

GENERAL ASSEMBLY OF NORTH CAROLINA
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SENATE BILL DRS15459-NNf-74

Short Title: Licensing Certain Fire Systems. (Public)

Sponsors: Senator Johnson (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE LICENSING AND PERMITTING FOR INDIVIDUALS AND FIRMS
3 THAT INSTALL AND SERVICE PORTABLE FIRE EXTINGUISHERS AND FIRE
4 SUPPRESSION SYSTEMS, TO REQUIRE DIGITAL REPORTING OF INSPECTIONS,
5 TESTING, AND MAINTENANCE OF PORTABLE FIRE EXTINGUISHERS AND FIRE
6 SUPPRESSION SYSTEMS, AND TO REQUIRE DIGITAL TAGGING OF FIRE
7 SPRINKLERS AND FIRE ALARM SYSTEMS.

8 The General Assembly of North Carolina enacts:

9 SECTION 1. Chapter 58 of the General Statutes is amended by adding a new Article
10 to read:

11 "Article 82C.

12 "Licensing and Permitting for the Installation and Servicing of Portable Fire Extinguishers and
13 Fire Suppression Systems and Digital Reporting and Tagging.

14 "§ 58-82C-1. Definitions.

15 The following definitions apply in this Article:

- 16 (1) Digital reporting system. – An electronic platform that captures inspection,
17 testing, or maintenance data; uses geo-fencing or other location-verification
18 technology to verify the inspection location; links the inspection, testing, or
19 maintenance to the specific portable fire extinguisher or fire suppression
20 system reported under G.S. 58-82C-15(a) or the specific fire sprinkler or fire
21 alarm system tagged under G.S. 58-82C-15(c); and enables transmission of
22 inspection reports to the local authority having jurisdiction and the Office of
23 the State Fire Marshal.
- 24 (2) Engineered special hazard fire suppression system. – A fire suppression
25 system having pipe lengths, number of fittings, number and types of nozzles,
26 suppression agent flow rates, and nozzle pressures calculated based on
27 appropriate standards of the National Fire Protection Association. An
28 engineered fire suppression system may include other components, including,
29 but not limited to, detection devices, alarm devices, and control devices as
30 tested and approved by a nationally recognized testing laboratory, where the
31 component's manufacturer determines the component is compatible with the
32 fire suppression system.
- 33 (3) Fire suppression system. – Any firefighting system employing a suppression
34 agent with the purpose of controlling, suppressing, or extinguishing a fire in a
35 specific hazard, including pre-engineered kitchen fire suppression systems,



- 1 pre-engineered industrial fire suppression systems, and engineered special
2 hazard fire suppression systems.
- 3 (4) Fire alarm system. – A system or portion of a combination system that consists
4 of components and circuits arranged to monitor and annunciate the status of
5 fire alarm or supervisory signal-initiating devices and to initiate the
6 appropriate response to those signals.
- 7 (5) Fire sprinkler. – An automatic or manual sprinkler system designed to protect
8 the interior or exterior of a building or structure from fire, and where the
9 primary extinguishing agent is water. These systems include wet pipe and dry
10 pipe systems, preaction systems, water spray systems, foam water sprinkler
11 systems, foam water spray systems, nonfreeze systems, and circulating
12 closed-loop systems. These systems also include the overhead piping,
13 combination standpipes, inside hose connections, thermal systems used in
14 connection with the sprinklers, tanks, and pumps connected to the sprinklers,
15 and controlling valves and devices for actuating an alarm when the system is
16 in operation. This subdivision does not include water and standpipe systems
17 having no connection with a fire sprinkler system.
- 18 (6) Firm. – Any business, person, partnership, organization, association,
19 corporation, contractor, subcontractor, or individual.
- 20 (7) Geo-fencing. – A location-based technology that establishes a virtual
21 boundary around a specific geographic area, such as a building or inspection
22 site.
- 23 (8) Industrial fire suppression system. – A pre-engineered automatic fire
24 extinguishing system provided for the protection of property or equipment as
25 described by the manufacturer other than those systems covered under the
26 definition of kitchen fire suppression system.
- 27 (9) Inspection report. – A record of inspection, testing, or maintenance activities
28 performed on a portable fire extinguisher, fire suppression system, fire
29 sprinkler, or fire alarm system in accordance with the North Carolina Fire
30 Prevention Code, applicable provisions of the National Fire Protection
31 Association standards, manufacturer requirements, and this Article.
- 32 (10) Kitchen fire suppression system. – An automatic fire extinguishing system
33 provided for the protection of grease removal devices, hoods, duct systems,
34 and cooking equipment. This term also includes "restaurant fire suppression
35 system."
- 36 (11) License. – The document issued by the State Fire Marshal which authorizes a
37 firm to engage in the business of installation, repair, recharging, inspection,
38 service, or testing of fire suppression systems or portable fire extinguishers.
- 39 (12) Permit. – The document issued by the State Fire Marshal which authorizes an
40 individual to install, inspect, repair, recharge, service, or test fire suppression
41 systems or portable fire extinguishers.
- 42 (13) Portable fire extinguisher. – A portable device containing an extinguishing
43 agent that can be expelled under pressure for the purpose of suppressing or
44 extinguishing a fire.
- 45 (14) Pre-engineered fire suppression system. – Any system having predetermined
46 flow rates, nozzle pressures, and quantities of an extinguishing agent.
- 47 (15) State Fire Marshal. – The head of the North Carolina Office of the State Fire
48 Marshal as defined in G.S. 58-78A-1(c).
- 49 (16) Suppression agent. – A currently recognized agent or water additive required
50 to control, suppress, or extinguish a fire.

