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## State Fire Marshal Division

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February 27, 2015

## STATE FIRE MARSHAL OPINION 15-01

**Subject of Opinion: NAC 477.410, Internal inspection of portable extinguishers, applicability; and NAC 477.425, Approved tags, appropriate use.**

**Background.** Nevada Administrative Code (NAC) section 477.410 contains a requirement for an annual internal inspection of all portable fire extinguishers except carbon dioxide, wet chemical, halogenated agent, aqueous film forming foams (AFFF) and film forming fluoroprotein foam (FFFP) portable fire extinguishers, regardless of the provisions or exceptions contained in applicable National Fire Protection Association (NFPA) standards.

Fire protection contractors servicing portable fire extinguishers or fixed fire protection systems are required to tag this equipment with an approved tag described in NAC 477.425.

Nevada Revised Statute (NRS) section 477.030 details the scope of the duties and powers of the State Fire Marshal to, among other items, provide for the minimum fire protection standards and the licensing of the fire protection industry for the State of Nevada. The jurisdiction of the State Fire Marshal extends to commercial and industrial facilities in the state, state and local government facilities, but does not include federal properties.

Similarly, certain motor vehicles are regulated by federal requirements issued by agencies such as the U.S. Department of Transportation, the Interstate Commerce Commission, the Mine Safety and Health Administration and others.

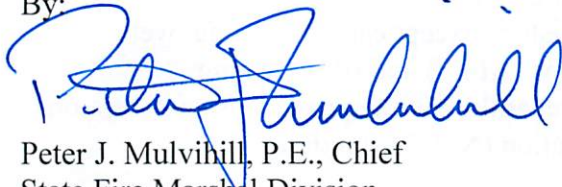
**Opinion.** It is the opinion of the Nevada State Fire Marshal that the annual internal inspection requirement applies only to those facilities covered by the scope and duties of NRS 477.030.

Furthermore, it is the position of the Nevada State Fire Marshal that the use of a Nevada State Fire Marshal approved tag that includes the logo of the Nevada State Fire Marshal, as found in NAC 477.425, by any contractor indicates full compliance with the inspection requirements contained throughout NAC Chapter 477.

Contractors servicing portable fire extinguishers or fire protection systems in such locations as federal buildings, vehicle mounted systems, or other uses and locations outside the scope and duties specified in NRS 477.030, may use a Nevada State Fire Marshal approved tag that includes the logo of the Nevada State Fire Marshal only if the inspection and service provided fully complies with all requirements contained in NAC Chapter 477.

Contractors servicing portable fire extinguishers or fire protection systems in such locations as federal buildings, vehicle mounted systems, or other uses and locations outside the scope and duties specified in NRS 477.030 that follows other inspection frequencies, such as those published by NFPA in NFPA 10, may do so under the authority of the governing federal agency, but shall not use a Nevada State Fire Marshal approved tag that includes the logo of the Nevada State Fire Marshal. In this case, the contractor must prepare and use a tag of a different design that does not include the logo of the Nevada State Fire Marshal.

By:



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