

Fire Equipment Administrative Rules Update

Welcome!



April 25, 2023

What are Administrative Rules or “Rules”?

- Fire Equipment Distributor and Employee Regulation Act of 2011
- 225 ILCS 217 Sec. 30. Rules.....
- (a) The State Fire Marshal shall adopt rules ... for the administration and enforcement...of the Act....prescribe forms that shall be issued.....
- The rules shall include standards and criteria for registration, professional conduct, and discipline.
- The Office may, by rule, establish fees, including, but not limited to, license fees, reinstatement fees, and processing fees.

Why Are the Rules Being Changed?

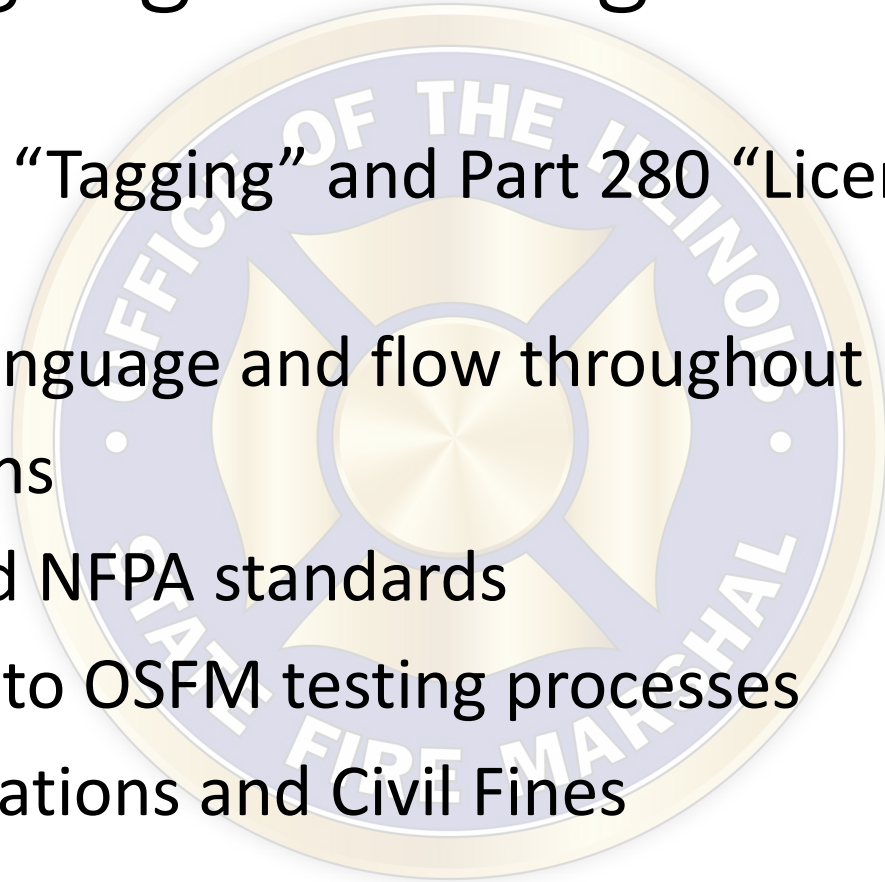
- The Fire Equipment Distributor and Employee Licensing Act was updated in 2022 and new Rules are needed to reflect those changes.
- The current Rules were last updated in 2008 and some rules are obsolete.
- Decrease licensing administrative burden for the industry and OSFM.
- Reflect changes in NFPA, or other industry standards.
- Provide more accountability within the industry.

Administrative Rule Process

- The Act empowers the Agency to adopt Rules to administer the Act.
- Agency drafts Rules and files them.
- First Notice - 45 days
 - Rules are published for review and comment
 - Stakeholders are engaged for advice and comment
 - Adjustments are considered
- Second Notice – 45 days
 - Rules, with any adjustments in response to comments, are available for review.
 - The rules are reviewed by the Joint Committee on Administrative Rules (JCAR), which is made of legislators.
 - Any remaining issues are addressed and rules move forward.
- Rules are adopted with a specific effective date.
- Agency applies the Rules to regulate the licensing program.

