**Section 251.230 Fire Equipment Employee License**

a) *No person shall act as a fire equipment employee, or advertise or assume to act as such, or use any title* thatsuggests the person *is engaged in such practice or occupation, unless licensed by the* Office per the terms of this Part. [225 ILCS 217/10(a)]

b) Any individual that services, recharges, installs, inspects, maintains, alters, repairs or replaces fire equipment, whether part-time or full-time, must be licensed as a fire equipment employee.

c) No individual who is less than 18 years of age may be licensed as a fire equipment employee.

d) An individual who engages in hydrostatic testing of fire equipment but does not service, recharge, install, inspect, maintain, alter, repair, or replace fire equipment is not required to be licensed as a fire equipment employee. The individual must have a current RIN issued by USDOT PHMSA, or be employed by an entity that has a current RIN issued by USDOT PHMSA, and shall provide proof of such qualifications upon request of the AHJ.

e) License Relationship

1) A fire equipment employee shall be employed by a fire equipment distributor licensed in the distributor classification corresponding to the fire equipment employee classification for which the fire equipment employee holds a license.

2) A fire equipment employee shall follow the process in Section 251.240 regarding notice to the Office of the termination of a fire equipment employee's employment.

3) If a fire equipment employee is employed by a fire equipment distributor for a distributor classification in which the distributor is no longer licensed, the corresponding employee classification of the fire equipment employee license shall be suspended. The license may be reinstated upon the licensing of the fire equipment distributor in the distributor classification corresponding to the fire equipment employee classification for which the fire equipment employee held the license; submission of a reinstatement application form; and payment of reinstatement fee and any other applicable fees. If a previously suspended license has since expired, an application must be submitted for a new license.

f) Application for Licensure as a Fire Equipment Employee

1) The application for a fire equipment employee license shall be submitted by the fire equipment distributor that employs the candidate for fire equipment employee licensure.

A) The application shall include the name and address of the candidate.

B) The address shall be an actual street address and shall include the city, state and zip code. A post office box number is not acceptable as an address.

2) A fire equipment distributor may submit an application for a fire equipment employee license only in the fire equipment employee classifications that correspond to those classifications for which the fire equipment distributor is licensed or applying to be licensed.

3) An applicant for a fire equipment employee license shall:

A) Submit a completed application form to the Office in a manner prescribed by the Office, including a signature by both the candidate and the applicant.

B) Submit a copy of the candidate's valid driver's license, valid state identification with date of birth and address, or valid passport.

C) Submit a digital color photograph of the candidate that meets the following criteria:

i) The photograph must show the candidate from a front view with full-face and head and shoulders visible. The Office will reject photographs showing the candidate wearing sunglasses, hats, scarves, or any object that obscures the candidate's identity. Photographs must show the candidate wearing plain or company shirts, on a white background. Photographs shall be of sufficient quality to clearly identify the candidate.

ii) *A candidate seeking a religious exemption to this photograph requirement shall submit* the candidate's *fingerprints* through a fingerprint vendor licensed by the Illinois Department of Financial and Professional Regulation *with the application in lieu of a photograph.* [225 ILCS 217/40]

iii) *A candidate who is 21 years of age or older seeking a religious exemption to this photograph requirement shall furnish with the application an approved copy of United States Department of the Treasury Internal Revenue Service Form 4029.* [225 ILCS 217/40]

D) Provide proof of the candidate's current certification appropriate to the fire equipment employee classification for which the applicant is applying. A copy of the certificate must be submitted to the Office. Acceptable certifications shall be:

i) Class 1: ICC or NAFED certification in Portable Fire Extinguishers;

ii) Class 2I: ICC or NAFED certification in Pre-Engineered Industrial Fire Suppression Systems;

iii) Class 2K: ICC or NAFED certification in Pre-Engineered Kitchen Fire Extinguishing Systems; or

iv) Class 3: NAFED certification in Engineered Fire Suppression Systems or NICET certification in Special Hazards Systems (Level III).

E) Provide a copy of the fire equipment distributor license, or application for a distributor license, that corresponds to the desired class of fire equipment employee license.

F) Provide a list of each license issued to the candidate by any state, local or federal governmental entity in the previous 3 years to engage in the work of a fire equipment employee.

G) Provide a statement of whether the individual is currently subject to disciplinary action or has been adjudicated to have violated conditions of a license in any jurisdiction.

4) An application for fire equipment employee license and application for fire equipment distributor license may be submitted simultaneously.

