Graphic images included in rules are published separately in this tables and graphics section. Graphic images are arranged in this section in the following order: Title Number, Part Number, Chapter Number and Section Number.

Graphic images are indicated in the text of the emergency, proposed, and adopted rules by the following tag: the word "Figure" followed by the TAC citation, rule number, and the appropriate subsection, paragraph, subparagraph, and so on.

Figure: 28 TAC §12.601(f)

Guidance on calculating the adjusted approval rate as required in §12.601(f)

Percent Overturned (OT%)—Percent of reviewed adverse determinations that the IRO determines should have been approved and that would have been overturned had the physician or provider appealed to an IRO (i.e., the percent of adverse determinations reviewed that the IRO determined to be medically necessary and appropriate).

Number of Adverse Determinations (#ADs)—Number of preauthorization requests included in the evaluation that were adversely determined.

Number Approved (#APs)—Number of preauthorization requests included in the evaluation that were approved.

Total Preauthorization Requests (Total #PRs)—Total number of preauthorization requests included in the evaluation.

Adjusted Approval Rate—$\frac{(OT\% \times \#ADs) + \#APs}{Total\ \#PRs}$

Figure: 28 TAC §34.1302(a)

Citation	Violation	Fine		Citation	Violation	Fine
6001.152(a)	Branch office registration certificate required	$1,000.00		34.517(e)	Fixed system not installed or serviced by Type A or EPL	$2,000.00
6001.161(a)	Apprentice permit required	$500.00		34.517(a)(1)	Portable extinguisher not installed/serviced/ maintained IAW manufacturer's instructions	$50.00-$500.00
6001.251(a)(1)	No registration certificate (portable)	$3,000.00		34.517(a)(2)	Service tag not attached upon completion	$250.00
6001.251(a)(2)	No registration certificate (fixed)	$3,000.00		34.517(b)(1)	Fixed system not planned/installed/service d IAW "manufacturer's Instructions	$50.00-$500.00
6001.251(a)(3)	No license	$3,000.00		34.517(b)(2)	Installation label not affixed to system upon completion	$250.00
34.510(e)(10)(A)	No C registration for U.S. DOT extinguishers	$2,000.00		34.517(b)(3)	Installation label not signed and affixed to system by Type A or PL licensee (non pre-engineered)	$500.00
34.510(e)(10)(B)	No verification of U.S. DOT registration	$2,000.00		34.517(b)(3)	Licensee who signed label was not at final test (non pre-engineered)	$500.00
34.510(f)	Registration information not displayed on vehicle	$250.00		34.517(b)(4)	Service tag not attached after service completion	$500.00
34.511(f)(1)	Licensee not employed by registered firm	$2,000.00		34.517(f)	Pre-engineered kitchen system not UL300	$2,000.00
34.511(f)(3)	Failure to notify SFMO of termination of employee within 14 days	$250.00		34.517(h)	Fusible link manufacturer date not within 1 year	$500.00
34.513	Alteration of certificates, licenses, or permits	$3,000.00		34.517(i)	Actuation cartridge not dated	$500.00

34.514(a)(5)(b)	Failure to maintain proof of insurance on file at SFMO	$750.00		34.517(j)	Tamper indicator not dated	$500.00
34.510(k); 34.511(d)	Failure to revise or change an address within the required 14 days of change	$250.00		34.518(a)	Shop drawings not on file or not given to owner	$500.00
34.517(a)(1)	Failure to abide by adopted standards or manufacturers portable extinguishers	$50.00-$500.00		34.518(c)	Shop drawings not signed by EPL	$500.00
34.517(b)(1)	Failure to abide by adopted standards or manufacturers requirements for fixed extinguishers	$50.00-$500.00		34.519(a)	Service tag not completed in detail	$250.00
34.510(d)	Failure to maintain business location	$500.00		34.520(b)	Service tag not completed each time service is performed	$500.00
34.510(e)	Failure to maintain shop	$50.00-$500.00		34.521(a)	Owner not notified immediately of impaired portable or fixed extinguisher	$500.00
6001.252(a)(3)	Misrepresentation of goods or services	$250.00-$1,000.00		34.521(a)	AHJ not notified within 24 hrs of impaired portable or fixed extinguisher	$500.00
34.517(c)	Pre-engineered system not installed or serviced by authorized licensee	$2,000.00		34.521(a)	Written notice to owner; copy of written notice to AHJ within 3 days	$500.00
34.517(e)	Fixed system not planned by EPL or professional engineer	$2,000.00		34.521(a)	Failed to attach red tag to impaired extinguisher	$500.00
				34.521(a)	Service tag attached to impaired extinguisher	$1,000.00

