
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF FIRE SAFETY
MEMORANDUM

TO: Fire Protection Contractors, Certificate Holders, and Fire Officials

FROM: **Chris Michallis**
Contractor Certification and Emblems Unit

DATE: January, 2007

SUBJECT: Overview of the Fire Protection Contractor Certification Program

This memo is designed to assist all interested parties in understanding the various aspects of the Fire Protection Equipment Contractor Certification Regulations. The memo is not a substitute for the statute or the regulations (NJAC 5:74).

Effective July 1, 2003 no contractor can engage in any fire protection installation, repair, maintenance, or testing of fire protection equipment without a business permit issued by the Division of Fire Safety in the Department of Community Affairs. In order to obtain a business permit a company must have at least one certified person for each fire protection field to oversee all work in that trade. An exception is for emergency work which is defined as: work done to stabilize an unexpected situation thereby reducing damage to property or protecting life safety.

Individual certifications as defined at NJAC 5:74-2.2 include:

- **All Fire protection (Includes everything listed below)**
- **Fire Sprinkler Systems**
 - Licensed plumbers are not exempt**
 - Limited sprinklers systems are not exempt**
- **Special Hazard**
- **Fire Alarm**

Exception: A New Jersey licensed electrical contractor or anyone licensed by the Division of Consumer Affairs in the Department of Law

and Public Safety as a Fire Alarm Contractor is exempt from the licensing requirements. All individuals licensed by the Division of Consumer Affairs have been issued a photo ID which they must present upon request. Any issues or questions for the Division of Consumer Affairs should be addressed to 973-504-6245.

- **Portable Fire Extinguishers**
- **Kitchen Fire Suppression**

The permit issued by this office is not a substitute for a construction permit issued in accordance with the NJ Uniform Construction Code. The installation or expansion of a fire protection system requires a permit issued through the local building department. Construction Offices should verify that the application for a building permit includes the Division of Fire Safety issued Business Permit. To verify if a business has a permit visit the Division of Fire Safety's website at <http://www.nj.gov/dca/divisions/dfs> or call 609-984-7860.

Division of Fire Safety permits are based on either NAFED (National Association of Fire Equipment Distributors) or NICET (National Institute for Certification in Engineering Technologies).

Permits and certifications issued by Division of Fire Safety are valid for a three year period. All individuals must recertify with NICET or NAFED depending on certification before renewing with the Division of Fire Safety. All certificate holders, including those initially "grandfathered" must meet the recertification requirement. Information on recertification is found on their respective websites: www.nicet.org or www.nafed.org.

These regulations do not apply to owners of one and two-family dwellings if they are performing the work and actually reside in the dwelling.

The following are some of the general requirements for permit / certificate holders:

- Maintain a 24-hour emergency service telephone number. (Except portable fire extinguisher permit holders)
- Respond to calls for assistance within 1 hour where reasonable
- Mark *all* vehicles used for business with business name, permit number, and 24-hour telephone number. Permit Numbers are required to be a minimum of 1" in height, a contrasting color to the vehicle, and must utilize the following scheme: **NJ DFS followed by the permit number assigned to the company (example P00123)**
- Provide a one-year warranty on all work.
- Display permit in principal work place
- Provide \$1,000,000 liability insurance coverage

- Act in an ethical, competent, manor
- Shall not engage in fraud, deception, misrepresentation
- Employ a certified individual in each trade they have a permit for to oversee and be responsible for all work. This person is called the “qualifier”. The qualifier must be an employee of the Permit Holder. Subcontractors are not permitted.
- Contractors / Certificate holders are to be competent
- Perform work only within scope of contractor’s certification
- Advertise and act in a non-fraudulent manor
- Use standard forms, tags approved by the Division of Fire Safety
- Keep up to date records with Contractor’s Certification and Emblems Unit

In House Employees

Amendments to the regulations were adopted on January 17, 2006 addressing “In-House” Employees. Monthly maintenance inspections may be performed by a non-certified employee. This employee must be trained to perform the duties he or she is providing. Written procedures must be in place and the training provided to the employee must be documented in writing.

Inspections and maintenance required by the fire code to be performed on a quarterly basis must be done by, or overseen by an employee who is properly certified by the Division of Fire Safety.

Annual inspections as required by the fire code must be performed by a company with a valid New Jersey Division of Fire Safety Contractor Permit.

Installation, renovation, replacement, repair, etc., other than of an emergency nature, must be performed by a company with a valid New Jersey Division of Fire Safety Contractor Permit. This level of work normally would require a Construction Permit.

It is important to realize that today’s maintenance codes for fire protection equipment require, in many cases daily, weekly, quarterly and annual inspections and maintenance of the systems. These changes would permit the bulk of this work to be done by in house employees as described above.

Enforcement

Enforcement of the Fire Protection Equipment Contractors regulations is the sole responsibility of the Division of Fire Safety. Violations must be reported to the Contractor’s Certification Unit at 609-984-7860 and followed up with a written complaint on the complainants official letterhead.

Local code enforcement agencies cannot accept maintenance reports from non-permitted contractors to abate violations. All non-permitted contractors are to be reported as described above.

The Uniform Construction Code has been amended to require a valid Division of Fire Safety permit of certification on all work covered by these regulations.

Arbitration, Review by Division of Fire Safety

In the event of a dispute between a contractor and customer of that contractor, the Division of Fire Safety will serve as the Arbiter. If the dispute involves work on suppression systems, the Commissioner of Community Affairs has the statutory authority to order the contractor to restore the system while the dispute is in process.

Fees

Business Permit	\$250
Certification	\$75
Business Permit Renewal	\$250
Certification Renewal	\$250
Late Fee: Business Permit	\$500
Late Fee: Certification each certification	\$150
Duplicate Fee: Business Permit	\$25
Duplicate Fee: Certification	\$25
Amended Business Permit Fee:	
Change of owner, qualifier, company name, location, etc.	\$50
Amended Certification Fee:	\$25

Questions should be directed to 609-984-7860 or Faxed to 609-341-3469.