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Current Alabama Codes can be found for reference at the following:

<http://law.justia.com/alabama/codes/24046/24046.html>

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Section 34-33A-1 - Definitions

For purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed in this section:

- (1) FIRE ALARM CONTRACTOR. An individual, partnership, corporation, association, or joint venture engaged in the business of installation, repair, alteration, addition, maintenance, or inspection of fire alarm systems. This does not include local building officials, fire inspectors, or insurance inspectors when acting in their official capacity
- (2) LICENSED ELECTRICAL CONTRACTOR. An individual, partnership, corporation, association, or joint venture currently licensed as an Electrical Contractor engaged in the business of installation of conduit, wire and fire alarm associated equipment, but does not design, program, certify, inspect or test fire alarm systems shall not be considered a Fire Alarm Contractor for the purpose of this chapter.
- (3) CERTIFIED FIRE ALARM CONTRACTOR. A Fire Alarm Contractor who has qualified and received a permit from the State Fire Marshal, with a NICET Level III on staff.
- (4) CERTIFICATE HOLDER. An individual who is listed on the State Fire Marshal's permit as the responsible managing owner, partner, officer or employee who is actively in charge of the work of the Certified Fire Alarm Contractor meeting the requirements established in Section 34-33A-4.
- (5) STATE FIRE MARSHAL'S PERMIT. The form issued by the State Fire Marshal to a fire alarm contractor upon application being approved and fee paid. The permit shall be issued in the name of the fire alarm contractor, with the name of the certificate holder noted thereon.
- (6) FIRE ALARM SYSTEM. A system or portion of a combination system that consists of components and circuits arranged to monitor and annunciate the status of fire alarm or supervisory signal-initiating devices and to initiate the appropriate response to those signals. The system shall follow the installation standard set forth by the latest edition of the National Fire Protection Association 72 National Fire Alarm Code (NFPA 72). The system shall meet the requirements of all locally adopted Codes and Standards of the local municipality into which the system is installed and shall be acceptable to the Local Authority Having Jurisdiction (LAHJ).

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Section 34-33A-2 - Administration of chapter vested in State Fire Marshal

The administration of this chapter is vested in the State Fire Marshal who shall have the power to set or make changes in the amount of the fee charged as necessary for the administration and enforcement of this chapter.

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Section 34-33A-3 - Installation, repair, etc., of fire alarm systems — Conformity with chapter required.

It shall be unlawful for any individual, partnership, corporation, association, or joint venture to engage in the business of installation, repair, alteration, addition, maintenance, or inspection of a fire alarm system in this State except in conformity with the provisions of this chapter. Nothing in this chapter, however, shall be construed to apply to fire alarm system owners who employ registered professional fire protection engineers, and skilled workers who regularly and routinely design, install, repair, alter, add to, maintain, and inspect fire alarm systems on and within the premises of their employer, provided such systems are for the owners' use only.

Nothing in this chapter shall apply to smoke detectors installed in one and two family dwellings by licensed electrical contractors or to residential combination burglary/fire alarm system installed by a licensed burglary alarm contractor in residential occupancies as defined in the adopted building code.

Every fire alarm system installed in this State shall have a Record of Completion signed by a Certified Fire Alarm Contractor, in accordance with the requirements of the adopted building code and fire alarm code. The Record of Completion and all supporting documents shall be available for inspection by the State Fire Marshal or his designated representative during normal business hours.

Every fire alarm system shall have the name, address, phone number and permit number of the responsible Certified Fire Alarm Contractor attached to the main fire alarm control in a manner as prescribed by and acceptable the State Fire Marshal.

Every fire alarm system shall be maintained and inspected by a Certified Fire Alarm Contractor in accordance with the requirements of the most recently adopted version of the National Fire Protection Association Fire Alarm Standard NFPA 72. Testing documentation shall be maintained by the owner for inspection by the State Fire Marshal or his designated representative during normal business hours.

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Section 34-33A-4 - Installation, repair, etc., of fire alarm systems - Application for State Fire Marshal's permit; contents; status of applicant; application fee; competency test; reciprocity.

Any individual, partnership, corporation, association, or joint venture desiring to engage in the business of a fire alarm contractor shall submit to the State Fire Marshal on standard forms provided by the State Fire Marshal a completed application. The applicant shall include a fee of \$100.00 when making the application. The applicant shall designate in the application the name of the proposed certificate holder and provide written proof that such individual has met all of the requirements and passed a competency test administered by the National Institute for Certification in Engineering Technology (NICET) as a Fire Alarm System Technician - Level III or above. A copy of the current NICET Certificate shall be sufficient written proof. The State Fire Marshal shall issue, upon receipt of the application and fee, a State Fire Marshal's Permit to a fire alarm contractor who has a current State Fire Marshal's Permit, or who produces evidence of having a current State permit from another State, if such State shall have entered into an agreement of reciprocity with the State of Alabama.

Any individual desiring to engage in the programming, maintenance, testing, inspection, certification, or modification of fire alarm systems must provide current written proof that such individual has passed a competency test administered by the National Institute for Certification in Engineering Technology (NICET) as a Fire Alarm System Technician - Level II or any other acceptable nationally recognized fire alarm technician certification requiring continuing education that is deemed equivalent by the State Fire Marshal.

From the date of enforcement of this chapter each individual, partnership, corporation, association, or joint venture has 36 months to be in full compliance with this requirement. New employees that are hired by a Certified Fire Alarm Contractor have 12 months from the date of hire to comply with the requirements of this chapter. New employees that are not currently in compliance with this chapter shall be required to work under the direct supervision of the Certificate Holder of the Certified Fire Alarm Contractor.