34.514(a)(5)(B)	Lapse of Insurance				
Months	Punitive	+	Amount Saved		Total
0-1	$200	+	$125	=	Warning Letter
1-2	$500	+	$250	=	$750
2-3	$500	+	$375	=	$875
3-4	$500	+	$500	=	$1,000
4-5	$500	+	$625	=	$1,125
5-6	$500	+	$750	=	$1,250
6-7	$750	+	$875	=	$1,625
7-8	$750	+	$1,000	=	$1,750
8-9	$750	+	$1,125	=	$1,875
9-10	$750	+	$1,250	=	$2,000
10-11	$750	+	$1,375	=	$2,125
11-12	$750	+	$1,500	=	$2,250

Figure: 28 TAC §34.1302(b)

Citation	Violation	Fine		Citation	Violation	Fine
6002.152(a)	Branch office registration certificate required	$1,000.00		34.617	Failure to distribute/retain certificate	$500.00
6002.154(a)	No licensed employee	$1000.00		34.618	Installation inspection improperly performed/documented	$50.00-$500.00
6002.154(b)	No license	$3,000.00		34.618	Installation inspection improperly documented	$500.00
6002.154(c)	Licensee not an employee of registered firm	$750.00		34.618	Installation inspection docs not on file for 5 yrs	$500.00
6002.301	Engage in business w/o license or registration certificate	$3,000.00		34.619(a)	System/modification not planned by authorized person	$3,000.00
34.616(b)(4)	Violation of standards established by 34.607	$50.00-$500.00		34.619(b)	Plans not submitted to AHJ	$500.00
34.6616(b)(4)	Violation of standards established by manufacturers requirements (NFPA, 72, §10.3.2)	$50.00-$500.00		34.619(b)	Plans incorrectly submitted to AHJ	$250.00
34.610(a)	Failure to maintain business location	$500.00		34.620(a)	Installation label not affixed to inside of control panel cover	$500.00
34.610(b)	Designated employee	$500.00		34.620(d)	Installation label improperly formatted or incomplete	$500.00
34.610(c)	Registration information not displayed on vehicle	$250.00		34.620(f)	Installation label incorrectly formatted or incomplete (1 or 2 family)	$500.00
34.611(f)(2)	Failure to notify SFMO of termination of employee within 14 days	$250.00		34.621(a)	Service label not affixed to control panel cover	$500.00
34.616(b)(1)	Installation not performed by or	$3,000.00		34.621(b)	Information about yellow or red label not on service	$500.00

	under direct supervision of authorized licensee				label that corrected the impairments	
34.616(b)(1)	Certifying licensee not licensed under ACR of primary registered firm or certifying licensee not present for final acceptance test	$1,000.00		34.623(c) (yellow) 34.624(c) (red	Owner or AHJ not notified of impairment	$500.00
34.616(b)(2)	Licensee attaching label not licensed under ACR of primary registered firm	$1,000.00		34.621(h)	Service label improperly formatted or incomplete	$500.00
34.616(b)(2)	Service and maintenance not performed by or under direct supervision of authorized licensee	$3,000.00		34.622(a)	Inspection/test label not filled out in detail or not affixed to inside of control panel cover	$500.00
6002.302(a)(3)	Misrepresentation of goods or services	$250.00-$1,000.00		34.622(d)	Owner or AHJ not notified of impairment	$500.00
34.610(h); 34.611(d)	Failure to revise or change an address within the required 14 days of change	$250.00		34.622(j)	Inspection/test label incorrectly formatted/incomplete	$500.00
34.616(c)(1)	Monitoring an alarm for an unregistered firm	$3,000.00		34.623(a)	Completed yellow label not attached to outside of control panel of impaired system	$500.00
34.616(c)(2)(A)	Connecting an alarm to an unregistered monitoring firm	$2,000.00		34.623(g)	Yellow label incorrectly formatted/incomplete	$500.00
34.616(3)	No licensed technician at central station	$1,000.00		34.624(a)	Completed red label not attached to outside of impaired system	$1,000.00
				34.624(g)	Red label improperly formatted/incomplete	$500.00