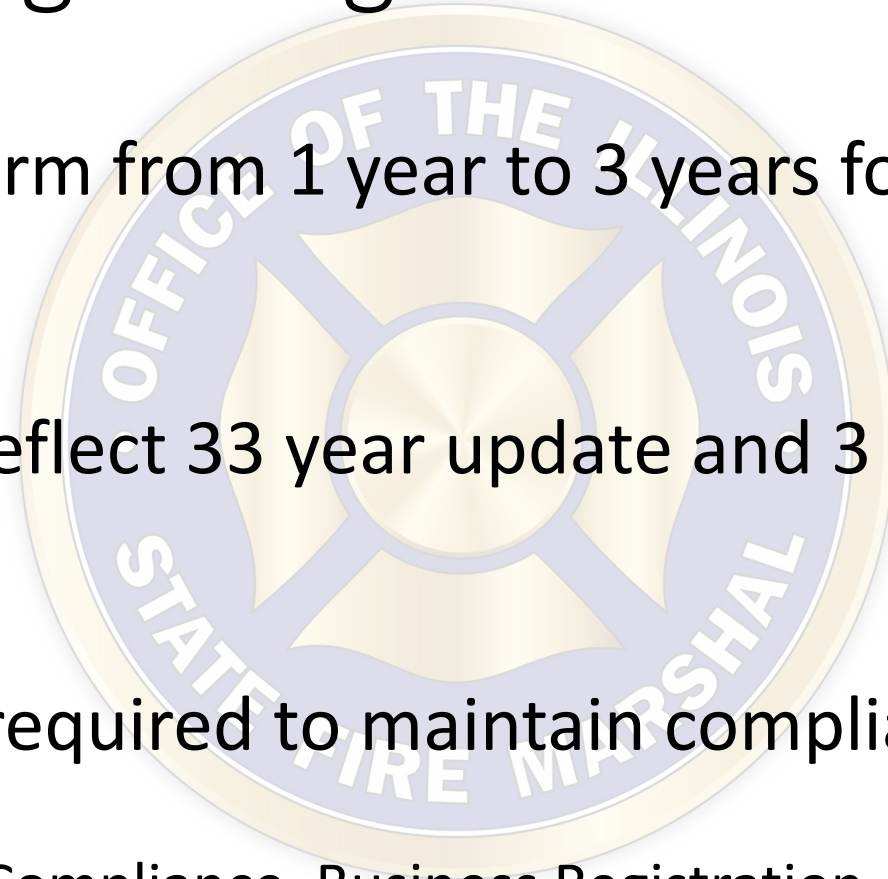
General Language and Organization Updates

- Combined Part 251 “Tagging” and Part 280 “Licensing” Rules into one set of Rules
- Minor updates in language and flow throughout
- Expanded Definitions
- Updated referenced NFPA standards
- Deleted references to OSFM testing processes
- Added Violation Citations and Civil Fines



Licensing Changes - Term and Fees

- Change License term from 1 year to 3 years for Distributor and Employees
- Fee increases to reflect 33 year update and 3 year licensing term
 - Details to follow
- Licensees will be required to maintain compliance during the licensing cycle
 - Distributors – Tax Compliance, Business Registration, Insurance, etc.
 - Employees - Certifications