51 **"§ 58-82C-2. State Fire Marshal to administer Article; rules and regulations.**

1 (a) The State Fire Marshal, through the Office of the State Fire Marshal, shall have full
2 power and authority to administer the provisions of this Article, including adopting rules to
3 enforce the purposes and provisions of this Article.

4 (b) The State Fire Marshal shall establish rules for the following:

5 (1) Proper installation, inspection, recharging, repairing, servicing, or testing of
6 fire suppression systems or portable fire extinguishers.

7 (2) Required specifications as to the number, type, size, shape, color, and
8 information and data contained on service tags to be attached to all portable
9 fire extinguishers and fire suppression systems covered by this Article when
10 they are installed, inspected, recharged, repaired, serviced, or tested.

11 (3) Standards and requirements for digital reporting systems and digital tagging
12 under G.S. 58-82C-15, including required data elements, system approval,
13 access, retention, security, and interoperability.

14 (c) The State Fire Marshal may adopt by rule the applicable standards of the National
15 Fire Protection Association or another nationally recognized organization if the standards are
16 judged by the State Fire Marshal to be suitable for the enforcement of this Article. All fire
17 suppression systems and portable fire extinguishers covered by G.S. 58-82C-3 shall be installed,
18 inspected, recharged, repaired, serviced, or tested in compliance with this Article and with the
19 State Fire Marshal's rules.

20 (d) The State Fire Marshal may adopt rules to require an applicant for a license or permit
21 to take an examination as to the applicant's competence to be licensed or permitted under this
22 Article. If required, the applicant must take and pass the examination according to requirements
23 prescribed by the State Fire Marshal.

24 (e) The State Fire Marshal is authorized to apply for and receive grants for the
25 administration of this Article from parties interested in upgrading and improving the quality of
26 fire protection provided by portable fire extinguishers or fire suppression systems.

27 **"§ 58-82C-3. Compliance with this Article; license and permit requirement.**

28 (a) Except as otherwise provided by this Article, no firm may install, inspect, repair,
29 recharge, service, or test any of the following fire suppression systems or portable fire
30 extinguishers that are required by the State Fire Marshal's rules or by other State or local fire
31 safety rules, unless the firm is licensed under the provisions of this Article:

32 (1) Portable fire extinguishers.

33 (2) Pre-engineered kitchen fire suppression systems.

34 (3) Pre-engineered industrial fire suppression systems.

35 (4) Engineered special hazard fire suppression systems.

36 (b) Except as otherwise provided by this Article, no individual may install, inspect,
37 repair, recharge, service, or test any of the following fire suppression systems or portable fire
38 extinguishers that are required by the State Fire Marshal's rules or by other State or local fire
39 safety rules, unless the individual is permitted under the provisions of this Article:

40 (1) Portable fire extinguishers.

41 (2) Pre-engineered kitchen fire suppression systems.

42 (3) Pre-engineered industrial fire suppression systems.

43 (4) Engineered special hazard fire suppression systems.

44 (c) It shall be unlawful for an individual to install, inspect, recharge, repair, service, or
45 test any portable fire extinguisher or fire suppression system without attaching the required tag
46 or tags completed in detail with the information required by the State Fire Marshal, or to use a
47 tag not meeting the specifications set forth by the State Fire Marshal.

