

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 POLICY COMMITTEE
4 RECOMMENDATION

5 FOR

6 HOUSE BILL NO. 2459

7 By: Fetgatter

8 POLICY COMMITTEE RECOMMENDATION

9 An Act relating to fire suppression; amending Section
10 1, Chapter 106, O.S.L. 2024 (74 O.S. Supp. 2024,
11 Section 325.20), which relates to mobile food
12 establishments, fire extinguisher, and inspection;
13 extending sunset; providing for inspections;
14 providing sole authority to the Fire Marshal; and
15 providing an effective date.

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

17 SECTION 1. AMENDATORY Section 1, Chapter 106, O.S.L.
18 2024 (74 O.S. Supp. 2024, Section 325.20), is amended to read as
19 follows:

20 Section 325.20. ~~A. In lieu of an automatic fire extinguishing~~
21 ~~system, portable fire extinguishers shall be installed in mobile~~
22 ~~food establishments that produce~~ 1. All mobile food preparation
23 vehicles operating within the State of Oklahoma prior to July 1,
24 2024, that are capable of producing smoke or grease-laden vapors
shall be in compliance with the most current adopted code. With the

1 exception of an automatic fire extinguishing system, this shall
2 include, but not be limited to, those utilizing electric, liquified
3 petroleum (LP) gas, compressed natural gas (CNG), or combination
4 thereof for cooking, provided that portable fire extinguishers are
5 installed and maintained in accordance with the most current version
6 of NFPA 10 (Standard for Portable Fire Extinguishers). All fire
7 ~~extinguishers shall be inspected annually by a licensed contractor.~~
8 A six-liter Class K-rated, portable fire extinguisher is required
9 for all cooking equipment involving solid fuels or vegetable or
10 animal oils and fats or combination thereof. All portable fire
11 extinguishers shall be in clear view and immediately available for
12 use.

13 ~~B. The provisions of this section shall cease to have the force~~
14 ~~and effect of law on November 1, 2025~~ 2. All liquified petroleum
15 gas shall be inspected by the Oklahoma Liquified Petroleum Gas Board
16 or a certified contractor.

17 3. The provisions in paragraph 1 of this subsection will expire
18 on July 1, 2026, in which all mobile food preparation vehicles shall
19 comply with the most current adopted codes set forth by the State of
20 Oklahoma.

21 4. Mobile food preparation vehicles shall be under the sole
22 jurisdiction of the Oklahoma State Fire Marshal and be inspected
23 annually by the Oklahoma State Fire Marshal to ensure compliance
24 with the latest version of the state adopted minimum codes for fire

1 and life safety as adopted by the Oklahoma Uniform Building Code
2 Commission.

3 a. upon approval by the State Fire Marshal, the State
4 Fire Marshal shall issue an operational permit decal
5 indicating that the vehicle meets the minimum code
6 requirements as currently adopted at the time of
7 inspection, and

8 b. nothing in this act shall prevent the State Fire
9 Marshal from enforcing the minimum code requirements
10 as allowed by law and revoking the operations of a
11 mobile food preparation vehicle upon cause that is
12 determined to be inherently dangerous to the health,
13 safety, or welfare of persons within the State of
14 Oklahoma.

15 5. Nothing in this act shall prevent a political subdivision
16 from enforcing the political subdivision's event permits,
17 operational fees, land use regulations, zoning, and other ordinances
18 in relation to the operation of a mobile food preparation vehicle
19 within the boundaries of said political subdivision.

20 6. The rules promulgated pursuant to this section shall have
21 uniform force and effect throughout the state and no city, town,
22 county, political subdivision, or other agency shall enact or
23 enforce any fire or life safety code related ordinances, rules, or
24 other requirements for mobile food preparation vehicles.

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SECTION 2. This act shall become effective November 1, 2025.

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