AFSA45
STANDARDS UNDER ATTACK
WHY CONTRACTORS SHOULD CARE
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SAN ANTONIO, TX
AFSA
American Fire Sprinkler Association

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Russ is the Executive Chairman of Telgian Holdings Inc., an international fire protection and life safety services company. He is a graduate of the University of Nevada, Las Vegas with 45 years of experience in the fire and life safety profession. Russ is a former chair of the board NFPA, is a board member for NFPA Global Solutions, and is on the NICET Board of Governors. He serves on NFPA Technical Committees including NFPA 13 Installation and Sprinkler Discharge Criteria, NFPA 3 System Commissioning, NFPA 4 Testing of Integrated Systems, among others. He has provided training and presentations in over 40 countries around the world. He has authored numerous articles and training materials used throughout the industry.
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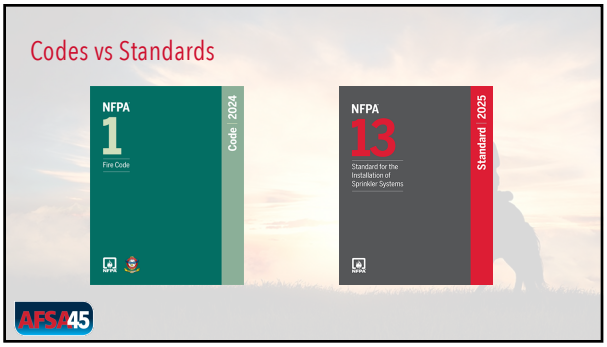
Codes vs Standards
NFPA 1 Fire Code Code 2024
NFPA 13 Standard for the Installation of Sprinkler Systems Standard 2025

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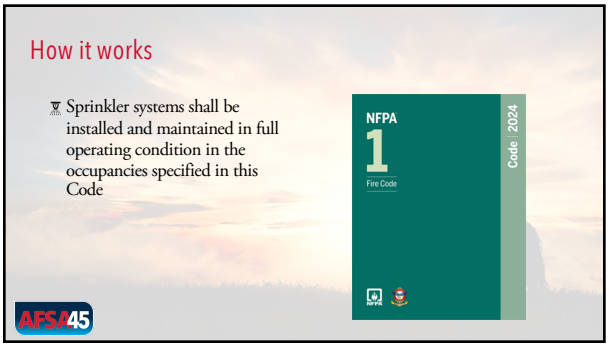
How it works
Sprinkler systems shall be installed and maintained in full operating condition in the occupancies specified in this Code
NFPA 1 Fire Code Code 2024

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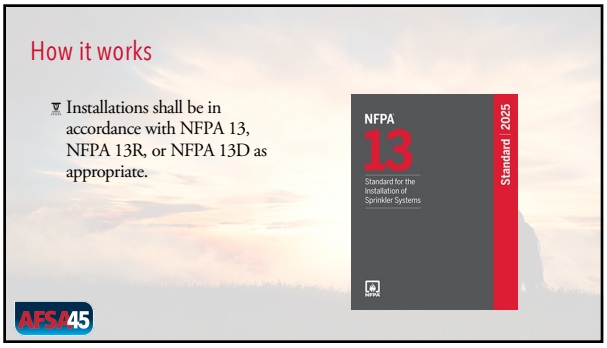
How it works
Installations shall be in accordance with NFPA 13, NFPA 13R, or NFPA 13D as appropriate.
NFPA 13 Standard for the Installation of Sprinkler Systems Standard 2025

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Codes refer to Standards

- The documents referenced in this chapter or portions of such documents are referenced within this Code and shall be considered part of the requirements of this document.
- Documents referenced in this chapter or portion of such documents shall only be applicable to the extent called for within other chapters of this Code.
- Where the requirements of a referenced code or standard differ from the requirements of this Code, the requirements of this Code shall govern.

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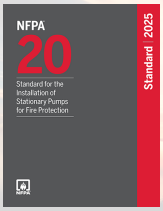
Standards refer to Standards



- ASCE (American Society of Civil Engineers)
- ASME (American Society of Mechanical Engineers)
- AWS (American Welding Society)
- NEMA (National Electrical Manufacturers Association)
- UL (Underwriters Laboratories Inc.)

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Understanding Terms

- **SDO** Standards Development Organization
- **SDO** (Private)
- **ASD** Accredited Standards Developer
- **ANSI** American National Standards Institute
- **ANS** American National Standard

ASTM INTERNATIONAL

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NFPA Standards Development

- Regulations Governing the Development of NFPA Standards establishes the procedure for the NFPA standards development.
- Organization Bylaws
- Technical Meeting Convention Rules
- Guide for the Conduct of Participants in the NFPA Standards Development Process
- Regulations Governing Petitions to the Board of Directors from Decisions of the Standards Council.

