

EXPLANATORY STATEMENT

**California Code of Regulations
TITLE 19. Public Safety
Division 1. State Fire Marshal
CHAPTER 5.5. Automatic Fire Extinguishing Systems Certification**

**Updating the State Fire Marshal Seals of Registration
(California Code of Regulations Title 1, Section 100(b))**

The Office of the State Fire Marshal (OSFM) requests approval of the following non-substantive changes that do not materially alter any requirement, right, responsibility, condition, prescription or other regulatory element of any California Code of Regulations (CCR) provision. These proposed changes delete regulatory provisions invalidated in a judgment (Case No. 34-2019-00249221) that has become final, entered by a California Superior Court (CCR, Title 1, Section 100(a)(3)). Due to the court invalidating these regulatory provisions, the OSFM is permanently restrained and enjoined from enforcing the stricken provisions of the following sections of Chapter 5.5. This judgment and injunction were deemed effective on January 7, 2026. The removal of this language from the CCR is a necessary "change without regulatory effect" pursuant to the California Code of Regulations, Title 1, Section 100. Subject to approval by the Office of Administrative Law (OAL), OSFM is proposing the following changes to the California Code of Regulations, Title 19, Division 1, Chapter 5.5.

CHANGES WITHOUT REGULATORY EFFECT

Reference: California Code of Regulations, Title 1, Section 100(a)

Item 1:

CHAPTER 5.5. Automatic Fire Extinguishing Systems Certification

ARTICLE 2. Definitions

Section 924.11. "T" Definitions.

(a) Trainee. A person or individual working in the fire protection industry installing water-based fire protection systems ~~at an entry level position~~ as described in Section 937.

Explanation

In the judgment, the court invalidated certain provisions of Section 924.11 of the Regulations, relating to the definition of "Trainees." The OSFM is permanently restrained and enjoined from enforcing the stricken provisions of this section.

Item 2:

CHAPTER 5.5. Automatic Fire Extinguishing Systems Certification

ARTICLE 3. General Provisions and Fee Schedule

~~Section 926. Maximum Number of Directly Supervised Employees~~

~~Sprinkler Fitter may supervise the number of apprentices permitted in their Apprenticeship Agreement and up to two (2) trainees.~~

Explanation

In the judgment, the court invalidated the entirety of Section 926, relating to the maximum number of directly supervised employees. The OSFM is permanently restrained and enjoined from enforcing the stricken provisions of this section.

Item 3:

CHAPTER 5.5. Automatic Fire Extinguishing Systems Certification

Article 5. Certification and Registration

Section 937. Fire Sprinkler Fitter Trainee Registration

~~(a) A person not registered in a California State or federally approved apprenticeship program, shall be registered with the Office of the State Fire Marshal as a Fire Sprinkler Fitter Trainee and work within the scope of these regulations as a trainee for up to one (1) year from their date of hire.~~

(b) To be registered as a trainee, an applicant shall meet the following requirements:

(1) Be 16 years of age or older.

(2) Complete an Apprentice/Trainee Registration Application (AES 1005A) accompanied by the fees prescribed in Section 925.1 of these regulations.

(3) Provide proof of employment with a licensed California Contractors State License Board C-16 contractor.

(c) Upon approval of 1 through 3 above, the applicant will be issued a Trainee Registration Card.

(d) Individuals may perform work within the scope of these regulations for no more than ninety (90) days prior to submitting an application to the OSFM.

~~(e) The trainee shall work under the direct supervision of a Certified Fire Sprinkler Fitter at all times and shall do the following:~~

~~(1) Only perform installation of water-based fire protection systems for a properly licensed California Contractors State License Board C-16 contractor.~~

~~(2) Be registered into a California State or federally approved fire sprinkler fitter apprenticeship program within one (1) year of their date of hire.~~

~~(f) If the trainee is not accepted into a California State or federally approved fire sprinkler fitter apprenticeship program within one (1) year of their date of hire, the individual shall no longer be registered to work within the scope of these regulations.~~

(g) An original trainee registration shall be valid from the date of issuance through June 30th. Thereafter, each trainee registration shall be renewed annually and is valid from July 1st through June 30th.

Explanation

In the judgment, the court invalidated certain provisions of Section 937 of the Regulations, relating to the registration and work of “Fire Sprinkler Fitter Trainees.” The OSFM is permanently restrained and enjoined from enforcing the stricken provisions of this section.