48 (d) The permit established by subsection (b) of this section shall not be required for any
49 individual employed by any firm or governmental entity that engages only in installing,
50 inspecting, recharging, repairing, servicing, or testing of portable fire extinguishers or fire
51 suppression systems owned by the firm and installed on property under the control of the firm.

1 These individuals shall remain subject to the rules and regulations adopted pursuant to this
2 Article.

3 (e) The provisions of this Article do not apply to any of the following:

4 (1) Fire chiefs, fire marshals, fire inspectors, or insurance company inspectors
5 with regard to the routine visual inspection of pre-engineered fire suppression
6 systems or portable fire extinguishers.

7 (2) Any firm that engages only in the routine visual inspection of fire suppression
8 systems or portable fire extinguishers owned by the firm and installed on
9 property under the control of the firm.

10 **"§ 58-82C-4. License and permit fees.**

11 (a) A nonrefundable license fee of two hundred fifty dollars (\$250.00) shall be paid to
12 the State Fire Marshal with each application for the issuance of a license under this Article.

13 (b) Except as otherwise provided by G.S. 93B-15.1(k), a nonrefundable permit fee of one
14 hundred dollars (\$100.00) shall be paid to the State Fire Marshal with each application for the
15 issuance of a permit under this Article.

16 (c) The fees required by this Article shall not apply to employees of federal, State, or
17 local governments or to a member of a legally organized fire department while acting in the
18 member's official capacity.

19 **"§ 58-82C-5. Requirements for issuance of license.**

20 (a) Before approving a license for a firm pursuant to G.S. 58-82C-3, the State Fire
21 Marshal shall find that the firm has:

22 (1) Submitted a completed application pursuant to G.S. 58-82C-8.

23 (2) Submitted to the State Fire Marshal evidence satisfactory to the State Fire
24 Marshal that the applicant is a lawfully existing individual or entity and, if the
25 applicant is required by law to register with the Secretary of State or obtain
26 authority to transact business or conduct affairs in this State, that the applicant
27 has done so.

28 (3) Not committed any act that is a ground for denial, suspension, probation,
29 revocation, or nonrenewal set forth in G.S. 58-82C-11.

30 (4) Satisfied all requirements of this Article.

31 (5) Been determined, by inspection of the State Fire Marshal, to possess the
32 equipment required for the activities the applicant requests to be licensed to
33 perform. If the applicant includes in the request the high-pressure hydrostatic
34 testing of equipment, the applicant must submit a copy of its United States
35 Department of Transportation approval and renewals.

36 (6) Submitted to the State Fire Marshal proof of a valid comprehensive liability
37 insurance policy purchased from an insurer authorized to do business in North
38 Carolina. The coverage must include bodily injury and property damage,
39 products liability, completed operations, and contractual liability. The proof
40 of insurance must also be provided before any license can be renewed. The
41 minimum amount of the coverage shall be one million dollars (\$1,000,000) or
42 any other amount as specified by the State Fire Marshal. An insurer which
43 provides this coverage shall notify the State Fire Marshal of any change in
44 coverage.

45 (7) Paid the applicable fees set forth in G.S. 58-82C-4.

46 (8) Paid a nonrefundable filing fee fixed by rule of the State Fire Marshal when
47 filing an application for an examination if the State Fire Marshal requires an
48 examination pursuant to this Article.

49 (9) Successfully passed any examination if the State Fire Marshal requires an
50 examination pursuant to this Article.

1 (b) Before approving a permit for an individual pursuant to G.S. 58-82C-3, the State Fire
2 Marshal shall find that the individual has:

3 (1) Submitted a completed application pursuant to G.S. 58-82C-8.

4 (2) Not committed any act that is a ground for denial, suspension, probation,
5 revocation, or nonrenewal set forth in G.S. 58-82C-11.

6 (3) Satisfied all requirements of this Article.

7 (4) Paid the applicable fees set forth in G.S. 58-82C-4, except as otherwise
8 provided by G.S. 93B-15.1(k).

9 (5) Paid a nonrefundable filing fee fixed by rule of the State Fire Marshal when
10 filing an application for an examination if the State Fire Marshal requires an
11 examination pursuant to this Article.

12 (6) Successfully passed any examination if the State Fire Marshal requires an
13 examination pursuant to this Article.

