

STATE OF OREGON

MEMORANDUM

BUILDING CODES DIVISION

MAY 20, 2008

To: Building Officials
BCD Stakeholders

From: Chris Huntington, Acting Manager Policy and Technical Services

Subject: Engineering standards for fire protection systems

The Oregon State Board of Examiners for Engineering and Land Surveying (OSBEELS) has provided the Building Codes Division with the attached statement, which clarifies the engineering standards for fire protection systems. The purpose of this communication is to provide you with the OSBEELS' interpretation of the applicable engineering laws so that you may be in compliance with the standard.

Over the past several years there has been a great deal of discussion regarding who is authorized to design fire protection systems. OSBEELS requested an Assistant Attorney General letter of advice in order to clarify the law on this point. The Attorney General concluded that unless an exception to the engineering laws apply, the design of fire protection systems must be performed under the supervision and control of a registered professional engineer or architect competent to do such work. OSBEELS' Professional Practices Committee (PPC) considered this advice and has adopted the article contained in the attached letter to clarify the standard and communicate it to interested parties.

This article provides OSBEELS' interpretation of a scope of work standard that is within their authority. Please take steps to ensure compliance with this standard. We will continue to work with OSBEELS and inform you of any additional communication regarding this issue.

You should also be aware that the division intends to draft administrative rules that will allow general journeyman electricians and class "A" limited energy technicians to design the electrical portions of fire protection systems. Currently statute exempts a licensed general supervising electrician from any requirement to obtain an additional license, permit or certificate in order to design, plan and lay out electrical installations for customers of the employing electrical contractor. The division has authority under 479.860(2), after consulting with the Electrical and Elevator Board and OSBEELS, to designate other classes of licenses that may design, plan and layout certain electrical installations. We plan to move forward with the rulemaking process and hope to have rules in place by October 2008.

Chris Huntington
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Oregon

State Board of Examiners for Engineering & Land Surveying

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May 7, 2008

Chris Huntington, Acting Manager (Policy and Technical Services)
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Building Codes Division (BCD)
1535 Edgewater Street NW
P.O. Box 14470
Salem, OR 97309-0404

Re: Design of a Fire Protection System

Dear Chris,

As you have been aware, the Oregon State Board of Examiners for Engineering and Land Surveying (OSBEELS) has developed a communication piece based on advice from its Assistant Attorney General to further communicate the engineering requirements on a fire protection system. This statement will be mailed out to all OSBEELS' registrants within two weeks from today in the OSBEELS spring edition of the "Oregon Examiner."

As discussed during the February 5, 2008 meeting, the statement is found below. Please feel free to utilize this statement to disseminate the information to the industry and local officials regulated by the BCD.

Is an Engineer or Architect Required to Design a Fire Protection System?

The Professional Practices Committee (PPC) has continued to hold discussions regarding whether an individual holding a National Institute for Certification in Engineering Technologies (NICET) Level III certificate may design a fire sprinkler system within the State of Oregon. Although this practice appears to be common throughout the state, it is not allowed under state law.

To address the questions concerning who may design a fire protection system, the OSBEELS requested an opinion from its Assistant Attorney General. The Assistant Attorney General responded with an opinion (DOJ 97001-GB), which states that fire protection system designs must bear the stamp and seal of the engineer or architect who prepared the documents. The engineer's stamp certifies that the work was done under that engineer's supervision and control. Certification from NICET technicians, or other contractors, cannot replace the certification by the engineer or architect.

Therefore, unless an exception to the engineering laws apply, the design of fire protection systems must be performed under the supervision and control of a registered professional engineer or architect competent to do such work. However, a registered professional engineer especially qualified in the fire protection discipline is not necessary. As authorized by the Oregon Administrative Rule (OAR) 820-020-0020, a registered professional engineer that holds the discipline of, but not limited to, mechanical, structural, or electrical engineering, may be competent to perform such work. The purpose of NICET technicians is to work in conjunction with engineers, not replace the need for engineers to plan and design fire protection systems.

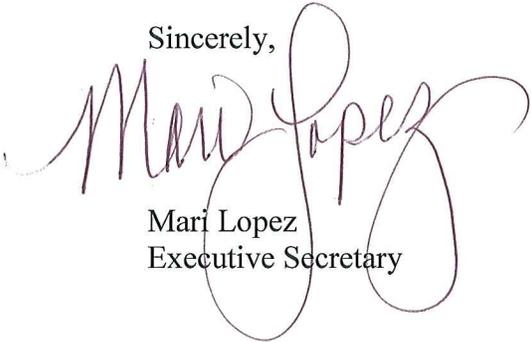
The OSBEELS will continue to work with the Building Codes Division (BCD), the Oregon Board of Architect Examiners (OBAE), and the Society of Fire Protection Engineers (SFPE) Cascade Chapter, to communicate the application and enforcement of these standards.



We are very appreciative of BCD's cooperation. I would also like to extend our "Thank you" for your professionalism and insight of the confusion regarding the practice. I hope to continue working with you to further assist in communicating the application and enforcement of standards to protect the public in the State of Oregon.

If you have any questions or concerns, please feel free to contact me.

Sincerely,

A handwritten signature in dark ink, reading "Mari Lopez". The signature is written in a cursive style with large, flowing loops, particularly on the "L" and "P".

Mari Lopez
Executive Secretary

Cc: Carol Halford, Administrator, Oregon Board of Architect Examiners (OBAE)