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NFPA Standards Development Process

Step One: Public Input Stage
Step Two: Public Comment Stage
Step Three: Technical Meeting
Step Four: Appeals and Issuance

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Example of process: NFPA 13 2028 edition

- Public Inputs closed June 4, 2025
- First Draft report issued March 3, 2026
- Public Comments closed June 3, 2026
- SSI and SSD second draft meetings (held August 10-14, Richmond, VA)
- Second Draft report issued by March 3, 2027
- NITMAN closing date March 31, 2027
- NITMAN posting date May 12, 2027
- Technical Meeting NFPA Conference (June 17-18, San Antonio, TX)

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NFPA Standards Development Process

- ANSI Accredited Standards
- Fully Open
- Allows for public participation
- Consensus Based
- Follows published schedule

"First, the Rules of Engagement for this meeting ..."

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NFPA Standards Development Process

- Technical Committees and Panels are the principal consensus bodies responsible for developing and updating all NFPA codes and standards.
- Appointed by the Standards Council

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NFPA Standards Council

- 13 Members
- Appointed by NFPA Board
- Oversees standard development process
- Presiding officers at technical meeting
- Hear appeals over matters related to the development process

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NFPA Standards Development Process

- Technical Committees and Panels
  - Principal consensus bodies
  - NFPA Membership is not required to serve
  - Maintain a balance of interests—not more than one-third of committee may represent in interest category
- Committee and Panel Members
  - Technical expertise
  - Professional standing
  - Commitment to public safety
  - Bring to committee the viewpoint of interest groups

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NFPA Standards Development Process

- 422 current and discontinued codes, standards, recommended practices, and guides
- 10,000 volunteers
- Interest groups include enforcers, manufacturers, users, installer/maintainers, insurers, research and testing labs, labor, consumers, special experts
- 3 to 5-year revision cycles for current codes and standards
- 2-year process for revision

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AFSA Participation

- Representation on all technical committees regarding the fire protection industry with an emphasis on standards that impact fire sprinkler and related systems.

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Why are Privately developed Codes and Standards Copyrighted?

Using NFPA as an example:

- NFPA is a self-funded non-profit organization
- The vast majority of operational expenses fund standards development
- 70% of NFPA revenue comes from sale and licensing of its codes/standards
- NEC accounts for 60% of publication revenues
- 90% of publication revenue comes from 10 standards
- All other standards development is subsidized by the small minority

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History of Attacks on Copyright Protection

- Lawsuit(s) filed targeting the copyright protection for referenced standards
- Rulings have been mixed but over all the rulings have been against copyright protections
- NFPA filed lawsuits against private entities posting copyrighted standards and using content for commercial purposes
- Some courts have referenced the doctrine of fair use for referenced standards
- Some lawsuits regarding commercial use have been settled

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The Argument Against Copyrighted Standards

- When adopted into a code or other legislation, citizens should have free access to and use of the law
- SDO's can find other ways to fund the development process
- Some SDO's such as ASTM do not want any of the standards available for free access
- The government should develop standards
- Discriminates against consumers, especially the poor

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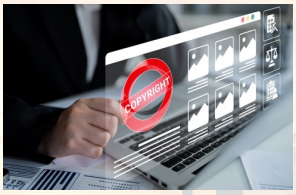
Procodes Act

- SDO's do not lose copyright protection when incorporated into any law as long as:
  - The standard was developed under a system that is open, balanced, allows appeals, and based on consensus.
  - Any portion adopted by law is accessible to the public online at no cost
  - There is oversite of the impact of the law and its impact on consumers



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What happens when we lose?

- Our input in the standards development process is gone
- Development of codes and standards turned over to government which they are admittedly unqualified to do
- Standards development will slow to a crawl and current documents will quickly become outdated
- Lose uniformity of enforcement
- Create a free-for-all marketplace

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What's Next?

- Even if law passes we must be ready for legal challenges so . . .
- NFPA strategy to protect the development process
  - Grow NGS to increase income stream
  - Grow and monetize knowledge resources
  - LINK and Casi
  - Global expansion

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Questions or Thoughts
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✓ Complete survey 1 of 2 ways:
✓ Survey link is emailed to attendees with scanned badges
✓ Event app by EventsAir
• Login to app
• Navigate to seminar survey
✓ Surveys close 10/31/26
Thank you!
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