14 **"§ 58-82C-6. Production of license or permit on demand.**

15 (a) Every permittee must have a valid permit upon his or her person at all times while
16 engaging in the installation, inspection, recharging, repairing, servicing, or testing of fire
17 suppression systems or portable fire extinguishers.

18 (b) Every licensee or permittee must be able to produce a valid license or valid permit, as
19 appropriate, upon demand by the State Fire Marshal or his or her representatives or by any local
20 authority having jurisdiction for fire protection or prevention or by any individual for whom the
21 licensee or permittee solicits to perform any of the activities covered by this Article.

22 **"§ 58-82C-7. Reciprocity.**

23 (a) The State Fire Marshal shall issue an individual permit under this Article to an
24 applicant who qualifies under G.S. 93B-15.1 or G.S. 93B-15.3, subject to those sections.

25 (b) In addition to subsection (a) of this section, the State Fire Marshal may issue a license
26 to a firm that holds a comparable valid out-of-state credential, or may issue a permit to an
27 individual who holds a comparable valid out-of-state credential, if the State Fire Marshal
28 determines that the other jurisdiction's requirements are substantially equivalent to the
29 requirements of this Article and the applicant has paid any applicable fees required by this
30 Article.

31 (c) Nothing in this section limits the applicability of G.S. 93B-15.1 or G.S. 93B-15.3.

32 **"§ 58-82C-8. Forms of licenses, permits, and applications; information required.**

33 (a) A firm applying for a license or an individual applying for a permit under this Article
34 shall apply on a form prescribed by the State Fire Marshal. The application shall declare, under
35 penalty of denial, suspension, or revocation of the license or permit, that the statements made in
36 the application are true, correct, and complete to the best of the applicant's knowledge and belief.
37 An application by a firm shall be executed by an owner, officer, or other authorized representative
38 of the firm.

39 (b) Permit applications shall include the name of the licensee employing the applicant or
40 the name of the firm or governmental entity pursuant to the exemptions found in G.S. 58-82C-3,
41 except that an applicant proceeding under G.S. 93B-15.1 or G.S. 93B-15.3 is not required to
42 provide that information at the time of application.

43 (c) Each license or permit issued by the State Fire Marshal under this Article shall clearly
44 state the activity or activities for which the licensee or permittee has been issued the license or
45 permit to perform. The licensee or permittee shall not perform any activity not noted on a license
46 or permit issued by the State Fire Marshal.

47 (d) A licensee or permittee shall notify the State Fire Marshal within 30 days of any
48 change to the information provided to the State Fire Marshal on the license or permit application.

49 (e) The State Fire Marshal shall give an applicant 60 days to correct any deficiencies
50 discovered by inspection.

51 **"§ 58-82C-9. Terms of licenses and permits; failure to renew.**

1 (a) The licenses and permits required by this Article shall be issued by the State Fire
2 Marshal for each license year beginning January 1 and expiring the following December 31.

3 (b) The failure to renew a license or permit by December 31 will cause the license or
4 permit to become inoperative. A license or permit which is inoperative because of the failure to
5 renew the license or permit shall be restored upon payment of the applicable fee, plus a penalty
6 equal to the applicable fee, if the fees are paid within 90 days of expiration. After 90 days, the
7 former licensees and former permittees must apply for new licenses and permits as required for
8 an initial license or permit.

9 **"§ 58-82C-10. License or permit sanction and denial procedures.**

10 (a) The suspension, placing on probation, revocation, denial, or refusal to renew any
11 license or permit under this Article shall be in accordance with the provisions of Chapter 150B
12 of the General Statutes.

13 (b) Whenever the State Fire Marshal denies an initial application or an application for a
14 reissuance of a license or permit under this Article, the State Fire Marshal shall notify the
15 applicant and advise, in writing, the applicant of the reasons for the denial of the license or permit.
16 The applicant may also be denied for any reasons for which a license or permit may be suspended,
17 revoked, or not renewed under G.S. 58-82C-11.

18 (c) In order for an applicant to be entitled to a review of the State Fire Marshal's action
19 to determine the reasonableness of the action, the applicant must make a written demand upon
20 the State Fire Marshal for a review no later than 30 days after service of the notification upon the
21 applicant. The review shall be completed without undue delay, and the applicant shall be notified
22 promptly in writing of the outcome of the review.