34.613(a)(5)(B)	Lapse of Insurance				
Months	Punitive	+	Amount Saved		Total
0-1	$200	+	$125	=	Warning Letter
1-2	$500	+	$250	=	$750
2-3	$500	+	$375	=	$875
3-4	$500	+	$500	=	$1,000
4-5	$500	+	$625	=	$1,125
5-6	$500	+	$750	=	$1,250
6-7	$750	+	$875	=	$1,625
7-8	$750	+	$1,000	=	$1,750
8-9	$750	+	$1,125	=	$1,875
9-10	$750	+	$1,250	=	$2,000
10-11	$750	+	$1,375	=	$2,125
11-12	$750	+	$1,500	=	$2,250

Figure: 28 TAC §34.1302(c)

Citation	Violation	Fine		Citation	Violation	Fine
	Certificates of Registration and Licenses				Planning and Installation	
6003.151(a)	Engage in business w/o registration certificate	$3,000.00		34.717(b)	Failed to maintain copy of updated plans	$500.00
6003.153(b)	Act as responsible managing employee (RME) w/o holding license	$3,000.00		34.717(c)	Plans do not contain required signatures/information about firm or licensee	$500.00
34.710(a)	Subcontracting to unregistered firm to perform work of fire protection sprinkler contractor	$3,000.00		34.717(c)(2)	Plans not submitted to AHJ for review/permit/rating/ record	$500.00
34.711(a)	Firm's RME not licensed, or license expired	$1,000.00		34.717(c)(2)	Plans incorrectly submitted to AHJ	$250.00
34.711(e)(1)	Licensee working not employed by registered firm	$750.00		34.718(a)	Installation tag not completed, not completed in detail, not attached to riser	$500.00
34.711(e)(2)	Firm failed to notify SFMO of termination of employee w/in 14 days	$250.00		34.718(b)	ITM tag not attached to riser after installation/required tests and inspections	$500.00
34.710(g); 34.711(d)	Failure to revise or change an address within the required 14 days of change	$250.00		34.719(a)	Service tag not completed and/or not attached to riser	$500.00
34.716(i)	Planning/installation /service not in accordance with adopted standards	$50.00-$500.00		34.719(c)	New service tag not attached after service	$500.00
34.710(b)	Failure to maintain business location on certificate of registration	$500.00		34.719(g)	Service tags improperly formatted	$250.00
34.711(f)	Individual not licensed for work performed	$3,000.00		34.720(a)	ITM tag not completed and/or attached to riser after scheduled inspection, testing, or maintenance service	$500.00
34.716(a)	System not installed under supervision of appropriately licensed individual	$3,000.00		34.720(c)	New ITM tag not completed and attached after each service	$500.00

