
26 of change.

27 C. The application must be accompanied by
28 documentation showing compliance with the workers' compensation
29 insurance coverage requirement of Minnesota Statutes, section
30 176.181, subdivision 2. The documentation must contain the name
31 of the insurance company, the policy number, and dates of
32 coverage, or the permit to self-insure.

33 D. The application must be accompanied by a license
34 renewal fee of \$500. If the application is submitted on or
35 after June 1, the application must also be accompanied by a late

1 fee of \$50.

2 E. The application must contain or be accompanied by
3 other information requested by the commissioner as necessary to
4 determine whether the applicant meets the requirements for a
5 contractor of parts 7512.0400 to 7512.1200 and Minnesota
6 Statutes, chapter 299M.

7 F. One person named on the application shall sign the
8 application, verifying that the information on the application
9 is true.

10 Subp. 3. Reasons to refuse renewal. To renew a contractor
11 license, the contractor shall submit a completed license renewal
12 application to the commissioner. The commissioner shall accept
13 a renewal application any time on or before June 30. A person
14 shall not perform fire protection-related work after the license
15 has expired and before a renewal license is issued. The
16 commissioner shall renew the license, unless there is a reason
17 to refuse to renew. The commissioner shall refuse to renew for
18 any of the following reasons:

19 A. The application does not meet the requirements of
20 subpart 2.

21 B. The applicant is currently under revocation or
22 suspension.

23 C. The commissioner of revenue notifies the
24 commissioner of public safety under Minnesota Statutes, section
25 270.72, that the applicant owes the state delinquent taxes,
26 penalties, or interest.

27 Subp. 4. Application after lapse. Within one year after a
28 contractor license has expired, a former contractor may obtain
29 another license by following the renewal procedures of this
30 part. A contractor whose license has been expired for more than
31 one year shall comply with all requirements and procedures of
32 part 7512.0500 in order to obtain another license. A person may
33 not perform fire protection-related work after the license has
34 expired and before another license is issued.

35 7512.0700 CHANGE IN CONTRACTOR LICENSE CONDITIONS.

1 Subpart 1. Notice of change. A fire protection contractor
2 shall notify the commissioner of a change in contractor
3 information. Contractor information is the current information
4 that the commissioner has concerning a contractor. This
5 information is based upon the information or items submitted by
6 the contractor in its initial license application or updated
7 change notices.

8 Subp. 2. Form of notice. A notice of change must be made
9 on a form provided or approved by the commissioner and must meet
10 the following conditions:

11 A. The notice of change must indicate the contractor
12 information that has changed.

13 B. The notice of change must be accompanied by
14 initial license items that have changed.

15 C. One owner, officer, board member, or managing
16 employee shall sign the notice, verifying that the information
17 on the notice is true.

18 D. A person who is removed as an owner, officer,
19 board member, or managing employee shall sign the notice,
20 verifying that the person has been removed. If it is not
21 possible for this person to sign, the notice of change must
22 contain the reason.

23 Subp. 3. Timing of notice. The contractor shall submit
24 the notice of change so that it is received by the commissioner
25 before the change occurs, unless this is not possible, in which
26 case the contractor shall submit the notice as soon as
27 reasonable.

28 Subp. 4. License not transferable. A fire protection
29 contractor license may not be transferred from one person or
30 organization to another. A successor contractor may not perform
31 fire protection-related work until after the successor
32 contractor has obtained another license. In addition, the
33 successor contractor shall obtain a bond that is separate and
34 distinct from the bond under the original license.

35 A contractor license issued to an individual, partnership,
36 corporation, or limited liability company does not transfer to a

1 new business entity created by a change in the form of ownership
2 of the business.

3 A contractor license issued to a partnership becomes
4 invalid when an original partner leaves the partnership or a new
5 partner is brought into the partnership.

6 A contractor license issued to a corporation becomes
7 invalid when the corporation is dissolved. A contractor license
8 remains valid when a shareholder of the corporation or the name
9 of the corporation is changed.

10 A contractor license issued to a limited liability company
11 becomes invalid when the limited liability company is
12 dissolved. A contractor license remains valid when a member of
13 the limited liability company or the name of the limited
14 liability company is changed.

15 7512.0800 CONTRACTOR'S MANAGING EMPLOYEE REQUIREMENTS.

16 Subpart 1. Employment of managing employee. A fire
17 protection contractor shall employ a person who meets the
18 requirements for a managing employee contained in parts
19 7512.1300 to 7512.1600. The managing employee shall supervise
20 the performance of all fire protection-related work by the
21 contractor.

22 Subp. 2. Exceptions. Except as provided in subparts 3 to
23 6, a contractor shall not perform fire protection-related work
24 after the contractor loses its managing employee. A contractor
25 loses its managing employee when the managing employee is no
26 longer employed by the contractor or when the managing employee
27 no longer meets the requirements of parts 7512.1300 to
28 7512.1600. The limitations and conditions of subparts 3 to 6 no
29 longer apply to a contractor after the contractor employs a new
30 managing employee who meets the requirements of parts 7512.1300
31 to 7512.1600.

32 Subparts 3 to 6 must not be interpreted to require the
33 commissioner to issue a contractor license to an applicant for
34 an initial contractor license who does not have a managing
35 employee.

1 Subp. 3. Notice to commissioner. The contractor shall
2 notify the commissioner within three days after the contractor
3 loses its managing employee.

4 Subp. 4. Fourteen-day grace period. The contractor may
5 continue performing fire protection-related work for a period of
6 14 days after the contractor loses its managing employee,
7 provided the contractor:

8 A. notifies the commissioner under subpart 3; and

9 B. sufficiently supervises its work to ensure that
10 the work is performed in compliance with the fire code and the
11 building code and that worker safety is not compromised.

