

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3169

By: Kerbs of the House

and

Green of the Senate

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10 COMMITTEE SUBSTITUTE

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

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

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

20 Section 324.7 A. Except as otherwise specified by subsection B
21 of this section, the State Fire Marshal Commission shall have the
22 power and duty to prescribe, adopt, and promulgate, in the manner
23 set forth in this act, such reasonable rules, regulations, or
24 specifications on matters relating to the safeguarding of life and

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

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

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

20 C. For the purpose of this section:

21 1. "Flammable liquids" means all petroleum products used as
22 motor fuel and all grades of gasoline, kerosene, diesel fuel and
23 aviation fuel having a vapor pressure not exceeding forty (40)

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1 pounds per square inch absolute at one hundred (100) degrees
2 Fahrenheit;

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

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

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

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

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23 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/21/2024 -
24 DO PASS, As Amended and Coauthored.