23 (d) In order for an applicant who disagrees with the outcome of the review to be entitled
24 to a hearing under Article 3A of Chapter 150B of the General Statutes, the applicant must make
25 a written demand upon the State Fire Marshal for a hearing no later than 30 days after service
26 upon the applicant of the notification of the outcome.

27 (e) A licensee or permittee whose license or permit is suspended, revoked, or not renewed
28 shall surrender the license or permit to the State Fire Marshal within 30 days of the suspension,
29 revocation, or nonrenewal.

30 (f) During the suspension or revocation of any license or permit, the licensee or permittee
31 whose license or permit has been suspended or revoked shall not engage in or attempt or profess
32 to engage in any transaction or business for which a license or permit is required under this
33 Article or directly or indirectly own, control, or be employed in any manner by any firm, business,
34 or corporation for which a license or permit under this Article is required.

35 (g) If, during the period between the beginning of proceedings and the entry of an order
36 of suspension or revocation by the State Fire Marshal, a new license or permit has been issued to
37 the individual or firm charged, the order of suspension or revocation shall operate to suspend or
38 revoke, as the case may be, the new license or permit held by the individual or firm.

39 (h) The State Fire Marshal shall not, so long as the revocation or suspension remains in
40 effect, issue any new license or permit for the establishment of any new firm, business, or
41 corporation of any individual or applicant that has or will have the same or similar management,
42 ownership, control, employees, permittees, or licensees or will use the same or a similar name as
43 the revoked or suspended firm, business, corporation, individual, or applicant.

44 **"§ 58-82C-11. Grounds for denial, suspension, probation, revocation, or nonrenewal of**
45 **licenses or permits.**

46 The State Fire Marshal may deny, suspend, place on probation, revoke, or refuse to renew
47 any license or permit under this Article, in accordance with the provisions of Article 3A of
48 Chapter 150B of the General Statutes, for any one or more of the following reasons:

- 49 (1) Performing any action for which a license or permit is required under this
50 Article without having first obtained such license or permit.

- 1 (2) Improperly installing, recharging, repairing, servicing, inspecting, or testing a
2 portable fire extinguisher or fire suppression system.
- 3 (3) Rendering inoperative a portable fire extinguisher or pre-engineered or
4 engineered fire suppression system covered by this Article, except during the
5 time the extinguisher or system is being inspected, recharged, repaired,
6 serviced, or tested or except pursuant to court order.
- 7 (4) Material misstatement, misrepresentation, or fraud in obtaining a license or
8 permit under this Article.
- 9 (5) Failing to provide proof of or maintain the minimum comprehensive liability
10 insurance coverage as set forth in G.S. 58-82C-5.
- 11 (6) Failing to notify the State Fire Marshal, in writing, within 30 days after a
12 change of any information required on applications under G.S. 58-82C-8.
- 13 (7) Cheating on an examination for a license or permit, if an examination is
14 required by the State Fire Marshal pursuant to this Article.
- 15 (8) Having any professional license denied, suspended, or revoked in this State or
16 any other jurisdiction for causes substantially similar to those listed in this
17 subsection.
- 18 (9) Failing or refusing to comply with a cease and desist order or any other notice
19 or order to correct a violation related to conduct governed by this Article.
- 20 (10) Retaining an officer, director, stockholder, owner, or individual who has a
21 direct or indirect interest that has had his or her license or permit suspended
22 or revoked under this Article.
- 23 (11) Serving or previously serving as an officer, director, stockholder, or owner of
24 a firm, business, or corporation whose license or permit has been suspended
25 or revoked under this Article, or who has or had a direct or indirect interest in
26 a firm, business, or corporation whose license or permit has been suspended
27 or revoked under this Article.
- 28 (12) While holding a permit or license, using a license or permit or license number
29 or permit number other than his or her own valid license or permit or license
30 number or permit number.
- 31 (13) Using credentials, methods, means, or practices to impersonate a
32 representative of the State Fire Marshal or any local fire chief, fire marshal,
33 or other fire authority having jurisdiction.
- 34 (14) Any cause for which the issuance of the license or permit could have been
35 denied had it been known to the State Fire Marshal at the time of issuance.
- 36 (15) Failing to obtain, retain, or maintain one or more of the qualifications for a
37 license or permit required by this Article.
- 38 (16) Knowingly aiding or abetting others to evade or violate the provisions of this
39 Article.
- 40 (17) Failing to comply with an administrative or court order imposing a child
41 support obligation, after entry of a final judgment or order finding the
42 violation to have been willful.
- 43 (18) Failing to pay State income tax or comply with any administrative or court
44 order directing payment of State income tax, after entry of a final judgment or
45 order finding the violation to have been willful.
- 46 (19) Subject to G.S. 93B-8.1, conviction of a crime involving dishonesty or breach
47 of trust.
- 48 (20) Violating any other provision of this Article or any rule or regulation adopted
49 and promulgated pursuant to this Article.
- 50 (21) Any cause sufficient to deny, suspend, or revoke the license or permit under
51 any other provision of this Article.