12 Subp. 5. Continuing grace period. The contractor may
13 continue performing fire protection-related work after the end
14 of the 14-day period under subpart 4 and until seven days after
15 the results of the next managing employee examination are
16 issued, if the contractor meets the following conditions:

17 A. the contractor designates an employee as acting
18 managing employee;

19 B. the person designated by the contractor meets the
20 qualifications of part 7512.1300 to take the managing employee
21 examination;

22 C. the person designated by the contractor submits an
23 application to take the next managing employee examination; and

24 D. the commissioner determines that the person
25 designated by the contractor will likely pass the managing
26 employee examination, based on the person's qualifications and
27 experiences.

28 Subp. 6. Deadline to designate new managing employee.

29 Within seven days after the results of the next managing
30 employee examination are issued, the contractor either shall
31 designate a new managing employee who meets the qualifications
32 of parts 7512.1300 to 7512.1600 or shall discontinue performing
33 fire protection-related work.

34 7512.0900 CONTRACTOR OPERATING REQUIREMENTS.

35 Subpart 1. Posting of license. A contractor shall post

1 its contractor license issued under parts 7512.0500 and
2 7512.0600 in a conspicuous place in the contractor's place of
3 business. A contractor shall display its contractor license
4 number on all bids, proposals, offers, and installation drawings
5 for fire protection systems.

6 Subp. 2. Compliance with codes. A contractor shall
7 perform fire protection-related work so that the work is in
8 compliance with the fire code and the building code.

9 Subp. 3. Contractor employees. A fire protection
10 contractor may not employ a person to perform fire
11 protection-related work unless the person is a managing
12 employee, certified journeyman, or registered apprentice.

13 Subp. 4. Supervision of apprentices. A fire protection
14 contractor shall ensure that an apprentice sprinkler fitter
15 working for the contractor is under the direct supervision of a
16 managing employee or journeyman sprinkler fitter. Direct
17 supervision means that a managing employee or journeyman ensures
18 that the apprentice is regularly engaged in learning the
19 sprinkler fitter trade and oversees and directs the fire
20 protection-related work performed by the apprentice such that:

21 A. the managing employee or journeyman actually
22 reviews the work performed by the apprentice;

23 B. the managing employee or journeyman is on the job
24 site and immediately available to the apprentice at all times
25 for assistance and direction; and

26 C. the managing employee or journeyman is able to and
27 does determine that work performed by the apprentice is
28 performed in compliance with the fire code and the building code.

29 7512.1000 INSURANCE AND BOND.

30 Subpart 1. Insurance. A fire protection contractor shall
31 have a general liability insurance policy meeting the following
32 requirements:

33 A. The policy must include products and completed
34 operations coverage.

35 B. The limits of insurance coverage of the policy

1 must be at least \$250,000 per person and \$500,000 per occurrence
2 and property damage insurance with limits of at least \$100,000.

3 C. The policy must be conditioned to pay, on behalf
4 of the insured, those amounts that the insured is legally
5 obligated to pay as damages because of bodily injury and
6 property damage caused by an occurrence involving the insured or
7 the insured's servant, officer, agent, or employee in the
8 performance of fire protection-related work.

9 D. The term of the policy must be concurrent with the
10 term of the license.

11 E. The policy must be executed by an insurer
12 authorized to do business in Minnesota and countersigned by an
13 insurance agent licensed in Minnesota.

14 F. The policy must contain a stipulation that the
15 insurance may not be canceled, terminated, or changed in a way
16 so that it no longer meets the requirements of this subpart,
17 except upon 30 days' prior written notice to the commissioner.

18 Subp. 2. Bond. A contractor must have a bond meeting the
19 following requirements:

20 A. The bond must be for the total penal sum of
21 \$30,000 conditioned upon the faithful and lawful performance of
22 all work entered upon within the state.

23 B. The bond must be for the benefit of persons
24 injured or suffering financial loss by reason of failure of
25 performance.

26 C. The term of the bond must be concurrent with the
27 term of the license.

28 D. The bond must be written by a corporate surety
29 licensed to do business in the state, be a cash bond, or be an
30 irrevocable line of credit.

31 E. The bond must contain a stipulation that the bond
32 may not be canceled, terminated, or changed in a way so that it
33 no longer meets the requirements of this subpart, except upon 30
34 days' prior written notice to the commissioner.

35 Subp. 3. Failure to have insurance or bond. Except as
36 provided in subpart 4, a fire protection contractor shall not

1 perform fire protection-related work if the contractor does not
2 have insurance meeting the requirements of subpart 1 and a bond
3 meeting the requirements of subpart 2.

4 Subp. 4. Exceptions to insurance or bond requirements. A
5 fire protection contractor may, without the insurance or bond
6 required by this part, perform fire protection-related work on
7 premises or that part of premises actually occupied by the
8 contractor and owned by the contractor or leased by the
9 contractor for a period of at least one year.

10 7512.1100 PERMIT.

11 Subpart 1. Authority having jurisdiction; permit
12 requirements. In areas of the state where a municipality
13 reviews plans and inspects installations of fire protection
14 systems, the municipality or the office or individual in the
15 municipality responsible for plan review and inspection is the
16 authority having jurisdiction. In all other areas of the state,
17 the commissioner is the authority having jurisdiction for
18 purposes of plan review and inspection. When required by the
19 authority having jurisdiction, a fire protection contractor
20 shall obtain a permit to perform fire protection-related work.

21 Subp. 2. Cost of fire protection system. When applying
22 for a permit, the contractor shall give an estimate of the total
23 cost of the components and labor of the fire protection system
24 to the authority having jurisdiction. If the actual cost of the
25 system is greater than the estimated cost, the contractor shall
26 notify the authority having jurisdiction of this fact at the
27 time of the final acceptance test.

