

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 3169

By: Kerbs of the House

and

Green of the Senate

7 An Act relating to the State Fire Marshal; amending
8 74 O.S. 2021, Section 324.7, which relates to rules,
9 regulations and specifications; requiring the
10 promulgation of certain rules; identifying persons to
11 be held liable for violations; and declaring an
12 emergency.

12 AMENDMENT NO. 1. Page 3, line 8, after the letter "D." and before
13 the word "shall" delete the words "The Oklahoma
14 Department of Tourism" and insert the words "The
State Fire Marshal Commission"

15 Passed the Senate the 24th day of April, 2024.

17 _____
18 Presiding Officer of the Senate

19 Passed the House of Representatives the ____ day of _____,
20 2024.

22 _____
23 Presiding Officer of the House
24 of Representatives

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9 regulations and specifications; requiring the
10 promulgation of certain rules; identifying persons to
11 be held liable for violations; and declaring an
12 emergency.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 74 O.S. 2021, Section 324.7, is
15 amended to read as follows:

16 Section 324.7 A. Except as otherwise specified by subsection B
17 of this section, the State Fire Marshal Commission shall have the
18 power and duty to prescribe, adopt, and promulgate, in the manner
19 set forth in this act, such reasonable rules, regulations, or
20 specifications on matters relating to the safeguarding of life and
21 property from the hazards of fire and explosion arising from
22 storage, handling, and use of flammable and combustible materials,
23 and from conditions hazardous to life or property in the use or
24 occupancy of buildings or premises, as are deemed just and
reasonable and in accordance with the codes as last adopted by the

1 Oklahoma Uniform Building Code Commission, and not inconsistent with
2 this act, and to revoke, amend, or supersede the same. Exceptions
3 to these standards shall be granted to detention and correction
4 facilities in existence on November 1, 1985, when noncompliance
5 would not result in a life-threatening condition to inmates
6 incarcerated in such facilities. All such rules, regulations, and
7 specifications or any revisions or amendments thereto shall not
8 become effective until promulgated in accordance with the provisions
9 of the Administrative Procedures Act.

10 B. 1. Liquefied petroleum gas defined by Section 420.1 of
11 Title 52 of the Oklahoma Statutes shall be regulated by the Oklahoma
12 Liquefied Petroleum Gas Board.

13 2. Flammable liquids stored in tanks at service stations shall
14 be regulated by the Corporation Commission.

15 C. For the purpose of this section:

16 1. "Flammable liquids" means all petroleum products used as
17 motor fuel and all grades of gasoline, kerosene, diesel fuel and
18 aviation fuel having a vapor pressure not exceeding forty (40)
19 pounds per square inch absolute at one hundred (100) degrees
20 Fahrenheit;

21 2. "Service station" means any facility including but not
22 limited to businesses serving the public, marinas and airports where
23 flammable liquids are stored in aboveground tanks and dispensed for
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1 retail sales into the fuel tanks of airplanes, vessels or motor
2 vehicles of the public; and

3 3. "Aboveground tank" means any stationary vessel at a service
4 station and is located above the surface of the ground or on the
5 ground which is designed to contain an accumulation of flammable
6 liquids and which is constructed of nonearthen materials that
7 provide structural support.

8 D. The Oklahoma Department of Tourism shall promulgate rules
9 allowing the use and storage of propane-fueled grills and flattop
10 griddles and electric wood pellet grills on boat docks; provided,
11 that the act of using such cooking instruments is performed within
12 ten (10) feet of a fire extinguisher. The fire extinguisher shall
13 be installed and maintained in accordance with the most current
14 version of NFPA 10 (Standard for Portable Fire Extinguishers). Any
15 violations or penalties shall be assessed to the person committing
16 acts contrary to this subsection. The owner or operator of the
17 marina or dock shall not be held liable for the actions of its
18 tenants or others.

19 SECTION 2. It being immediately necessary for the preservation
20 of the public peace, health or safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.

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1 Passed the House of Representatives the 13th day of March, 2024.

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3 _____
4 Presiding Officer of the House
5 of Representatives

6 Passed the Senate the ____ day of _____, 2024.

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8 _____
9 Presiding Officer of the Senate