

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 3169

By: Kerbs

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7 COMMITTEE SUBSTITUTE

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

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

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

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

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

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

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

17 C. For the purpose of this section:

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

23 2. "Service station" means any facility including but not
24 limited to businesses serving the public, marinas and airports where

1 flammable liquids are stored in aboveground tanks and dispensed for
2 retail sales into the fuel tanks of airplanes, vessels or motor
3 vehicles of the public; and

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

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

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

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