28 Subp. 3. Permit fee. A fee for a permit to perform fire
29 protection-related work may be charged at the discretion of and
30 in an amount determined by the authority having jurisdiction.
31 When the authority having jurisdiction is the commissioner, the
32 contractor shall pay a permit fee to the commissioner. The
33 permit fee must be the actual cost of the labor and components
34 of the fire protection system multiplied by .012. When applying
35 for the permit, the contractor shall pay an estimated fee based

1 on the estimated cost of the system. If the actual cost of the
2 system is greater than the estimated cost, the contractor shall
3 pay any additional fee amount before the final acceptance test.

4 7512.1200 SURCHARGE.

5 Subpart 1. Surcharge fee. A fire protection contractor
6 shall pay a surcharge fee on all fire protection-related work
7 performed by the contractor. The amount of the surcharge fee
8 must be the actual cost of the labor and components of the fire
9 protection system multiplied by .002. The contractor shall pay
10 the surcharge fee to the commissioner.

11 Subp. 2. Fee payment schedule. The contractor shall pay
12 the surcharge fee as follows:

13 A. If a bid is required for the project, the
14 contractor shall pay the surcharge fee before starting the
15 project. The amount of the fee must be based on the amount of
16 the bid. If the actual cost of the fire protection system is
17 greater than the amount of the bid, the contractor shall pay an
18 additional surcharge fee prior to the final acceptance test of
19 the fire protection system. The amount of the fee must be based
20 on the difference between the actual cost of the fire protection
21 system and the amount of the bid.

22 B. If a bid is not required for the project, the
23 contractor shall pay the surcharge fee prior to the final
24 acceptance test of the fire protection system. The amount of
25 the fee must be based on the actual cost of the fire protection
26 system.

27 Subp. 3. Surcharge fee account. A contractor may prepay
28 surcharge fees to the commissioner. The commissioner shall hold
29 any prepaid fees in an account in the contractor's name and
30 shall use the account only for surcharge fees on fire protection
31 systems by the contractor.

32 MANAGING EMPLOYEE

33 7512.1300 MANAGING EMPLOYEE EXAMINATION.

34 Subpart 1. Application for examination. An application
35 for a managing employee examination must be on a form provided

1 or approved by the commissioner and must meet the following
2 requirements:

3 A. The application must contain the name, address,
4 telephone number, date of birth, and driver's license number of
5 the applicant. If the applicant does not have a driver's
6 license, the application must contain the identification card
7 number. If the applicant's driver's license or identification
8 card was issued by another state or country, the application
9 must list the name of the state or country.

10 B. The application must contain a history of fire
11 protection contractor licensure or managing employee
12 certification of the applicant. The history must be of each
13 fire protection contractor license or managing employee
14 certificate applied for or issued by Minnesota or by another
15 jurisdiction and must include the issuance and expiration dates
16 of the license or certificate. If the jurisdiction refused to
17 issue, revoked, or suspended a license or certificate, the
18 history must give the date and the reason.

19 C. The application must be accompanied by
20 documentation that the applicant meets the qualifications to
21 take the managing employee examination, as set out in subpart 2.

22 D. The application must be accompanied by a completed
23 tax information form required by the commissioner of revenue
24 under Minnesota Statutes, section 270.72.

25 E. The application must contain or be accompanied by
26 other information requested by the commissioner as necessary to
27 determine whether the applicant meets the requirements of parts
28 7512.1300 to 7512.1600 for a managing employee.

29 F. The applicant shall sign the application,
30 verifying that the information in the application is true.

31 Subp. 2. Qualifications for examination. A person may
32 take the managing employee examination if the person submits a
33 completed application for examination and if the person meets
34 one of the following qualifications:

35 A. The person has 10,000 hours of experience in
36 designing, installing, modifying, or inspecting fire protection

1 systems.

2 B. The person holds a Level III or IV certification
3 by the National Institute for Certification in Engineering
4 Technologies, in the field of fire protection, and in the
5 subfield of automatic sprinkler system layout.

6 C. The person is licensed as a professional engineer
7 under Minnesota Statutes, section 326.03, and is competent in
8 fire protection system design.

9 7512.1400 MANAGING EMPLOYEE CERTIFICATE.

10 Subpart 1. Issuing certificate. The commissioner shall
11 issue a managing employee certificate and card to a person who
12 is designated as a managing employee by a fire protection
13 contractor, unless there is a reason to refuse to issue. The
14 commissioner shall refuse to issue for any of the following
15 reasons:

16 A. The person has not passed the managing employee
17 examination and the person is not exempt under part 7512.0300
18 from the requirement to pass the examination.

19 B. The person has not met all continuing education
20 requirements since passing the managing employee examination.

21 C. The person is not employed by the contractor.

22 D. The person is currently a managing employee for
23 another contractor.

24 E. The person is currently under revocation or
25 suspension as a fire protection contractor or managing employee.

26 F. The commissioner of revenue notifies the
27 commissioner of public safety under Minnesota Statutes, section
28 270.72, that the person owes the state delinquent taxes,
29 penalties, or interest.

30 G. The person does not meet the requirements for a
31 managing employee set out in parts 7512.1300 to 7512.1600.

32 Subp. 2. List of qualified managing employee candidates.
33 The commissioner shall maintain a list of persons who pass the
34 managing employee examination, but who are not designated as a
35 managing employee by a fire protection contractor. To remain on

1 the list, a person shall fulfill continuing education
2 requirements as they occur.

3 7512.1500 MANAGING EMPLOYEE CERTIFICATE RENEWAL.

4 Subpart 1. Certificate expiration date. A managing
5 employee certificate expires at midnight on June 30 of each
6 year. A certificate is valid upon renewal until the following
7 June 30.