34.716(b)	Individual did not affix material and test certificates on or near riser	$500.00		34.720(g)	ITM tag improperly formatted	$250.00
34.716(c)	Inspection/test/maintenance service not conducted by appropriately licensed individual	$3,000.00		34.721(a)	Yellow tag not completed and/or attached to noncompliant system	$500.00
34.716(d)	Records not available for examination	$500.00		34.721(c)	Building owner/representative/ AHJ not notified of noncompliant system	$500.00
34.716(e)	Vehicles do not display co. name, tel. number and certificate of registration	$250.00		34.721(f)	Yellow tag improperly formatted	$250.00
34.716(g)	The planning not performed under the direct supervision of the appropriately licensed RME	$500.00		34.722(a)	Red tag not completed and attached to system with an emergency impairment	$500.00
34.716(h)	Planning, installation, or service of a fire protection sprinkler system not in accordance with the minimum requirements of the applicable adopted standards	$3,000.00		34.722(b)	Owner/representative/ AHJ not orally notified immediately of impairment	$500.00
6003.252(3)	Misrepresentation	$250.00-$1,000.00		34.722(b)	Owner/representative/ AHJ not notified in writing of impairment within 24 hours	$500.00
34.717(a)	Failed to provide as built plans to the owner	$500.00		34.722(g)	Red tag improperly formatted	$250.00
34.717(a)	Failed to maintain a copy of plans	$500.00				
34.717(b)	Failed to provide updated plans to owner	$500.00				

34.713(a)(7)(B)	Lapse of Insurance			
Months	Punitive	+	Amount Saved	Total
0-1	$200	+	$125	= Warning Letter
1-2	$500	+	$250	= $750
2-3	$500	+	$375	= $875
3-4	$500	+	$500	= $1,000
4-5	$500	+	$625	= $1,125
5-6	$500	+	$750	= $1,250
6-7	$750	+	$875	= $1,625
7-8	$750	+	$1,000	= $1,750
8-9	$750	+	$1,125	= $1,875
9-10	$750	+	$1,250	= $2,000
10-11	$750	+	$1,375	= $2,125
11-12	$750	+	$1,500	= $2,250

Figure: 28 TAC §34.1302(d)

Citation	Violation	Fine
	GENERAL	
34.817(m)	Trash, cardboard or high grass within 10 ft of site	$50.00
34.832(12)	Supervisor less than 18 years old (site closed until corrected)	$500.00
34.832(12)	Supervisor less than 18 years old (site closed until corrected)	$500.00
34.832(12)	Individuals less than 16 years old selling fireworks	$50.00
34.817(h)	Operator consuming or under influence of alcohol	$500.00
2154.252(c)	Fireworks sold or offered to children under 16 years old or to an intoxicated or incompetent person	$500.00
34.817(l)	No off highway parking provided	$100.00
34.817(g)	Smoking inside the site	$500.00
34.817(g)	Smoking outside within 10 feet of site	$250.00
2154.202(g)	Selling fireworks outside selling season	$250.00 to $500.00
	FIREWORKS STORAGE	
34.832(6)	Stored fireworks in sales area accessible to public	$100.00
34.832(7)	Fireworks storage room not restricted to employees only	$100.00
34.832(7)	"NO SMOKING" signs not posted in storage room	$50.00
	STORAGE (AND RETAIL SALES) OVER 500 CASES	
34.823(a)(2)	Not of solid construction or sound engineering	Case
34.823(a)(3)	Electrical does not meet national electric code	$25.00 to $250.00
34.823(a)(3)	No outside master electrical switch	$250.00
34.823(a)(4(A)	Less 50ft from inhabited bldg(s) or surface of highways	$500.00
34.823(a)(4)(A)	Not in compliance with distances in Table 1 34.824	$500.00
34.823(a)(4)(B)	Windows or sunlight on fireworks not diffused	$50.00
34.823(a)(4)(C)	Stove, exposed flame or electric heater in storage area	$500.00
34.823(a)(4)(D)	Swing exit door locked, not marked or obstructed	$250.00
34.823(a)(4)(E)	No Class A extinguisher for each 1000 sqft of floor	$100.00
34.823(a)(4)(F)	Brush, dry grass, leaves or combustibles within 10ft	$100.00
34.823(a)(4)(G)	Missing "NO SMOKING" signs. (4" letters)	$100.00
34.823(a)(5)	No fence, security alarm or 24 hr. personnel on site	$500.00
34.823(a)(6)	Class I combustibles (gasoline) less than 100ft from bldg.	$100.00
34.823(a)(6)	Class I dispensing or vents less than 100 ft from bldg (site closed)	$500.00
34.823(b)(1)	No supervisor at least 18 years old on duty (site closed until corrected)	$500.00
34.832(3)(A)	< 60ft from inhabited bldg. (w/o permit before 11-18-02)	$500.00
34.832(3)(B)	< 30ft from property line (w/o permit before 11-18-02)	$250.00
34.832(3)(C)	Does not comply with Table 1 or have fire sprinklers	$500.00
	PATHWAYS/CORRIDORS OF EGRESS	
NFPA 101 (2024) 36.2.5.5	Means of egress/aisles less than 36 inches	$150.00
NFPA 101 (2024) 36.2.5.10	Means of egress < 36" + cart length (if using carts)	$150.00
34.817(e)	Path to exit door obstructed	$250.00

