

22-10-3. Registration certificate. (a) Each business that services, recharges, installs, or inspects portable fire extinguishers or fixed extinguishing systems or hydrostatically tests these cylinders or any combination of them shall obtain a registration certificate issued by the state fire marshal unless otherwise exempted by these regulations. The registration certificate shall indicate the class or classes that are authorized. A certified business shall ~~only~~ provide only the classes listed under its own registration number. A certified business may take orders for a class or classes that are not authorized by its registration certificate if these orders are consigned to a business that is certified to perform ~~those~~ the class or classes indicated.

(b) The registration certificate shall indicate one or more of the following ~~class or~~ classes:

(1) Class RA, which permits servicing, recharging, installing, or inspecting fixed extinguishing systems by a currently certified manufacturer's distributor;

(2) class RB, which permits servicing, recharging, installing, or inspecting portable fire extinguishers;

(3) class RC, which permits hydrostatic testing of non-DOT cylinders, ~~such as~~ including wet chemical or dry chemical containers; or

(4) class RD, which permits servicing, recharging, and inspecting fixed extinguishing systems.

(c) Each business that desires a registration certificate shall ~~make~~ submit a written application on forms prescribed by the state fire marshal and signed by the sole

proprietor, each partner, or an officer of the corporation, as appropriate.

(d) ~~Class RA registration certificate application requirements.~~

(1) ~~The~~ Each applicant for a class RA registration certificate shall ~~show~~ provide proof of ~~a minimum of~~ at least \$500,000 of insurance covering comprehensive general liability, bodily injury, property damage, and completed operations.

(2) A ~~\$50~~ nonrefundable application fee of \$200 shall accompany the application.

(3) Written authorization shall be included from each fixed extinguishing system manufacturer whose products are used by the business including the types of systems the business is authorized and has been trained to install or service. The manufacturer's authorization shall remain valid until the employee's training certificate expires or is cancelled for misconduct.

(e) ~~Class RB or RC registration certificate application requirements.~~

(1) ~~The~~ Each applicant for a class RB or RC registration certificate shall ~~show~~ provide proof of ~~a minimum of~~ at least \$100,000 of insurance covering comprehensive general liability, bodily injury, property damage, and completed operations.

(2) A ~~\$25~~ nonrefundable application fee of \$200 shall accompany the application. No fee shall be charged for any person who is an officer or employee of the state or any political or taxing subdivision ~~when~~ if that person is acting on behalf of the state or political or taxing subdivision.

(f) ~~Class RD registration certificate application requirements.~~

(1) ~~The~~ Each applicant for a class RD registration certificate shall ~~show~~ provide proof of ~~a minimum of~~ at least \$1,000,000 of insurance covering comprehensive general liability, bodily injury, property damage, and completed operations.

(2) A ~~\$50 non-refundable~~ nonrefundable application and test fee of \$200 shall accompany the application. No fee shall be charged for any person who is an officer or employee of the state or any political or taxing subdivision of the state ~~when~~ if that person is acting on behalf of the state or political or taxing subdivision.

(3) Each applicant shall provide proof that an employee ~~has either~~ meets one of the following requirements:

(A) Received training from the manufacturer of each fixed extinguishing system whose products are used by the business indicating the type or types of systems the employee has been trained to service; or

(B) meets the following requirements:

(i) Has a notarized affidavit filed with the state fire marshal's office attesting that the employee has ~~a minimum of~~ at least two years of experience in servicing, recharging, and inspecting fixed extinguishing systems and has access to the tools and service manuals for each fixed extinguishing system that the business services; and

(ii) has, within the current calendar year, passed the state fire marshal's written examination with a grade of at least 70 percent.

(g) If, after reviewing the application, insurance information, record of services, servicing and shop facilities, and methods and procedures of operations, the state fire

marshal finds that granting or renewing a registration certificate would be in the interest of public safety and welfare, a certificate for the appropriate classes of registration requested by the business shall be issued or renewed by the state fire marshal. An identifying number shall be assigned by the state fire marshal to each registration certificate.

(h) Each registration certificate shall be valid for one calendar year. Renewal applications shall be submitted to the state fire marshal ~~by~~ on or before November 30 of the year of expiration and shall meet the requirements of subsections (d), (e), and (f) ~~of this regulation,~~ as applicable.

(i) Evidence that a registration certificate has been altered shall render the certificate invalid. ~~and~~ The altered certificate shall be surrendered to the state fire marshal.

(j) ~~Any~~ Each change in the location or ownership of a certified business shall be reported in writing to the state fire marshal at least 14 days before the change. Failure to notify the state fire marshal may render the registration certificate invalid. ~~Every~~ Each change in location or ownership ~~change~~ shall be verified by the state fire marshal or an authorized deputy.

(k) ~~Every~~ Each registration certificate issued by the state fire marshal shall be posted at the certified location and be available for inspection during normal business hours.

(l) A duplicate registration certificate may be issued by the state fire marshal to

replace one ~~which~~ that has been lost or destroyed if a written statement attesting to the loss or destruction of the original certificate is submitted.

(m) A registration certificate shall not constitute authorization for a registration certificate holder or the holder's employees; to perform either of the following:

- (1) To enter any property or building; or
- (2) to enforce any provision of these regulations. (Authorized by and implementing K.S.A. ~~1989~~ 2008 Supp. 31-133, 31-133a ~~as amended by L. 1990, Ch. 135, Sec. 4~~; effective, E-82-3, Jan. 21, 1981, effective May 1, 1981; amended May 1, 1982; amended, T-83-31, Oct. 25, 1982; amended May 1, 1983; amended Aug. 28, 1989; amended Sept. 17, 1990; amended Jan. 21, 1991; amended P-_____.)