



Alliance for Regulatory Coordination

January 7, 2020

Dale Kleven, Administrative Rules Coordinator
Department of Safety and Professional Services
Division of Policy Development
DSPSAdminRules@wisconsin.gov

Dear Mr. Kleven:

The Alliance for Regulatory Coordination (ARC) is hereby submitting public hearing comments on Clearinghouse Rule 19-154, regarding inspection and testing of fire and smoke dampers.

The ARC is opposed to the proposed dual certifications for individuals who conduct inspections for the purpose of code administration, as well as for individuals who conduct periodic inspection and testing of fire and smoke dampers in accordance with NFPA 80 and 105.

We are also opposed to the proposed immediate effective date for the new rules. Such an immediate effective date would not allow time for individuals to obtain their fire life safety certification as required by the proposal. We recommend that the new rules go into effect on the first day of the 13th month following publication of the final rule in the Wisconsin Administrative Register.

The ARC would support the requirement for periodic inspection and testing of fire and smoke dampers to be conducted by a person with current fire life safety certification from a program accredited by ANSI, if the above-mentioned credential overlap and effective date problems are resolved.

We believe the problem of overlap between commercial building inspector certifications and fire detection, suppression and prevention inspector certifications, should be fixed by amending the code change proposal as follows.

Current credentialing rules for fire detection, prevention, and suppression inspectors, found in section SPS 305.627 (1), should be amended with text similar to that found in section SPS



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305.61 (1), relative to the administration and enforcement of codes by commercial building inspectors, which is shown below in bold.

305.61 (1) General. A person who holds a certification issued by the department as a certified commercial building inspector may conduct inspections of public buildings and places of employment **for the purpose of administering and enforcing chs. SPS 361 to 366 and 375 to 379.** [emphasis added]

In addition, both of the new code sections proposed by the DSPS; sections SPS 314.001 (3), and SPS 361.03 (16), should be amended in two ways:

1. Delete the opening phrase “In addition to the other requirements concerning inspection and testing of fire and smoke dampers under chs. SPS 314 and 361 to 366”.
2. Add text that further describes the inspection and testing of fire and smoke dampers by referencing NFPA standards 80 and 105, similar to how NFPA 25 is referenced in section SPS 305.56, relative to sprinkler testers.

These recommended changes will focus those two proposed code sections on the periodic inspection and testing of fire and smoke dampers required under NFPA 80 and 105.

Department consideration of our concerns will be greatly appreciated. Please feel free to contact me if you have any questions.

Sincerely,

Robert G. DuPont, Founder
Alliance for Regulatory Coordination
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The Alliance for Regulatory Coordination is a consortium of 19 organizations involved in building design, construction and regulatory services in Wisconsin. Alliance members are committed to promoting more coordinated and efficient regulatory services for citizens and businesses of Wisconsin. Members are listed on the following page.



Alliance for Regulatory Coordination

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International Association of Electrical Inspectors, Wisconsin Chapter

International Brotherhood of Electrical Workers, Wis. State Conf.

National Electrical Contractors Association, Wisconsin Chapter

Northwest Wisconsin Building Inspectors Association

Plumbers Union Local 75

Plumbing-Heating-Cooling Contractors, Wisconsin Association

Water Quality Association of Wisconsin

Wisconsin Code Officials Alliance

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