"§ 58-82C-12. Cease and desist orders; period of revocation.

(a) Whenever the State Fire Marshal shall have reason to believe that any individual or firm is or has been violating any provisions of this Article, the State Fire Marshal may issue and deliver to the individual or firm an order to cease and desist the violation.

(b) Any order issued by the State Fire Marshal under this section shall contain or be accompanied by a notice of opportunity for hearing which may provide that a hearing will be held if and only if an individual or firm subject to the order requests a hearing within 30 days of receipt of the order and notice. The order and notice shall be served by hand delivery by the State Fire Marshal or by registered or certified mail.

(c) Failure to comply with a cease and desist order is cause for revocation of any or all permits and licenses issued by the State Fire Marshal for a period of not less than six months and not to exceed five years. If a new permit or license has been issued to the individual or firm, the order of revocation shall operate effectively with respect to the new permits and licenses held by the individual or firm.

(d) In the case of an applicant for a license or permit, violation of any provision of this Article may constitute grounds for refusal of the application.

"§ 58-82C-13. Civil penalty; injunction.

(a) Any individual or firm who violates any provision of this Article or any rule or order issued by the State Fire Marshal under this Article shall be subject to a civil penalty imposed by the State Fire Marshal of not more than one thousand dollars (\$1,000) for a first offense, not less than one thousand dollars (\$1,000) and not more than two thousand dollars (\$2,000) for a second offense, and not less than two thousand dollars (\$2,000) and not more than five thousand dollars (\$5,000) for a third or subsequent offense.

(b) Prior to subjecting any individual or firm to a civil penalty under this section, the State Fire Marshal shall give written notice to the individual or firm by hand delivery or by registered or certified mail of the existence of the violations. After a reasonable period of time after notice is given, an order may be issued based on this section. The order must be delivered in accordance with the provisions of G.S. 58-82C-12(b) and must notify the individual or firm of the right to a hearing with respect to the order.

(c) In addition to other powers granted to the State Fire Marshal under this Article, the State Fire Marshal may bring a civil action to enjoin a violation of any provision of this Article or of any rule or order issued by the State Fire Marshal under this Article.

"§ 58-82C-14. Criminal penalty.

(a) Any individual or firm that willfully or intentionally violates any provision of this Article or any order or rule of the State Fire Marshal shall be guilty of a Class 1 misdemeanor.

(b) It shall also constitute a Class 1 misdemeanor to willfully or intentionally do any of the following:

- (1) Obliterate the serial number on a fire suppression system or portable fire extinguisher for the purposes of falsifying service records.
- (2) Improperly install a fire suppression system or improperly recharge, repair, service, or test any fire suppression system or portable fire extinguisher.
- (3) While holding a permit or license, allow another individual to use the permit or license or permit number or license number or to use a license or permit or license number or permit number other than his or her own valid license or permit or license number or permit number.
- (4) Use or permit the use of any license by an individual or firm other than the one to whom the license is issued.
- (5) Use any credential, method, means, or practice to impersonate a representative of the State Fire Marshal or any local fire chief, fire marshal, or other fire authority having jurisdiction.

1 (6) Engage in the business of installing, inspecting, recharging, repairing,
2 servicing, or testing portable fire extinguishers or fire suppression systems
3 except in conformity with the provisions of this Article and the applicable
4 rules and regulations of the State Fire Marshal.

5 (7) Fail to comply with a cease and desist order under G.S. 58-82C-12.

6 **"§ 58-82C-15. Mandatory use of digital reporting system and digital tagging.**

7 (a) All inspections, testing, and maintenance of any of the following conducted within
8 the State by a firm required to hold a license under this Article or an individual required to hold
9 a permit under this Article shall be reported through a digital reporting system that meets the
10 requirements set forth in this section:

11 (1) Portable fire extinguishers.