8 Subp. 2. Renewal application. A renewal application for a
9 managing employee certificate must be on a form provided or
10 approved by the commissioner and must contain the following
11 information:

12 A. The application must contain the managing
13 employee's name and managing employee number.

14 B. The application must list any changes to the
15 managing employee's address, telephone number, and driver's
16 license number.

17 C. The application must be accompanied by
18 documentation showing that the managing employee has met the
19 continuing education requirements of subpart 5.

20 D. The application must be accompanied by a
21 certificate renewal fee of \$75. If the application is submitted
22 on or after June 1, the application must also be accompanied by
23 a late fee of \$50.

24 E. The application must contain or be accompanied by
25 other information requested by the commissioner as necessary to
26 determine whether the applicant meets the requirements of parts
27 7512.1300 to 7512.1600 for a managing employee.

28 F. The applicant shall sign the application,
29 verifying that the information on the application is true.

30 Subp. 3. Reasons to refuse renewal. To renew a managing
31 employee certificate, the managing employee shall submit a
32 completed certificate renewal application to the commissioner.
33 The commissioner shall accept a renewal application any time on
34 or before June 30. A person shall not perform fire
35 protection-related work after the certificate expires and before

1 a renewal certificate is issued. The commissioner shall renew
2 the certificate, unless there is a reason to refuse to renew.
3 The commissioner shall refuse to renew for any of the following
4 reasons:

5 A. The application does not meet the requirements of
6 subpart 2.

7 B. The applicant has not met the continuing education
8 requirements of subpart 5.

9 C. The applicant obtained an initial certificate
10 without passing an examination and the examination exemption
11 period has expired without the applicant having passed the
12 examination.

13 D. The applicant is currently under revocation or
14 suspension.

15 E. The commissioner of revenue notifies the
16 commissioner of public safety under Minnesota Statutes, section
17 270.72, that the applicant owes the state delinquent taxes,
18 penalties, or interest.

19 Subp. 4. Application after lapse. Within one year after a
20 managing employee certificate has expired, a former managing
21 employee may obtain another certificate by following the renewal
22 procedures of this part. A managing employee whose certificate
23 has been expired for more than one year shall comply with all
24 requirements and procedures of parts 7512.1300 and 7512.1400 in
25 order to obtain another certificate. A person may not perform
26 fire protection-related work after the expiration of a
27 certificate and before another certificate is issued.

28 Subp. 5. Continuing education. During each licensing
29 year, a managing employee shall attend ten hours of continuing
30 education courses on the performance of fire protection-related
31 work and on laws and rules governing the performance of fire
32 protection-related work.

33 7512.1600 CARD REQUIREMENT.

34 A managing employee shall carry the managing employee card
35 and a picture identification while working as a managing

1 employee. The managing employee shall make both the managing
2 employee card and the picture identification available upon
3 request by the commissioner or an authority having
4 jurisdiction. The managing employee card is not transferable.

5 JOURNEYMAN SPRINKLER FITTER

6 7512.1700 JOURNEYMAN SPRINKLER FITTER EXAMINATION.

7 Subpart 1. Application for examination. An application
8 for a journeyman sprinkler fitter examination must be on a form
9 provided or approved by the commissioner and must meet the
10 following requirements:

11 A. The application must contain the name, address,
12 telephone number, date of birth, and driver's license number of
13 the applicant. If the applicant does not have a driver's
14 license, the application must contain the identification card
15 number. If the applicant's driver's license or identification
16 card was issued by another state or country, the application
17 must list the name of the state or country.

18 B. The application must be accompanied by
19 documentation that the applicant meets the qualifications to
20 take the journeyman examination, as set forth in subpart 2.

21 C. The applicant shall sign the application,
22 verifying that the information in the application is true.

23 Subp. 2. Qualifications for examination. A person may
24 take the journeyman examination if the person submits a
25 completed application for examination and if the person meets
26 one of the following qualifications:

27 A. The person has 8,000 hours of experience in
28 performing fire protection-related work.

29 B. The person has completed a sprinkler fitter
30 program where the person was regularly engaged in learning the
31 trade under the direct supervision of a licensed fire protection
32 contractor or journeyman sprinkler fitter, while registered with
33 a state or federal approval agency.

34 7512.1800 JOURNEYMAN SPRINKLER FITTER CERTIFICATE.

35 Subpart 1. Certificate required. A journeyman sprinkler

1 fitter shall obtain a journeyman sprinkler fitter certificate
2 before performing fire protection-related work.

3 Subp. 2. Application for certificate. An initial
4 application for a journeyman sprinkler fitter certificate must
5 be on a form provided or approved by the commissioner and must
6 meet the following requirements:

7 A. The application must contain the full name,
8 address, telephone number, date of birth, and driver's license
9 number of the applicant. If the applicant does not have a
10 driver's license, the application must contain the
11 identification card number. If the applicant's driver's license
12 or identification card was issued by another state or country,
13 the application must list the name of the state or country.

14 B. The application must contain a history of
15 journeyman sprinkler fitter certification of the applicant. The
16 history must be of each journeyman sprinkler fitter certificate
17 applied for or issued by Minnesota or by another jurisdiction
18 and must include the issuance and expiration dates of the
19 certificate. If the jurisdiction refused to issue, revoked, or
20 suspended a certificate, the history must give the date and the
21 reason.

22 C. The application must be accompanied by
23 documentation that the applicant passed the journeyman sprinkler
24 fitter examination or that the applicant is exempt from
25 examination under part 7512.0300.

26 D. The application must be accompanied by a completed
27 tax information form required by the commissioner of revenue
28 under Minnesota Statutes, section 270.72.