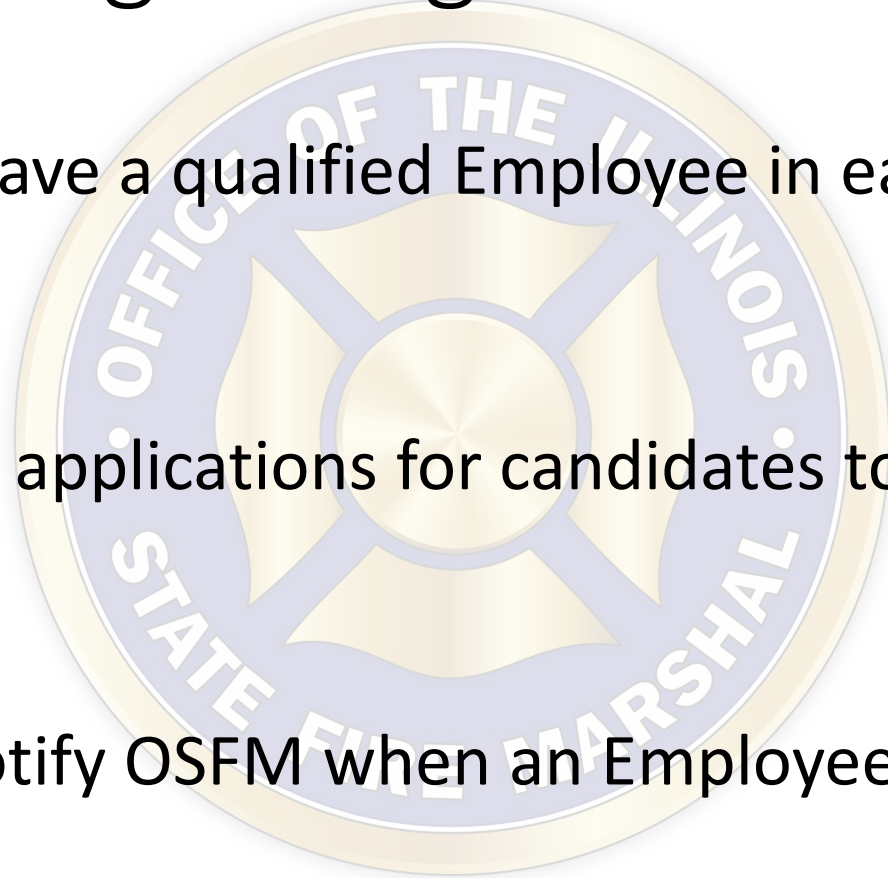


Licensing Changes - Distributor

- Applicants must disclose licenses held in other state or local jurisdictions and any related disciplinary action.
- OSFM will consider prior licensing / compliance / violation history as part of the application process.
- Applications not completed within 30 days must be resubmitted.

Licensing Changes - Distributor

- Distributors must have a qualified Employee in each license class held by the Distributor.
- Distributors submit applications for candidates to be licensed as Employees.
- Distributor must notify OSFM when an Employee leaves.

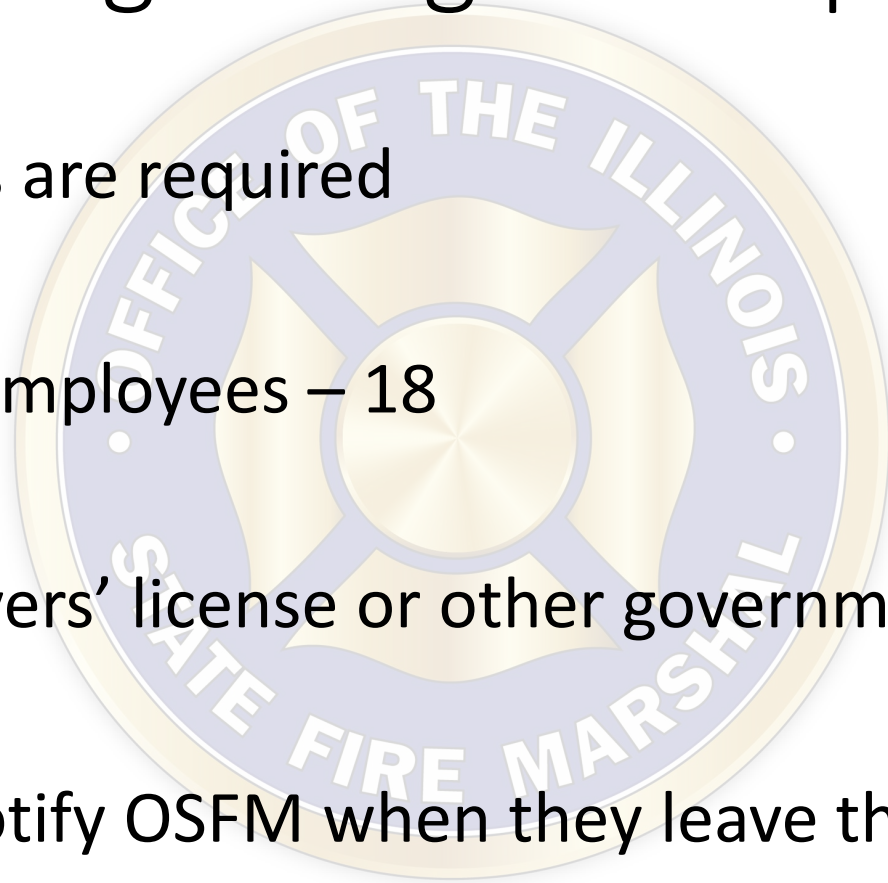


Licensing Changes – Distributor

- A new Distributor license application is required in the event of the following:
 - Change in the name of the business
 - Change in business organization (Corporation to LLC, etc.)
 - Transfer of 51% of assets during a single licensing period
- A new Distributor License requires application for new Employee licenses.
- New license includes new license numbers.

