

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3169 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Dell Kerbs _____

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3169

By: Kerbs

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8 PROPOSED COMMITTEE SUBSTITUTE

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

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

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

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

1 and from conditions hazardous to life or property in the use or
2 occupancy of buildings or premises, as are deemed just and
3 reasonable and in accordance with the codes as last adopted by the
4 Oklahoma Uniform Building Code Commission, and not inconsistent with
5 this act, and to revoke, amend, or supersede the same. Exceptions
6 to these standards shall be granted to detention and correction
7 facilities in existence on November 1, 1985, when noncompliance
8 would not result in a life-threatening condition to inmates
9 incarcerated in such facilities. All such rules, regulations, and
10 specifications or any revisions or amendments thereto shall not
11 become effective until promulgated in accordance with the provisions
12 of the Administrative Procedures Act.

13 B. 1. Liquefied petroleum gas defined by Section 420.1 of
14 Title 52 of the Oklahoma Statutes shall be regulated by the Oklahoma
15 Liquefied Petroleum Gas Board.

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

18 C. For the purpose of this section:

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

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

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

11 D. The State Fire Marshal Commission shall promulgate rules
12 allowing the use and storage of propane-fueled grills and flattop
13 griddles and electric wood pellet grills on boat docks; provided,
14 that the act of using such cooking instruments is performed within
15 ten (10) feet of a fire extinguisher. Any violations or penalties
16 shall be assessed to the person committing acts contrary to this
17 subsection. The owner or operator of the marina or dock shall not
18 be held liable for the actions of its tenants or others.

19 SECTION 2. This act shall become effective November 1, 2024.

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21 59-2-9897 JBH 01/26/24

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