



## Fire Equipment Distributor Rules 2023 Fact Sheet

The Office of the State Fire Marshal (OSFM) is proposing changes to the Fire Equipment Distributor Rules ([41 Ill. Adm. Code 251](#); [41 Ill. Adm. Code 280](#)) that may affect fire equipment distributors and fire equipment employees.

### What changes can Fire Equipment Distributors and Employees expect to see because of this rulemaking?

Proposed rules will merge all rules components affecting fire equipment distributors and fire equipment employees currently contained in [41 Ill. Adm. Code 251](#) and [41 Ill. Adm. Code 280](#) into one. The proposed rules include changes to licensing and fees.

In line with changes from [Public Act 102-0715](#), the rules include:

- Triennial (rather than annual) licensing. This will reduce the administrative burden on both the industry and OSFM.
- Increased license fees established by rule. As OSFM moves to a three-year license cycle and recognizes increased costs for program management since fees were last updated (in 1990), increased license fees are needed to support the program.
- Updated licensing requirements, such as revisions to required proof during application for a license and revisions to allowed certifications for licensing as a fire equipment employee.
- Requirement for a licensee to maintain the conditions of licensure throughout the license period or be automatically suspended. A licensee is responsible to provide OSFM with updated documents before the existing item expires.
  - Examples include evidence of good standing with the Illinois Secretary of State, evidence of insurance, and evidence of certification by NAFED.
- For more information on the changes in the statute that are reflected in the rules, see the [Update on P.A. 102-0715](#).

The proposed rules also:

- Require applicants to disclose licenses held in other jurisdictions, whether an applicant has been subject to disciplinary action, and for OSFM to consider an applicant's prior history during assessment for licensing. This is anticipated to impact only applicants with a significant history of violations or discipline.
- Revise requirements for a fire equipment distributor to notify the OSFM of changes or apply for a new license under certain circumstances.
- Specify that when a distributor is issued a new license (not a renewal, but a new license), new fire equipment employee licenses are required for all fire equipment employees.
- Specify that when a distributor no longer has a fire equipment employee for a class of license, the associated class of distributor license is suspended.
- Include requirements for photos of fire equipment employees.

## Citations and Enforcement

**New rules language allows OSFM to issue citations and related fines for violations of the Act or rules.**

- Violations are separated into three categories: Technical, Administrative, and Safety.
  - Technical Violations are violations of tagging and labeling requirements and may result in a civil fine up to \$100 per violation.
  - Administrative Violations are violations of licensee obligations and procedures and may result in a civil fine up to \$500 per violation.
  - Safety Violations are violations of standards of practice or conditions of licensure which pose a potential for danger to the public. Safety Violations may result in a civil fine up to \$1,000 per violation.
- A licensee may accept and pay fines from a citation or may appeal the citation through an administrative hearing with OSFM. Details for appeals, hearings for citations, and hearings on licensing action are included and updated in the proposed rules.

## Clarifications and Other Changes

**The proposed rulemaking includes other items that:**

- Make clear requirements for registration of a trainee. Clarify that tagging can only be performed by a licensed employee and not a trainee.
- Clarify the format, coloring, and placement of certification tags. Require inclusion of the printed name (rather than signature) of the fire equipment employee on certification tags.
- Clarify that pressured extinguishers that have undergone maintenance and an internal examination shall have a service collar around the neck of the cylinder.
- Documentation – Require all service documents given to the customer or local AHJ or OSFM to include the name and license number for both the distributor and the employee providing service.
- Subcontracting – Clarify that subcontractors shall tag and label fire equipment using their own fire equipment distributor and fire equipment employee license numbers.
- Provide that any hydrostatic testing must be performed by a company/individual that has a current Requalifier Identification Number (RIN). The proposed rules recognize that hydrostatic testing may be performed by someone without a distributor license if the company/individual has a current Requalifier Identification Number (RIN) and performs no other service on fire equipment.
- Make other non-substantive changes to clarify which classes of fire equipment distributors are connected to which classes of fire equipment employees and what kinds of work they can perform.

## Contact Us

OSFM will be hosting a public hearing that can be attended in person or through Webex (video or call-in options). Details will be posted on the OSFM's website. Members of the industry are invited to the public hearing to learn about the proposed rules and ask questions.

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