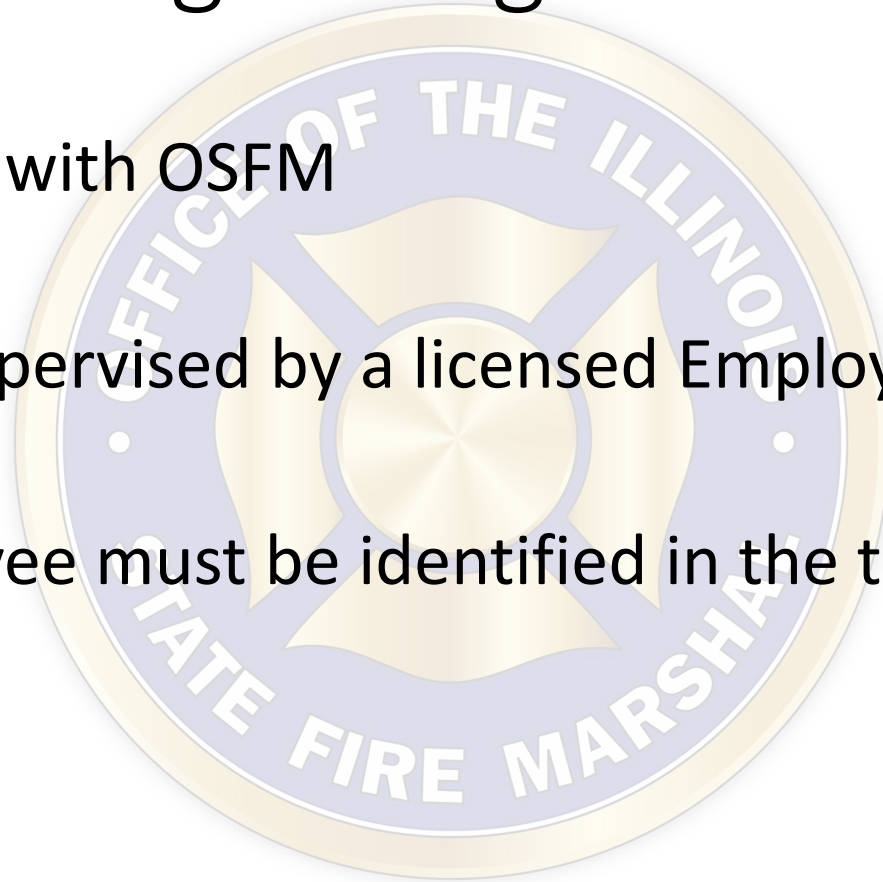
Licensing Changes - Employees

- Digital color photos are required
- Minimum Age for Employees – 18
- Must provide a drivers' license or other government issued ID
- Employees must notify OSFM when they leave the Distributor



