**Section 109.40 Application for Fire Sprinkler Contractor License**

a) *No person* or business *shall act as a* fire sprinkler contractor licensed under the Act, *or advertise or assume to act as such, or use any title* that suggests the *person is engaged in such practice or occupation, unless licensed by the Office*. [225 ILCS 317/12]

b) Any person or business that services any fire sprinkler system must be licensed as a fire sprinkler contractor. If performing routine inspection or testing, then a fire sprinkler inspector license under Section 109.45 is also required, except as provided in subsection (c) of Section 15 of the Act.

c) License Relationship:

1) A fire sprinkler contractor that performs routine inspection or testing of a fire sprinkler system shall employ at least one licensed fire sprinkler inspector at the time of the routine inspection or testing. A fire sprinkler contractor may hold dual licenses as a fire sprinkler contractor and a fire sprinkler inspector if the individual meets the qualifications for each license separately as set forth in this Part. An individual who:

A) holds both a fire sprinkler contractor license and a fire sprinkler inspector license; and

B) performs the routine inspection or testing, meets the requirement to employ at least one licensed fire sprinkler inspector at the time of the routine inspection or testing.

2) A fire sprinkler contractor shall follow the process set forth in Section 109.60 regarding notice to the Office of the termination of a fire sprinkler inspector's employment.

d) Application for Licensure as a Fire Sprinkler Contractor

1) An applicant for a fire sprinkler contractor license shall submit to the Office:

A) A completed application form provided by the Office.

i) The application shall include the name and address of the business, along with an email address. The address shall be an actual street address and shall include the city, state and zip code. A post office box number is not acceptable as an address.

ii) The names and personal addresses of all officers of the business applying.

iii) If an assumed name is to be used, a copy of the assumed name certificate for the business.

iv) The name and personal address of the designated certified person or the responsible managing employee, as applicable.

B) Proof of credentials for a designated certified person or responsible managing employee.

i) For a designated certified person the applicant shall provide:

• a copy of the individual's current Illinois Professional Engineers License or current *NICET Level III or higher certification in water-based fire protection systems layout* [225 ILCS 317/20]; and

• an *affirmative statement signed by the individual acknowledging his or her role as the designated certified person for the fire sprinkler contractor*. [225 ILCS 317/20(g)].

ii) For a responsible managing employee, the applicant shall provide:

• the responsible managing employee's qualifications and last three years of work experience;

• the name, address and telephone number for each person who can verify those qualifications and work experience; and

• an affirmative statement signed by the individual acknowledging the individual's role as the responsible managing employee for the fire sprinkler contractor.

C) A Certificate of Insurance for *personal injuries* of *not less than $500,000 per person or $1,000,000 per occurrence, and, in addition, not less than $1,000,000 per occurrence for property damage*. [225 ILCS 317/35] A new certificate of insurance shall be provided to the Office prior to the expiration date of any certificate of insurance in effect during the license period. The certificate of insurance shall provide for the Office to receive written notice of cancellation no less than 30 days in advance of termination of the certificate.

D) Provide evidence of compliance with the Illinois Workers' Compensation Act [820 ILCS 305].

E) An organizational chart for each business location showing the supervisory duties of the designated certified person or responsible managing employee.

F) A list of each license issued to the applicant by any state, local or federal governmental entity in the previous 3 years to engage in fire sprinkler contracting.

G) Provide a statement of whether the applicant is currently subject to disciplinary action or has been adjudicated to have violated conditions of a license in any jurisdiction.

H) Additional business documents, as applicable:

i) A corporation, including limited liability corporations, shall provide evidence of current registration in good standing with the Illinois Secretary of State as an Illinois corporation or evidence of compliance with the Assumed Business Name Act [805 ILCS 405]. A foreign corporation must submit a copy of the Certificate of Authority to transact business in this State.

ii) Partnerships shall submit an affidavit stating that the partnership has been legally formed.

iii) Limited partnerships shall submit a letter of authority from the Secretary of State's Limited Partnership Department.

2) Continuing Education for Renewal

A) For renewal applications, the designated certified person or responsible managing employee must provide proof that the individual has *completed at least 16 hours of continuing education* since the issuance of the current license, with *at least 8 hours of continuing education completed during each year of the current license*.

B) A designated certified person or responsible managing employee who holds a current license *as a professional engineer or* has a *current NICET Level III or IV certification in water-based fire protection systems layout* shall be deemed to have met *the continuing education requirement.* [225 ILCS 317/35(b)]

3) Upon submission of the completed application, including all requisite information and documentation, the Office shall review the application for licensure. The Office shall verify that the applicant is in good standing with the Illinois Department of Revenue.

A) During review of the application for licensure, the Office shall consider past history of the applicant. Past history of the applicant includes, but is not limited to, any citations or other discipline imposed by any jurisdiction or any occurrences of unlicensed work by the applicant or any person known by the Office to be associated with the applicant, such as a previous or predecessor company.

B) In addition to any other reason for refusal, the Office may refuse to issue a fire sprinkler contractor license on the basis of the past history of the applicant.

4) Failure to submit a completed application within 30 calendar days of initial receipt of an application by the Office shall cause the application to expire and a new, completed application must be submitted for review.

5) After reviewing the applicant's completed application, the Office shall invoice the applicant who meets all conditions for licensure for the fee amount in accordance with Section 109.150. No license shall be issued until the applicable fees have been paid.

6) Upon receipt of the requisite fee amount, the applicant shall be assigned a fire sprinkler contractor license number and issued a certificate of licensure. The certificate shall be prominently displayed in the business location of the fire sprinkler contractor, or in a location where the Office or AHJ may readily verify the fire sprinkler contractor is licensed. The certificate shall bear the following information:

A) Name and street address of the fire sprinkler contractor;

B) The fire sprinkler contractor license number; and

C) The date of issuance and date of expiration.

7) If the business has more than one business location from which it will service fire sprinkler systems, then each location that a business contracts business out of shall require:

A) a separate designated certified person or responsible managing employee; and

B) a separate license.

e) Maintaining Conditions of Licensure

1) A fire sprinkler contractor is required to maintain in effect the conditions under which the fire sprinkler contractor was licensed, or the license shall be suspended.

2) A fire sprinkler contractor that has required documentation or certifications under subsection (d) that expire or lose effect prior to the date of the license's expiration shall submit proof of replacement to the Office prior to the date on which the documentation or certificates expire.

3) A person working as a fire sprinkler contractor on a suspended license shall be subject to discipline and penalties under Section 109.120 or the Act.

(Source: Amended at 47 Ill. Reg. 19159, effective December 6, 2023)