29 E. The application must be accompanied by a
30 certificate fee of \$75.

31 F. The application must contain or be accompanied by
32 other information requested by the commissioner as necessary to
33 determine whether the applicant meets the requirements for a
34 journeyman of parts 7512.1700 to 7512.2000 and Minnesota
35 Statutes, chapter 299M.

36 G. The applicant shall sign the application,

1 verifying that the information in the application is true.

2 Subp. 3. Issuing certificate. Except as provided in
3 subparts 4 and 5, the commissioner shall use the provisions of
4 this subpart to determine whether to issue a journeyman
5 sprinkler fitter certificate and card. The commissioner shall
6 issue a journeyman certificate and card to an applicant, unless
7 there is a reason to refuse to issue. The commissioner shall
8 refuse to issue for the following reasons:

9 A. The application or items filed with the
10 application do not meet the requirements of subpart 2.

11 B. The applicant has not passed the journeyman
12 sprinkler fitter examination and the applicant is not exempt
13 under part 7512.0300 from the requirement to pass the
14 examination.

15 C. The applicant is currently under revocation or
16 suspension.

17 D. The commissioner of revenue notifies the
18 commissioner of public safety under Minnesota Statutes, section
19 270.72, that the applicant owes the state delinquent taxes,
20 penalties, or interest.

21 E. The applicant does not meet the requirements for a
22 journeyman set out in parts 7512.1700 to 7512.2000 and Minnesota
23 Statutes, chapter 299M.

24 Subp. 4. Limited certificate. The commissioner shall
25 issue a limited journeyman sprinkler fitter certificate and card
26 to an applicant who is certified as competent to perform fire
27 protection-related work by a licensed fire protection contractor
28 who is the applicant's employer. To obtain a limited journeyman
29 certificate, the applicant shall submit to the commissioner an
30 application for a journeyman certificate. In addition to the
31 information and items required by subpart 2, the application
32 must contain the employer's certification that the applicant is
33 competent to perform fire protection-related work, the types of
34 fire protection-related work that the applicant is competent to
35 perform, and documentation of the applicant's training and
36 experience showing that the applicant is competent to perform

1 the listed types of fire protection-related work. The
2 application does not need to contain documentation that the
3 applicant has passed the journeyman examination. A journeyman
4 with a limited certificate is limited to working on premises or
5 that part of premises actually occupied by the journeyman's
6 employer and owned by the employer or leased by the employer for
7 a period of at least one year. A journeyman with a limited
8 certificate is limited to working in areas of competence, as
9 certified and documented by the journeyman's employer. A
10 journeyman with a limited certificate may not perform fire
11 protection-related work unless the journeyman is under the
12 supervision of the employer's managing employee. The
13 commissioner shall indicate the work limitations on the
14 journeyman certificate and card.

15 Subp. 5. Conditional certificate. The commissioner shall
16 issue a conditional journeyman sprinkler fitter certificate and
17 card to an applicant who meets all the qualifications to take
18 the journeyman sprinkler fitter examination, but who has not yet
19 passed the examination. To obtain a conditional journeyman
20 certificate, an applicant shall submit to the commissioner an
21 application for a journeyman certificate and an application to
22 take the journeyman examination. A journeyman with a
23 conditional certificate may not perform fire protection-related
24 work unless the journeyman is under the direct supervision of a
25 journeyman who holds an unconditional and unlimited
26 certificate. The commissioner shall indicate the condition on
27 the journeyman certificate and card. A journeyman with a
28 conditional certificate may work under the conditional
29 certificate for a maximum period of six months, after which the
30 person shall either pass the journeyman examination or
31 discontinue performing fire protection-related work. A person
32 who has obtained a conditional certificate may not obtain
33 another conditional certificate for at least three years after
34 the previous conditional certificate was issued.

35 7512.1900 JOURNEYMAN SPRINKLER FITTER CERTIFICATE RENEWAL.

1 Subpart 1. Certificate expiration date. A journeyman
2 sprinkler fitter certificate expires at midnight on June 30 of
3 each year. A certificate is valid upon renewal until the
4 following June 30.

5 Subp. 2. Renewal application. A renewal application for a
6 journeyman certificate must be on a form provided or approved by
7 the commissioner and must contain the following information:

8 A. The application must contain the journeyman's name
9 and journeyman number.

10 B. The application must list any changes to the
11 journeyman's address, telephone number, and driver's license
12 number.

13 C. The application must be accompanied by
14 documentation showing that the journeyman has met the continuing
15 education requirements of subpart 5.

16 D. The application must be accompanied by a
17 certificate renewal fee of \$75. If the application is submitted
18 on or after June 1, the application must also be accompanied by
19 a late fee of \$50.

20 E. The application must contain or be accompanied by
21 other information requested by the commissioner as necessary to
22 determine whether the applicant meets the requirements for a
23 journeyman of parts 7512.1700 to 7512.2000 and Minnesota
24 Statutes, chapter 299M.

25 F. The applicant shall sign the application,
26 verifying that the information on the application is true.

27 Subp. 3. Reasons to refuse renewal. To renew a journeyman
28 certificate, the journeyman shall submit a completed certificate
29 renewal application to the commissioner. The commissioner shall
30 accept a renewal application at any time on or before June 30.
31 A person may not perform fire protection-related work after the
32 certificate expires and before a renewal certificate is issued.
33 The commissioner shall renew the certificate, unless there is a
34 reason to refuse to renew. The commissioner shall refuse to
35 renew for any of the following reasons:

36 A. The application does not meet the requirements of

1 subpart 2.

2 B. The applicant has not met the continuing education
3 requirements of subpart 5.

4 C. The applicant obtained an initial certificate
5 without passing an examination and the examination exemption
6 period has expired without the applicant having passed the
7 examination.

