

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2459

By: Fetgatter of the House

and

Green of the Senate

7
8
9
10 COMMITTEE SUBSTITUTE

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

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

19 SECTION 1. AMENDATORY Section 1, Chapter 106, O.S.L.
20 2024 (74 O.S. Supp. 2024, Section 325.20), is amended to read as
21 follows:

22 Section 325.20. A. ~~In lieu of an automatic fire extinguishing~~
23 ~~system, portable fire extinguishers shall be installed in mobile~~
24 ~~food establishments that produce~~ 1. All mobile food preparation
vehicles operating within the State of Oklahoma prior to July 1,

1 2024, that are capable of producing smoke or grease-laden vapors
2 shall be in compliance with the most current adopted code. With the
3 exception of an automatic fire extinguishing system, this shall
4 include, but not be limited to, those utilizing electric, liquified
5 petroleum (LP) gas, compressed natural gas (CNG), or combination
6 thereof for cooking, provided that portable fire extinguishers are
7 installed and maintained in accordance with the most current version
8 of NFPA 10 (Standard for Portable Fire Extinguishers). All fire
9 ~~extinguishers shall be inspected annually by a licensed contractor.~~
10 A six-liter Class K-rated, portable fire extinguisher is required
11 for all cooking equipment involving solid fuels or vegetable or
12 animal oils and fats or combination thereof. All portable fire
13 extinguishers shall be in clear view and immediately available for
14 use.

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

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

23 4. Mobile food preparation vehicles shall be under the sole
24 jurisdiction of the Oklahoma State Fire Marshal and be inspected

1 annually by the Oklahoma State Fire Marshal to ensure compliance
2 with the latest version of the state adopted minimum codes for fire
3 and life safety as adopted by the Oklahoma Uniform Building Code
4 Commission.

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

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

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

22 6. The rules promulgated pursuant to this section shall have
23 uniform force and effect throughout the state and no city, town,
24 county, political subdivision, or other agency shall enact or

1 enforce any fire or life safety code related ordinances, rules, or
2 other requirements for mobile food preparation vehicles.

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

4

5 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY
6 OVERSIGHT, dated 03/10/2025 - DO PASS, As Amended.

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24