NFPA 101 (2024) 7.1.10.1	Egress not continually free of obstructions	$150.00
NFPA 101 (2024) 36.2.5.8	No clear exit path around checkout aisle	$250.00
NFPA 101 (2024) 7.11.5	Building has dead end corridors	$150.00
NFPA 101 (2024) 7.2.1.11.1	Turnstile, ropes or other devices obstruct egress	$150.00
	STRUCTURE	
34.832(1)	Sales arena Multi-Use (other business) or Multi-tenant (site closed)	$500.00
34.832(18)	Sales area >2500 sqft with ave. ceiling height < 12 ft	$500.00
34.832(10)	Stored behind glass with impinging direct sunlight	$50.00
34.832(14)	No outside master electrical switch	$100.00
NFPA 101 (2024) 9.1.2	Electrical wiring and equipment appear hazardous	$25.00 to $250.00
34.832(1)	Building is not free standing or durable	Case
34.832(1)	Mezzanine or 2nd story accessible to the public	$150.00
34.832(1)	Selling from a tent, boat, or mobile vehicle (site closed)	$500.00
34.817(k)	Bldg. single or multi-family residential structure (site closed)	$500.00
	INTERIOR	
34.832(5)	Inadequate prevention of customers handling fwks	$100.00
34.832(5)	Restraint around displayed fireworks not durable	$100.00
34.832(5)	Customers handling fireworks w/o attendant assistance	$50.00
34.832(9)	Small quantities of unused boxes in sales/storage area	$50.00
34.832(11)	Extension Cord located where public can walk over	$50.00
34.832(11)	Extension Cord supplies > one device w/o power strip	$50.00
34.832(11)	Extension cord unprotected from accidental damage	$50.00
34.382(11)	Extension Cord used in lieu of fixed structural wiring	$25.00
34.382(11)	Power strip without internal circuit breaker	$25.00
34.382(13)	Trash containers not metal or heavy plastic	$25.00
34.832(13)	Trash containers < 10 ft away from fireworks	$250.00
34.832(15)	Space heater in sales/storage areas	$100.00
34.832(17)	Cooking equipment in sales/storage areas	$100.00
34.817(d)	No 2A extinguisher per 2,000 sqft & within 75 ft travel	$500.00
34.817(p)	Internal combustion engines operating inside retail site	$500.00
NFPA 101 (2024) 36.3.3.2	Interior wall and ceiling finish is not type Class A or B	$500.00
NFPA 101 (2024) 6.1.14.4.1	No firewall -Btwn High Hazard & other occup > 200 sqft	$500.00
	PAPERWORK	
34.817(j)	Original permit not posted in sales area	$100.00
34.817(j)	No permit (site closed until corrected)	$500.00
34.832(8)	Local FD or County FD not notified of location in writing	$100.00
34.832(16)	Plan not on file at SFMO office (site closed until corrected)	$250.00
	FIREWORKS	
2154.003	Illegal fireworks e.g. Bottle or Pop Rockets, M-80's	$1,000.00