8 D. The applicant is currently under revocation or
9 suspension.

10 E. The commissioner of revenue notifies the
11 commissioner of public safety under Minnesota Statutes, section
12 270.72, that the applicant owes the state delinquent taxes,
13 penalties, or interest.

14 Subp. 4. Application after lapse. Within one year after a
15 journeyman certificate has expired, a former journeyman may
16 obtain another certificate by following the renewal procedures
17 of this part. A journeyman whose certificate has been expired
18 for more than one year shall comply with all requirements and
19 procedures of parts 7512.1700 and 7512.1800 in order to obtain
20 another certificate. A person may not perform fire
21 protection-related work after the expiration of a certificate
22 and before another certificate is issued.

23 Subp. 5. Continuing education. During each licensing
24 year, a journeyman shall attend ten hours of continuing
25 education courses on the performance of fire protection-related
26 work and on laws and rules governing the performance of fire
27 protection-related work.

28 7512.2000 JOURNEYMAN WORK REQUIREMENTS.

29 Subpart 1. Competence. A journeyman sprinkler fitter must
30 be competent to perform fire protection-related work.

31 Subp. 2. Card. A journeyman sprinkler fitter shall carry
32 the journeyman sprinkler fitter card and a picture
33 identification while working as a journeyman. The journeyman
34 shall make both the journeyman card and the picture
35 identification available upon request by the commissioner or an

1 authority having jurisdiction. The journeyman card is not
2 transferable.

3 APPRENTICE SPRINKLER FITTER

4 7512.2100 APPRENTICE SPRINKLER FITTER REGISTRATION.

5 Subpart 1. Registration required. An apprentice sprinkler
6 fitter shall register with the commissioner before performing
7 fire protection-related work.

8 Subp. 2. Application for registration. An initial
9 application for an apprentice sprinkler fitter registration must
10 be on a form provided or approved by the commissioner and must
11 meet the following requirements:

12 A. The application must contain the full name,
13 address, telephone number, date of birth, and driver's license
14 number of the applicant. If the applicant does not have a
15 driver's license, the application must contain the
16 identification card number. If the applicant's driver's license
17 or identification card was issued by another state or country,
18 the application must list the name of the state or country.

19 B. The application must be accompanied by
20 documentation that the applicant is in a sprinkler fitter
21 program where the applicant is regularly engaged in learning the
22 trade under the direct supervision of a licensed fire protection
23 contractor or journeyman sprinkler fitter.

24 C. The application must be accompanied by
25 documentation that the applicant is registered with a state or
26 federal approval agency.

27 D. The application must be accompanied by a completed
28 tax information form required by the commissioner of revenue
29 under Minnesota Statutes, section 270.72.

30 E. The application must be accompanied by a
31 registration fee of \$15.

32 F. The application must contain or be accompanied by
33 other information requested by the commissioner as necessary to
34 determine whether the applicant meets the requirements for an
35 apprentice of parts 7512.2100 to 7512.2300 and Minnesota

1 Statutes, chapter 299M.

2 G. The applicant shall sign the application,
3 verifying that the information in the application is true.

4 Subp. 3. Issuing registration. The commissioner shall
5 issue an apprentice sprinkler fitter registration and card to an
6 applicant, unless there is a reason to refuse to issue. The
7 commissioner shall refuse to issue for the following reasons:

8 A. The application or items filed with the
9 application do not meet the requirements of subpart 2.

10 B. The applicant is not regularly engaged in learning
11 the trade under the direct supervision of a licensed fire
12 protection contractor or journeyman sprinkler fitter.

13 C. The applicant is not registered with a state or
14 federal approval agency.

15 D. The applicant is currently under revocation or
16 suspension.

17 E. The commissioner of revenue notifies the
18 commissioner of public safety under Minnesota Statutes, section
19 270.72, that the applicant owes the state delinquent taxes,
20 penalties, or interest.

21 F. The applicant does not meet the requirements for
22 an apprentice set forth in parts 7512.2100 to 7512.2300 and
23 Minnesota Statutes, chapter 299M.

24 7512.2200 REGISTRATION RENEWAL.

25 Subpart 1. Registration expiration date. An apprentice
26 sprinkler fitter registration expires at midnight on June 30 of
27 each year. A registration is valid upon renewal until the
28 following June 30.

29 Subp. 2. Renewal application. A renewal application for
30 an apprentice registration must be on a form provided or
31 approved by the commissioner and must contain the following
32 information:

33 A. The application must contain the apprentice's name
34 and apprentice number.

35 B. The application must list any changes to the

1 apprentice's address, telephone number, and driver's license
2 number.

3 C. The application must be accompanied by
4 documentation of progress in the apprentice's sprinkler fitter
5 program.

6 D. The application must be accompanied by a
7 registration renewal fee of \$15. If the application is
8 submitted on or after June 1, the application must also be
9 accompanied by a late fee of \$15.

10 E. The application must contain or be accompanied by
11 other information requested by the commissioner as necessary to
12 determine whether the applicant meets the requirements for an
13 apprentice of parts 7512.2100 to 7512.2300 and Minnesota
14 Statutes, chapter 299M.

15 F. The applicant shall sign the application,
16 verifying that the information on the application is true.

17 Subp. 3. Reasons to refuse renewal. To renew an
18 apprentice registration, the apprentice shall submit a completed
19 registration renewal application to the commissioner. The
20 commissioner shall accept a renewal application at any time on
21 or before June 30. A person may not perform fire
22 protection-related work after the registration expires and
23 before a renewal registration is issued. The commissioner shall
24 renew the registration, unless there is a reason to refuse to
25 renew. The commissioner shall refuse to renew for any of the
26 following reasons:

27 A. The application does not meet the requirements of
28 subpart 2.

29 B. The applicant fails to make satisfactory progress
30 in the applicant's sprinkler fitter program.

31 C. The applicant is currently under revocation or
32 suspension.

33 D. The commissioner of revenue notifies the
34 commissioner of public safety under Minnesota Statutes, section
35 270.72, that the applicant owes the state delinquent taxes,
36 penalties, or interest.