5) Upon submission of the completed application, including all requisite information and documentation, the Office will review the application for licensure. During review of the application for licensure, the Office shall consider past history of the candidate. Past history of the candidate includes, but is not limited to, any citations or other discipline imposed by any jurisdiction or any occurrences of unlicensed work. In addition to any other reason for refusal, the Office may refuse to issue a fire equipment employee license on the basis of the past history of the candidate.

6) Failure to submit a completed application within 30 calendar days of initial receipt of the application by the Office will cause the application to expire and a new, completed application must be submitted for review.

7) After reviewing the applicant's completed application, the Office will invoice the applicant for a candidate who meets all conditions for licensure for the fee amount in accordance with Section 251.250. No license shall be issued until the applicable fees have been paid.

8) Upon submission of the requisite fee amount, the candidate will be assigned a fire equipment employee license number and issued an identification card. This identification card shall be carried at all times the individual is engaged in a licensed activity and shall be made available to the AHJ upon request. The identification card will bear the following information:

A) Name of the fire equipment employee;

B) Fire equipment employee license number;

C) One or more classifications as outlined in Section 251.210; and

D) Date of issue and date of expiration.

g) Renewal of Fire Equipment Employee License

1) The expiration and renewal dates for each fire equipment employee license under this Part shall be at three year intervals. The Office will notify the fire equipment distributor, by issuance of a notice, 90 calendar days prior to the expiration of the fire equipment employee license. Failure of a licensee to receive the notice is not a valid reason for operating without a current license.

2) The fire equipment distributor shall follow the process in subsection (f) to apply for renewal of the fire equipment employee license. The fire equipment distributor shall ensure that the information provided for initial licensure or previous renewal is still correct, or shall update any incorrect information and provide any additional information requested at the time of renewal.

3) A license may be renewed within 60 calendar days after the expiration date without a reinstatement fee. However, an individual working on an inactive license shall be considered to be operating without a current license and that individual, and the employing person or business, shall be subject to the applicable discipline and penalties.

4) Failure to renew within 60 calendar days after the expiration date shall make the license inactive. An inactive license may not be reinstated until an application is submitted and all fees, including the renewal and reinstatement fees, are paid (see Section 251.250).

5) Failure to reinstate an inactive license within one year after the expiration date of the license shall terminate the license. A terminated license may not be renewed or reinstated. A fire equipment distributor may apply for a new license for an individual whose previous license has terminated.

6) *Renewal and reinstatement fees shall be waived for* individuals *who did not renew while on active duty in the military and who file for renewal or reinstatement within one year after discharge from such service.* [225 ILCS 217/60(c)]

h) Maintaining Conditions of Licensure

1) A fire equipment employee is required to maintain in effect the conditions under which the fire equipment employee was licensed or *the license shall automatically be suspended*. [225 ILCS 217/62(b)]

2) A fire equipment distributor that employs a fire equipment employee whose required items or documentation under subsection (f) expire or lose effect prior to the date of license expiration shall submit proof of replacement to the Office prior to the date on which the items or documentation expire or lose effect. These items or documentation are:

A) A copy of the candidate's current valid driver's license, valid state identification with date of birth and address, or valid passport; and

B) Current certification appropriate to the classification.

3) An individual working on a suspended or inactive license shall be considered to be operating without a current license. The individual, and the employing person or business, shall be subject to the applicable discipline and penalties.

i) Amending Current Fire Equipment Employee Licenses

1) A fire equipment distributor that employs any fire equipment employee who changes their address or other contact information (phone, email, etc.), shall inform the Office in writing within 10 business days after the change and pay any requisite processing fees under Section 251.250.

2) Adding Classifications

A) Any fire equipment distributor that applies for an additional classification for a fire equipment employee prior to the expiration date of the current fire equipment employee license, shall apply in accordance with subsection (f) for the classifications to be added.

B) The expiration date of the license for an added classification of fire equipment employee license shall be the same as for the existing classifications of the fire equipment employee license. For example, for a fire equipment employee license with a license expiration date of October 1, 2025, when adding a classification of license on February 1, 2025, all classifications of license would expire on October 1, 2025.

C) Any fire equipment distributor that applies for additional classification for a fire equipment employee at the time of renewal shall apply in accordance with subsection (f). The expiration date of added classifications shall be the same as for the renewed license.

j) Changes Requiring Application for a New License

A fire equipment distributor must apply for a new license for each fire equipment employee any time a fire equipment distributor is required to apply for a new fire equipment distributor license. This requirement does not apply to a license renewal application for the fire equipment distributor.

(Source: Added at 47 Ill. Reg. 16058, effective October 26, 2023)