2154.003(b)	Illegal fireworks (Bottle or Pop Rockets, M-80's)	$1,000.00
2154.251(2)	Sell <100' from storage and dispensing of flammables (closed until corrected)	$500.00
34.817(o)	Fireworks do not conform to USCPS labeling	$500.00
34.817(i)	Other than fireworks or fireworks promotional items	$100.00
	EXIT DOORS	
NFPA 101 (2024) 7.11.4	Less than two means of egress if room > 200 sqft	$500.00
NFPA 101 (2024) 7.11.1	No exit within 75 ft of any point in the building	$150.00
NFPA 101 (2024) 7.7.1	Exits do not terminate in open space (i.e. blocked)	$150.00
NFPA 101 (2024) 7.2.1.2.3.2	Door openings less than 32" wide	$150.00
NFPA 101 (2024) 7.2.1.4.2	Door "doesn't swing out in direction of egress	$250.00
NFPA 101 (2024) 7.2.1.3.1	Floor elevation change interior > ½ or Exterior door >8"	$100.00
NFPA 101 (2024) 7.2.1.3.3	Threshold at door exceeds ½" in height	$100.00
NFPA 101 (2024) 7.11.7	Doors latch or lock not fire or panic hardware	$1,000.00
NFPA 101 (2024) 7.2.1.5.2	Doors have key locks on egress side	$500.00
NFPA 101 (2024) 7.2.1.4.1(3)	Ex (a&c) Not locked open when occupied	$250.00
NFPA 101 (2024) 7.2.1.4.1(3)	Ex (b) No "This Door To Remain OPEN etc…" SIGN	$100.00
NFPA 101 (2024) 7.2.1.4.1(3)	Ex (e) No one panic hardware door without a roll-up	$500.00
	SIGNS	
NFPA 101 (2024) 7.10.1.2.1	Not all exits have "EXIT" signs. (if exit not obvious)	$100.00
NFPA 101 (2024) 7.10.6.1.1	"EXIT" signs non-compliant with standard	$50.00
NFPA 101 (2024) 7.10.2.1	Missing directional signs to exits (if not apparent)	$50.00
NFPA 101 (2024) 7.10.6.2.1	Directional signs non-compliant with standard	$50.00
NFPA 101 (2024) 7.10.8.3	Missing "NO EXIT" sign on doors that could be mistaken	$250.00
34.817(g)	"NO SMOKING" sign not posted outside entrance doors	$100.00
34.817(g)	"NO SMOKING" sign not posted inside entrance doors	$100.00
34.817(g)	"NO SMOKING" sign not posted several location inside	$100.00
34.817(g)	"NO SMOKING" sign lettering less than 4 inches high	$50.00
	EMERGENCY LIGHTING (IF OVER 3000 SQ. FT.)	

NFPA 101 (2024) 36.2.9	No emergency lighting provided	$500.00
NFPA 101 (2024) 7.8.1.3	Emergency lighting doesn't illuminate paths of egress	$250.00
NFPA 101 (2024) 7.9.2.1	Emergency lighting duration is less than 1 ½ hrs	$250.00
NFPA 101 (2024) 7.9.3.1.1	No record of emergency lighting inspection & test	$100.00
	STAIRS	
NFPA 101 (2024) 7.2.2.2.1	RISER not 4"-7" or Treads less than 11" wide	$100.00
NFPA 101 (2024) 7.2.2.2.1.2	Less than 36" wide or < 56" wide if occupancy over 2000	$100.00
NFPA 101 (2024) 7.2.2.3.3.1	Stairs treads not solid	$100.00
NFPA 101 (2024) 7.2.2.4.1.1	No handrails 34" to 38" high provided	$100.00
NFPA 101 (2024) 7.1.8	Open stairs over 30" rise without a guard rail	$100.00
	STAIR LANDINGS	
NFPA 101 (2024) 7.2.2.3.2.1	No landing at door opening	$100.00
NFPA 101 (2024) 7.2.2.3.2.3	Landing length in direction of travel is less than width	$100.00
NFPA 101 (2024) 7.2.2.3.3.1	Horizontal landing not solid (i.e. grating or see through)	$100.00
	HANDRAILS	
NFPA 101 (2024) 7.2.2.4.4.1	Not 34" to 38" high above leading edge of tread	$100.00
NFPA 101 (2024) 7.2.2.4.4.5	Less than 2 ¼" clearance between rail and wall	$100.00
NFPA 101 (2024) 7.2.2.4.4.6	Handrails are not a circular cross-section of 1 ¼" to 2"	$100.00
NFPA 101 (2024) 7.2.2.4.4.7	Rail is not continuous	$100.00
NFPA 101 (2024) 7.2.2.4.4.6	Improper termination or extension of rail	$100.00
	GUARD RAILS	
NFPA 101 (2024) 7.1.8	No guard rail where egress is > 30" above floor/grade	$100.00
NFPA 101 (2024) 7.2.2.4.5.3	Guard rail is less than 42" high	$100.00
NFPA 101 (2024) 7.2.2.4.5.3	Over 4" between any point in vertical rails up to 34" high	$100.00
	RAMPS	
NFPA 101 (2024) 7.2.5.4.2	No landing at top, bottom or at door openings	$100.00

