

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL NO. 2459

By: Fetgatter of the House

and

6 Green of the Senate

7
8 COMMITTEE SUBSTITUTE

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 extinguishers, and inspections;
13 directing compliance with current adopted fire codes;
14 providing exception for certain extinguishing
15 systems; deleting certain annual inspection
16 requirement; providing for inspections; providing for
17 the expiration of certain provisions; requiring
18 compliance with certain codes; providing sole
19 authority to the State Fire Marshal; providing for
20 the issuance of operational permit decals; declaring
21 authority of the State Fire Marshal to enforce
22 minimum fire code requirements and revoke operations
23 of mobile food preparation vehicles; declaring
24 authority of political subdivisions to enforce
permits, fees, regulations, and ordinances;
prohibiting the enactment or enforcement of any fire
or life safety code-regulated ordinances or rules;
and providing an effective date.

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

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

1 Section 325.20. A. ~~In lieu of an automatic fire extinguishing~~
2 ~~system, portable fire extinguishers shall be installed in mobile~~
3 ~~food establishments that produce~~ All mobile food preparation
4 vehicles operating within this state prior to July 1, 2024, that are
5 capable of producing smoke or grease-laden vapors shall be in
6 compliance with the most current adopted fire code. With the
7 exception of an automatic fire extinguishing system, such
8 requirement shall apply to vehicles including, but not limited to,
9 vehicles utilizing electric energy, liquefied petroleum gas,
10 compressed natural gas, or a combination thereof for cooking,
11 provided that portable fire extinguishers are installed and
12 maintained in accordance with the most current version of NFPA 10:
13 Standard for Portable Fire Extinguishers. All fire extinguishers
14 ~~shall be inspected annually by a licensed contractor.~~ A six-liter
15 Class K-rated, portable fire extinguisher is required for all
16 cooking equipment involving solid fuels or vegetable or animal oils
17 and fats or a combination thereof. All portable fire extinguishers
18 shall be in clear view and immediately available for use.

19 B. ~~The provisions of this section shall cease to have the force~~
20 ~~and effect of law on November 1, 2025~~ All liquefied petroleum gas
21 shall be inspected by the Oklahoma Liquefied Petroleum Gas
22 Administration or employees.

23 C. The provisions in subsection A of this section shall expire
24 on January 1, 2026, and all mobile food preparation vehicles shall

1 comply with the most current adopted fire codes set forth by this
2 state.

3 D. Mobile food preparation vehicles shall be under the sole
4 jurisdiction of the State Fire Marshal and shall be inspected
5 annually by the State Fire Marshal to ensure compliance with the
6 latest version of the state-adopted minimum codes for fire and life
7 safety as adopted by the Oklahoma Uniform Building Code Commission.
8 The State Fire Marshall shall coordinate, at minimum, annual
9 inspections conducted:

- 10 1. Within each of the four quadrants of this state; and
11 2. Twice within each county with a population exceeding four
12 hundred thousand (400,000) according to the latest Federal Decennial
13 Census.

14 E. Upon approval, the State Fire Marshal shall issue an
15 operational permit decal indicating that the vehicle meets the
16 minimum fire code requirements as currently adopted at the time of
17 inspection.

18 F. Nothing in this act shall prevent the State Fire Marshal
19 from enforcing the minimum fire code requirements as allowed by law
20 and revoking the operations of a mobile food preparation vehicle for
21 cause when it is determined to be inherently dangerous to the
22 health, safety, or welfare of persons within this state.

23 G. Nothing in this act shall prevent a political subdivision
24 from enforcing the event permits, operational fees, land use

1 regulations, zoning, and other ordinances in relation to the
2 operation of a mobile food preparation vehicle within the boundaries
3 of the political subdivision.

4 H. The State Fire Marshal may promulgate rules necessary to
5 implement the provisions of this section. Such rules shall have
6 uniform force and effect throughout this state and no political
7 subdivision or other agency shall enact or enforce any fire or life
8 safety code-related ordinances, rules, or other requirements for
9 mobile food preparation vehicles, except in a county with a
10 population exceeding four hundred thousand (400,000) according to
11 the latest Federal Decennial Census.

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

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