12 (2) Pre-engineered kitchen fire suppression systems.

13 (3) Pre-engineered industrial fire suppression systems.

14 (4) Engineered special hazard fire suppression systems.

15 (b) The digital reporting system shall be capable of all of the following:

16 (1) Capturing real-time inspection data, including date, time, and geographic
17 location.

18 (2) Storing and transmitting inspection reports in a secure and accessible format.

19 (3) Providing direct electronic access to the authority having jurisdiction over the
20 item or system reported or tagged under this section and the Office of the State
21 Fire Marshal for compliance monitoring and enforcement.

22 (4) Utilizing geo-fencing to verify inspector presence at the inspection location.

23 (5) Utilizing digital tagging to assign a unique electronic record to each portable
24 fire extinguisher or fire suppression system reported under subsection (a) of
25 this section and each fire sprinkler or fire alarm system tagged under
26 subsection (c) of this section.

27 (6) Associating each inspection report required under subsection (a) of this
28 section with the applicable license or permit number issued under this Article
29 to the individual or firm performing the inspection, testing, or maintenance.

30 (c) Any individual or firm engaged in the business of inspecting, testing, or maintaining
31 fire sprinkler or fire alarm systems in this State shall, in the manner prescribed by the State Fire
32 Marshal by rule, affix a Quick Response (QR) code decal or hanging tag to each fire sprinkler or
33 fire alarm system inspected, tested, or maintained, or to a location associated with the system.
34 The QR code decal or hanging tag shall be linked to a digital reporting system that complies with
35 the requirements of this section and any standards established by the State Fire Marshal by rule
36 under G.S. 58-82C-2(b)(3). The QR code shall do all of the following:

37 (1) Provide immediate access to the most recent inspection report for the specific
38 fire sprinkler or fire alarm system.

39 (2) Be scannable by fire inspectors, building owners, and other authorized
40 personnel to verify compliance and maintenance history.

41 (3) Be updated automatically upon submission of each new inspection report.

42 **"§ 58-82C-16. Power of the State and local governments to regulate not limited.**

43 (a) Nothing in this Article limits the power of the State or a unit of local government to
44 require the submission and approval of plans and specifications or to regulate the quality and
45 character of work performed by contractors for the protection of the public health and safety.

46 (b) No unit of local government shall impose any other requirements on individuals
47 licensed or permitted by the State Fire Marshal as set forth in this Article to prove competency
48 to conduct any activity covered by the license or permit."

49 **SECTION 2.** G.S. 58-78A-1(b) reads as rewritten:

50 "(b) The Office of the State Fire Marshal shall be responsible for all of the following:

51 (1) State Fire and Rescue Commission, Article 78 of this Chapter.

- 1 (2) Investigation of Fires and Inspection of Premises, Article 79 of this Chapter.
- 2 (3) State Volunteer Fire Department, Article 80 of this Chapter.
- 3 (4) Pyrotechnics Training and Permitting, Article 82A of this Chapter.
- 4 (5) Management of Aqueous Film-Forming Foams, Article 82B of this Chapter.
- 5 (5a) Licensing and Permitting for the Installation and Servicing of Portable Fire
- 6 Extinguishers and Fire Suppression Systems and Digital Reporting and
- 7 Tagging, Article 82C of this Chapter.

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9 **SECTION 3.** The Office of the State Fire Marshal may adopt rules, including
10 temporary rules, to implement the provisions of this act. Rules adopted under this section may
11 address G.S. 58-82C-15, as enacted by this act, before that section becomes effective, but no rule
12 adopted under this section shall require compliance with G.S. 58-82C-15 before that section
13 becomes effective.

14 **SECTION 4.(a)** Section 3 of this act is effective when it becomes law.

15 **SECTION 4.(b)** Notwithstanding G.S. 58-82C-9(a), as enacted by this act, any
16 license or permit initially issued under Article 82C of Chapter 58 of the General Statutes on or
17 after October 1, 2026, and before January 1, 2027, shall remain valid until December 31, 2027,
18 unless earlier suspended, revoked, or otherwise made inoperative under that Article.

19 **SECTION 4.(c)** G.S. 58-82C-15, as enacted by this act, becomes effective October
20 1, 2027, and applies to inspections, testing, and maintenance occurring on or after that date.

21 **SECTION 4.(d)** Except as otherwise provided, this act becomes effective October 1,
22 2026.