NFPA 101 (2024) Tab 7.2.5.2	Single ramp in excess of 30" rise	$100.00
NFPA 101 (2024) Tab 7.2.5.2	Slope in excess of 1 in 8	$100.00
NFPA 101 (2024) Tab 7.2.5.2	Less than 30" wide	$100.00
NFPA 101 (2024) 7.2.5.4.1(1)	Not permanent fixed construction	$100.00
NFPA 101 (2024) 7.2.5.4.1(4)	Not solid construction	$100.00
NFPA 101 (2024) 7.2.5.5.5.2	No guard or handrail on ramp with rise over 6"	$100.00
	BULK MERCHANDISING > 12,000 SQFT	
NFPA 101 (2024) 36.4.5	Violation(s) of Bulk Merchandising requirements	Case
	OTHER NFPA LIFE SAFETY CODE	
34.832(19)	Violations of NFPA 101 the Life Safety Code®	Case
NFPA 101 (2024) 9.1.2	One or more faults identified on Receptacle tester	$25.00

Figure: 28 TAC §34.1302(e)

Citation	Violation	Fine
Occupations Code §2154.003	Illegal fireworks e.g. Bottle or Pop Rockets, M-80's	$1,000
Occupations Code §2154.251(2)	Sell <100' from storage and dispensing of flammables (closed until corrected)	$500
Occupations Code §2154.252(c)	Fireworks sold or offered to children under 16 or to an intoxicated or incompetent person	$500
Occupations Code §2154.254	Sales personnel <16 years of age	$500
28 TAC §34.809(c)	No permit (stand closed until corrected)	$500
28 TAC §34.809(c)	Original permit not posted	$100
28 TAC §34.817(a)	Stand not supervised, 18 years of age or older (closed until corrected)	$500
28 TAC §34.817(d)	No equipment to extinguish small exterior fires	$50
28 TAC §34.817(e)	Exit pathway obstructed	$50
28 TAC §34.817(g)	Smoking inside the stand	$500
28 TAC §34.817(g)	Smoking within 10 ft of stand	$250
28 TAC §34.817(g)	"NO SMOKING" signs not posted (4" letters)	$50
28 TAC §34.817(h)	Stand operator consuming or under influence of alcohol (closed until corrected)	$500
28 TAC §34.817(l)	No off highway parking provided	$100
28 TAC §34.817(f), (k)	Selling fireworks from a single or multi-family residential structure, tent or motor vehicle	$500
28 TAC §34.817(j)	No permit for retail stand (1 for ea. Non connected stand) (stand closed until corrected)	$100
28 TAC §34.817(m)	Trash, empty cardboard boxes, or high grass within 10 ft of stand	$50
28 TAC §34.817(o)	Fireworks do not conform to USCPA labeling	$500
28 TAC §34.818(2)	Violations related to exit doors and proper operation	$100
28 TAC §34.818(5)-(8)	Violations related to electrical inside and outside stand	$100
28 TAC §34.818(9)	Violations related to generator location/no portable extinguisher	$100
28 TAC §34.818(10)	Electric heater does not have a tip over cutoff switch	$50
28 TAC §34.818(10)	Heat or light source with open flames in stand	$100