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Section 34-33A-5 - Issuance of State Fire Marshal's permit

If the required fee has been paid, satisfactory written proof from NICET has been provided that the requirements have been met and a competency test was passed when required by this chapter and the proposed certificate holder found to be at present a responsible, managing owner, partner, officer, or employee of the fire alarm contractor, the State Fire Marshal shall within 30 days issue a State Fire Marshal's permit in the name of the fire alarm contractor with the name of the certificate holder noted thereon.

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Section 34-33A-6 - Restrictions and limitations upon permit holder.

In no case shall a certificate holder be allowed to obtain a State Fire Marshal's permit for more than one fire alarm contractor at a time. The certificate holder shall only be allowed to hold a certificate for the fire alarm contractor where they are currently employed. If the certificate holder should leave the employment of the fire alarm contractor, he must notify the State Fire Marshal within 30 days. The certificate holder shall not be eligible to obtain a State Fire Marshal's permit for more than one other fire alarm contractor for a period of 12 months thereafter. If the certificate holder should leave the employment of the fire alarm contractor, or die, the fire alarm contractor shall have 9 months to submit a new application proposing designation of another individual as the certificate holder for the applicant. If such application is not received and a new permit issued within the allotted time, the State Fire Marshal shall revoke the permit of the fire alarm contractor.

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Section 34-33A-7 - Expiration of permit; renewal procedure.

The State Fire Marshal's permit shall expire annually at midnight on September 30. At least 30 days prior, the fire alarm contractor must submit a renewal application. A renewal fee must be submitted with the application. Failure to renew the permit prior to the expiration shall cause the permit to be null and void as of the expiration date, and it shall be unlawful under this chapter for any individual, partnership, corporation, association, or joint venture to engage in the business of installing, repairing, altering, adding, maintaining, or inspecting a fire alarm system without a valid State Fire Marshal's permit. The permit may be reinstated by making application as before, and payment of the fee; however, until such time as a new permit is issued, it shall be unlawful for the fire alarm contractor to engage in installing, repairing, altering, adding, maintaining, or inspecting fire alarm systems.

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Section 34-33A-8 - Presentation of permit to local building official; payment of local license fees.

If a certified fire alarm contractor desires to do business in any part of the State, he shall be required by this chapter to deliver to the local building official a copy of his State Fire Marshal's permit. The local building official shall require a copy of the State Fire Marshal's permit before issuing a license or building permit. The certified fire alarm contractor shall be required to pay any fees normally imposed for local licenses or permits, but the local official shall impose no other requirements on the certified fire alarm contractor to prove competency other than proper evidence of a valid State Fire Marshal's permit.

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Section 34-33A-9 - Chapter imposes no limitation on power of municipality, etc., to regulate work of contractors.

Nothing in this chapter limits the power of a municipality, county, or the State to regulate the quality and character of work performed by contractors, through a system of permits, fees, and inspections, which are designed to assure compliance with, and aid in the implementation of, State and local building laws or to enforce other local laws for the protection of the public health and safety. Nothing in this chapter limits the power of a municipality, county, or the State to adopt any system of permits requiring submission to and approval by the municipality, county, or the State, of plans and specifications for work to be performed by contractors before commencement of the work. If plans for a fire alarm system are required to be submitted to and approved by any municipality, county, or the State (or any departments or agencies thereof), the plans must bear the seal of a Professional Engineer (PE) licensed in the State of Alabama or be submitted by a certified fire alarm contractor. The official authorized to issue building or other related permits shall ascertain that the fire alarm contractor is duly certified by requiring evidence of a valid State Fire Marshal's permit.

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Section 34-33A-10 - Application of chapter; compliance with chapter required before contract awarded; copies of chapter furnished to invited bidders.

(a) This chapter also applies to any fire alarm contractor performing work for any municipality, county, or the State. Officials of any municipality, county, or the State are required to determine compliance with this chapter before awarding any contracts for the installation, repair, alteration, addition, or inspection of a fire alarm system. Bids for such shall be accompanied by a copy of a valid State Fire Marshal's permit.

(b) All architects and engineers preparing plans and specifications for work involving fire alarm systems to be contracted in the State of Alabama shall include in their invitations to bidders and their specifications a copy of this chapter or such portions thereof as are deemed necessary to convey to the invited bidder, whether he is a resident or nonresident of this State and whether a license has been issued to him or not, the information that it will be necessary for him to show evidence of license before his bid is considered.

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Section 34-33A-11 - Disposition of funds collected pursuant to chapter; grants and donations allowed.

All funds collected pursuant to this chapter shall be deposited in the State Treasury to the credit of the State Fire Marshal's Fund authorized by Section 24-5-10. The State Fire Marshal shall be authorized to expend moneys from the State Fire Marshal's Fund for the administration and enforcement of this chapter. The State Fire Marshal shall be allowed to receive grants and donations from associations, firms, or individuals who are interested in the upgrading and quality of fire alarm systems as per the current guidelines of the Alabama State ethics laws.

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Section 34-33A-12 - Penalties.

Whenever the State Fire Marshal shall have reason to believe that any individual, partnership, corporation, association, or joint venture is or has been violating any provisions of this chapter, he or his deputy or assistant may issue and deliver to such individual, partnership, corporation, association, or joint venture an order to cease and desist such violation. Failure to comply with any order under this section shall constitute a Class B misdemeanor and shall be subject to punishment within the limits and as provided by State laws. In addition, the State Fire Marshal may impose a civil penalty not to exceed \$250.00 for each day the violation exists. Violation of any provision of this chapter or failure to comply with a cease and desist order shall be cause for revocation of the State Fire Marshal's permit.