1 Subp. 4. Application after lapse. Within one year after
2 an apprentice registration has expired, a former apprentice may
3 obtain another registration by following the renewal procedures
4 of this part. An apprentice whose registration has been expired
5 for more than one year shall comply with all requirements and
6 procedures of part 7512.2100 in order to obtain another
7 registration. A person may not perform fire protection-related
8 work after the registration expires and before another
9 registration is issued.

10 7512.2300 APPRENTICE WORK REQUIREMENTS.

11 Subpart 1. Active in approved program. An apprentice
12 shall annually make satisfactory progress in the apprentice's
13 sprinkler fitter program.

14 Subp. 2. Card. An apprentice sprinkler fitter shall carry
15 an apprentice sprinkler fitter card and a picture identification
16 while working as an apprentice. An apprentice shall make both
17 the apprentice card and the picture identification available
18 upon request by the commissioner or an authority having
19 jurisdiction. The apprentice card is not transferable.

20 EXAMINATIONS

21 7512.2400 EXAMINATIONS.

22 Subpart 1. Examination specifications. An examination
23 must test for knowledge of the statutes and rules regulating the
24 managing employee or journeyman and for the knowledge and
25 ability to perform fire protection-related work in a competent,
26 lawful, and safe manner.

27 Subp. 2. Examination administration. The commissioner
28 shall develop and administer the examination. The commissioner
29 may contract with a professional examination service to develop
30 and administer the examination.

31 Subp. 3. Examination application. A completed examination
32 application must include a nonrefundable examination fee.

33 Subp. 4. Retesting. An examinee who fails an examination
34 one time may not repeat the examination for 60 days from the
35 date of the failed examination. An examinee who fails the

1 examination more than once may not repeat the examination for
2 180 days from the date of the failed examination.

3 REVOCATION AND SUSPENSION

4 7512.2500 ACTS ATTRIBUTED TO CONTRACTOR.

5 The commissioner shall revoke or suspend the fire
6 protection contractor license of a partnership, corporation, or
7 limited liability company if an owner, officer, board member, or
8 managing employee acts or fails to act as would be cause to
9 revoke or suspend the license of that person as an individual.

10 A contractor is responsible for an act of a person while
11 that person is acting as an employee of the contractor, if the
12 contractor authorizes or ratifies the act or if the contractor
13 retains the benefits of the act after actual knowledge of the
14 act.

15 7512.2600 REVOCATION.

16 Subpart 1. Grounds for revocation. The commissioner shall
17 revoke a contractor license, managing employee certificate,
18 journeyman certificate, or apprentice registration when the
19 person holding the license, certificate, or registration has
20 committed an act or has failed to perform a duty that
21 constitutes grounds for revocation, which include the following:

22 A. The person knowingly or negligently performs fire
23 protection-related work in a manner that would result in an
24 immediate threat to life if a fire were to occur.

25 B. The person commits an act or fails to perform a
26 duty that is grounds for suspension under part 7512.2700 and
27 there are three suspensions on the person's record within the
28 past five years.

29 C. The person submits a fraudulent application.

30 D. The person is convicted of a felony or gross
31 misdemeanor related to the business of fire protection systems.

32 E. The person performs fire protection-related work
33 during a suspension imposed under part 7512.2700.

34 Subp. 2. Additional grounds for contractor license
35 revocation. In addition to those grounds listed in subpart 1,

1 grounds for revocation of a fire protection contractor license
2 include the following:

3 A. The contractor performs fire protection-related
4 work during a period of time when the contractor's insurance or
5 bond fails to meet the requirements of part 7512.1000.

6 B. The certificate of the managing employee of the
7 contractor is revoked.

8 Subp. 3. **Additional grounds for managing employee**
9 **certificate revocation.** In addition to those grounds listed in
10 subpart 1, grounds for revocation of a managing employee
11 certificate include: The license of the contractor of the
12 managing employee is revoked.

13 Subp. 4. **Revocation period and effect.** A contractor
14 license, managing employee certificate, journeyman certificate,
15 or apprentice registration is not valid after it is revoked. A
16 person may not perform fire protection-related work during a
17 revocation. An owner, officer, board member, or managing
18 employee of a revoked contractor may not be an owner, officer,
19 board member, or managing employee of another contractor during
20 a revocation. When a license, certificate, or registration is
21 revoked, the person holding the license, certificate, or
22 registration shall immediately surrender it. The length of
23 revocation is as follows:

24 A. The commissioner shall use this item to determine
25 the length of revocation if the revocation is based solely or in
26 part on a conviction of crime or crimes as defined in Minnesota
27 Statutes, section 364.02, subdivision 5. The revocation lasts
28 until competent evidence is presented to the commissioner that
29 the person convicted has been sufficiently rehabilitated under
30 the criteria of Minnesota Statutes, section 364.03, subdivision
31 3.

32 B. If the length of revocation is not determined
33 under item A, the length of revocation is one year.

34 7512.2700 SUSPENSION.

35 Subpart 1. **Grounds for suspension.** The commissioner shall

1 suspend a contractor license, managing employee certificate,
2 journeyman certificate, or apprentice registration when the
3 person holding the license, certificate, or registration has
4 committed an act or has failed to perform a duty that
5 constitutes grounds for suspension. Grounds for suspension
6 include the following:

7 A. The person willfully violates a provision of this
8 chapter or Minnesota Statutes, chapter 299M, that is not
9 specifically set out in part 7512.2600.