Figure: 28 TAC §34.1302(f)

CITATION	VIOLATION	FINE
2154.252(b)	Offering 1.4G fireworks for sale from other than an authorized retail location	$1,000.00
2154.252(d)	Sells fireworks to person who does not hold license or permit	$1,000.00
34.815(b)(1)	Purchase of 1.4G Fireworks from an unlicensed distributor or jobber.	$500.00
2154.201(a)	Issue other permit to a person under 18 years old.	$500.00
34.814(c)(1)	Failed to return permits by March 1st	$100.00
34.832(16)	No site plan on file with SFMO	$1,000.00
34.809(a)	Conduct 1.3G display without a permit	$3,000.00
34.809(a)	Conduct a display without the appropriate licensed operator	$3,000.00
34.826(c)	Failed to conduct display in compliance with NFPA 1123	$500.00-$1,000.00
34.826(f)	Failed to conduct a proximate display in compliance with NFPA 1126	$500.00-$1,000.00
34.826(h)	Used a flame effect and failed to comply with NFPA 160	$500.00-$1,000.00
34.810(e)	Failure to revise or change an address within the required 14 days of change	$250.00

Figure: 28 TAC §34.1302(g)

Citation	Violation	Fine
Inspection and Ongoing Compliance		
Utilities Code §187.003(a)-(b)	Failure to design, install, operate, or maintain a battery energy storage facility in compliance with applicable safety standards adopted under §187.003(a)-(b).	up to $5,000 per day
Utilities Code §187.003(a)-(b)	Operation of a battery energy storage facility with knowledge, including knowledge obtained through inspection reports, evaluations, or internal monitoring, or one or more deficiencies that materially impair fire protection, monitoring, ventilation, or other safety systems required under NFPA 855 and UL9540A, as adopted by the commissioner and state fire marshal under §187.003(a)-(b), without taking steps to remedy these deficiencies within a reasonable time.	up to $5,000 per day
Utilities Code §187.003(e)	Failure to provide an independent report evaluating the design, safety, and installation of the facility prior to commencing commercial operations if requested by municipality or county in which the facility is located as required by §187.003(e).	up to $5,000 per day
Utilities Code §187.003(e)(1)-(2)	Report required under §187.003(e) fails to meet requirements under §187.003(e)(1)-(2).	up to $5,000 per day
Utilities Code §187.003(f)	Failure to make available to the engineer, consultant, the requesting municipality, or county documents created or held by the battery operator as required by §187.003(f).	up to $5,000 per day
Utilities Code §187.003(g)	Failure to provide a fire safety inspection report to the municipality or country in which the facility is located at least once every five years as required by §187.003(g).	up to $5,000 per day
Utilities Code §187.003(g)(1)-(2)	Report required under §187.003(g) fails to meet requirements under §187.003(g)(1)-(2).	up to $5,000 per day

First Responder Education and Training		
Utilities Code §187.004(c)-(d)	Failure to provide required documents.	up to $5,000 per day
Utilities Code §187.003(g)	Failure to conduct a required fire safety inspection report or an insufficiency in the report.	up to $5,000 per day
Utilities Code §187.004(c)	Failure to produce a site-specific emergency operation plan or an insufficiently in the report	up to $5,000 per day
Utilities Code §187.004(d)(1)	Failure to provide the site-specific emergency operations plan developed to the local first responder that is responsible for providing fire protection services in the area where the facility is located.	up to $5,000 per day
Utilities Code §187.004(d)(2)	Failure to maintain safety data sheets or comparable documents and the site-specific emergency operations plan at an onsite location accessible to personnel responsible for the operations and maintenance of the battery energy storage facility and first responders.	up to $5,000 per day
Utilities Code §187.004(e)	Failure to offer education and annual training regarding responding to an equipment failure incident at the battery energy storage facility site.	up to $5,000 per day
Utilities Code §187.004(e)	Failure to provide education and annual training at no cost regarding responding to an equipment failure incident at the battery energy storage facility site to local first responders if local first responders have previously accepted offer for education and annual training.	up to $5,000 per day