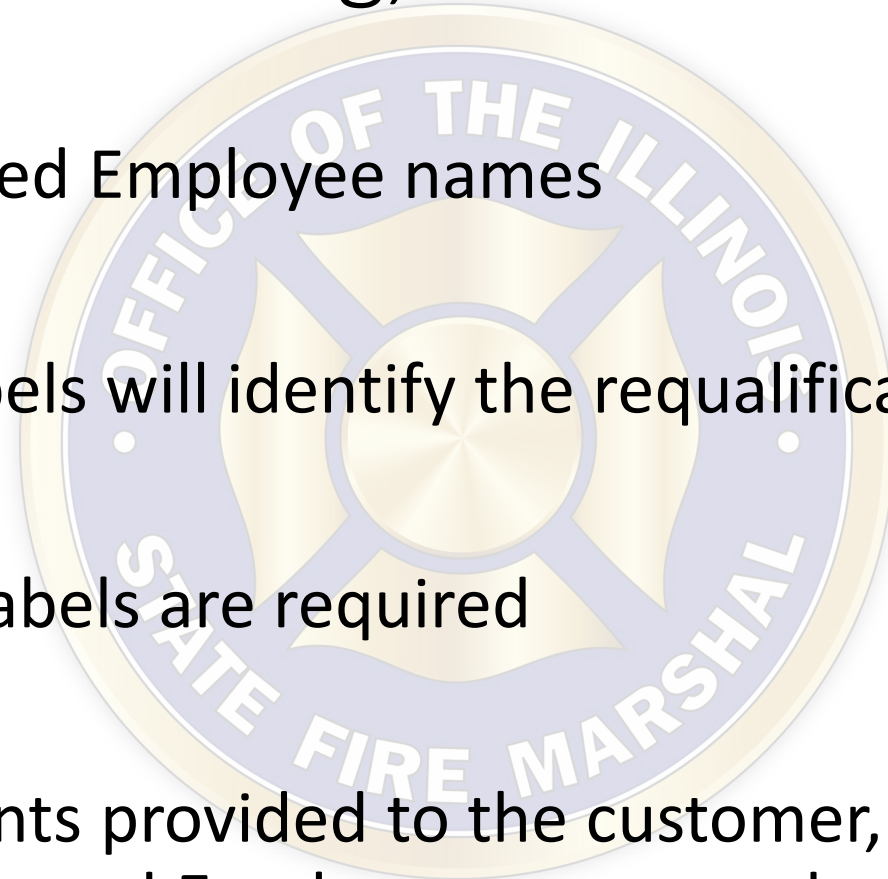
Licensing Changes - Trainee

- Must be registered with OSFM
- Must be directly supervised by a licensed Employee in the same class
- Supervising Employee must be identified in the trainee registration
- Minimum Age - 18
- One year maximum trainee registration period



Tagging, Labeling, Service Documents

- Tags will have printed Employee names
- Hydrostatic test labels will identify the requalification facility (RIN)
- 6 year collars and labels are required
- All service documents provided to the customer, AHJ, or OSFM shall have the Distributor and Employee names and numbers.



Citations and Enforcement

Violations -Technical, Administrative, and Safety

- Technical Violations are violations in documentation, tagging, and labeling requirements.
 - May result in a civil fine up to \$100 per violation.
- Administrative Violations are violations of licensee obligations and procedures.
 - 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.
 - May result in a civil fine up to \$1,000 per violation.

Licensing Fee Changes

- Fee increases will reflect inflation and the three-year licensing period.
 - Current fees have been in place since 1990
 - Fee increases reflect a 236% Consumer Price Index 1990 – 2023*
 - Fees reflect 3 year licensing period
 - Current program revenue stream is less than \$80,000
 - Current OSFM program costs exceed \$300,000

*US Bureau of Labor Statistics

Licensing Fee Changes

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- The seal of the Illinois State Fire Marshal is a circular emblem. It features a central gold Maltese cross on a blue background. The words "OFFICE OF THE ILLINOIS STATE FIRE MARSHAL" are written in white around the perimeter of the seal.
- Distributor Class A \$900 (\$300 annual) \$100 current annual
 - Distributor Class B \$1,500 (\$500 annual) \$200 current annual
 - Distributor Class C \$2,100 (\$700 annual) \$300 current annual

 - Employee \$300 per class (\$100 annual) \$20 current annual

 - Trainee Registration \$25 \$20 current

Licensing Fee Changes

- Current Fee Annual Revenue

Class	Number	Fee	Total
A	163	\$100	\$16,300
B	151	\$200	\$30,200
C	55	\$300	\$16,500
1	570	\$20	\$11,400
2K	289	\$20	\$5,780
2I	31	\$20	\$620
3	82	\$20	\$1,640
Total annual revenue			\$82,440

- New Fee Annual Revenue

Class	Number	Fee	Total
A	163	\$300	\$48,900
B	151	\$500	\$75,500
C	55	\$700	\$38,500
1	570	\$100	\$57,000
2K	289	\$100	\$28,900
2I	31	\$100	\$3,100
3	82	\$100	\$8,200
Total annual revenue			\$260,100

Fire Equipment Distributor and Employee Rules

- Questions?



Fire Equipment Distributor and Employee Rules

- Comments.
- OSFM will be accepting comments through May 15, 2023.
- Comments may be sent by mail to:

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1035 Stevenson Drive
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