10 B. The person willfully violates or refuses to comply
11 with a lawful request or order of the commissioner.

12 C. The person is convicted of a misdemeanor related
13 to the business of fire protection systems.

14 Subp. 2. Additional grounds for contractor license
15 suspension. In addition to those grounds listed in subpart 1,
16 grounds for suspension of a fire protection contractor license
17 include the following:

18 A. The certificate of the managing employee of the
19 contractor is suspended.

20 B. The contractor adds an owner, officer, board
21 member, or managing employee who would be ineligible to hold a
22 contractor license as an individual. This provision does not
23 constitute grounds for suspension if the contractor acted
24 without knowledge of the person's ineligibility and if the
25 contractor removes the person before the date scheduled for the
26 hearing on the suspension.

27 C. The contractor fails to pay the commissioner a
28 surcharge fee due from the contractor within ten days after the
29 notice that a surcharge fee is required to be paid.

30 Subp. 3. Additional grounds for managing employee
31 certificate suspension. In addition to those grounds listed in
32 subpart 1, grounds for suspension of a managing employee
33 certificate include: The license of the contractor of the
34 managing employee is suspended.

35 Subp. 4. Description of willfully. For purposes of this
36 part, the term "willfully":

1 A. describes an intentional act or omission by a
2 person when the person knows or should reasonably know that the
3 act or omission violates a law, rule, request, or order and the
4 person is able to comply with the law, rule, request, or order;
5 and

6 B. also describes an act or omission by a person,
7 whether intentional or unintentional, when:

8 (1) the person uses a business or construction
9 practice that makes it likely that the act or omission will
10 occur;

11 (2) the commissioner has given written notice to
12 the person within the past three years that the person's
13 license, certificate, or registration may be suspended or
14 revoked if the business or construction practice is not
15 corrected;

16 (3) the person has failed to correct the business
17 or construction practice within a reasonable time after
18 receiving the notice; and

19 (4) the person's failure to correct the business
20 or construction practice is a significant factor in causing the
21 act or omission.

22 Subp. 5. Suspension period and effect. A contractor
23 license, managing employee certificate, journeyman certificate,
24 or apprentice registration is not valid during a suspension. A
25 person may not perform fire protection-related work during a
26 suspension. When a license, certificate, or registration is
27 suspended, the person holding the license, certificate, or
28 registration shall immediately surrender it. After a suspension
29 period ends, the commissioner shall return the license,
30 certificate, or registration. A suspension period ends after
31 the last day of the period regardless of whether this day falls
32 on a Saturday, Sunday, or legal holiday. The suspension period
33 is as follows:

34 A. The suspension period is seven days, if there are
35 no suspensions on the person's record within the past five
36 years. This suspension period may be shortened if there are

1 mitigating circumstances that indicate a shorter suspension
2 period is appropriate. The suspension period must be at least
3 three days.

4 B. The suspension period is 14 days, if there is one
5 suspension on the person's record within the past five years.
6 This suspension period may be shortened if there are mitigating
7 circumstances that indicate a shorter suspension period is
8 appropriate. The suspension period must be at least seven days.

9 C. The suspension period is 28 days, if there are two
10 suspensions on the person's record within the past five years.
11 This suspension period may be shortened if there are mitigating
12 circumstances that indicate a shorter suspension period is
13 appropriate. The suspension period must be at least 14 days.

14 D. When a suspension period is shortened based on
15 mitigating circumstances, the commissioner shall in writing
16 identify the mitigating circumstances and give the reasons for
17 shortening the suspension period.

18 E. The suspension of a contractor, in addition to
19 being on the record of the suspended contractor, is also on the
20 record of another contractor if an owner, officer, board member,
21 or managing employee of the other contractor was an owner,
22 officer, board member, or managing employee of the suspended
23 contractor at the time of the acts leading to the suspension.

24 F. When a suspension is imposed for a continuing
25 violation, the suspension must last until the suspension period
26 determined under items A to E expires or until the violation is
27 corrected, whichever is later.

28 Subp. 6. Hearing. A person against whom the commissioner
29 takes disciplinary action is entitled to a hearing pursuant to
30 Minnesota Statutes before disciplinary action is imposed. A
31 person aggrieved by the commissioner's action may request a
32 hearing before the commissioner. Minnesota Statutes, sections
33 14.57 to 14.69, apply to the hearing and to any subsequent
34 proceedings.

35 MUNICIPAL PERMIT PROGRAMS

1 7512.2800 MUNICIPAL PERMIT PROGRAM.

2 Subpart 1. Permits required by ordinance. A municipality,
3 through local ordinance, may require a permit to perform fire
4 protection-related work. The municipality shall submit to the
5 commissioner a copy of ordinances pertaining to fire protection
6 system permits. For ordinances adopted before June 1, 1994, a
7 copy must be submitted by July 1, 1994. For ordinances adopted
8 on or after June 1, 1994, a copy must be submitted within 30
9 days of the date of adoption of the ordinance. The submittal
10 must include documentation of training for the persons who will
11 conduct the plan reviews and inspections.

12 Subp. 2. Plan review and inspection program. When a
13 municipality issues a permit, the municipality shall provide a
14 competent plan review conducted by a person trained in fire
15 protection system plan review. The municipality shall also
16 provide a competent inspection conducted by a person trained in
17 fire protection system inspection. The municipality shall
18 document the permit program and make it available to the
19 commissioner for review.

20 Subp. 3. Municipal reporting. At least once a year, a
21 municipality issuing permits shall submit a report to the
22 commissioner indicating all permits that have been issued by the
23 municipality for fire protection systems. This report must
24 include the name, address, type of fire protection system
25 installed, contractor license number, and occupancy type of the
26 structure for which the permit was issued.