

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2459

By: Fetgatter

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5
6 AS INTRODUCED

7 An Act relating to fire suppression; amending Section
8 1, Chapter 106, O.S.L. 2024 (74 O.S. Supp. 2024,
9 Section 325.20), which relates to mobile food
10 establishments, fire extinguisher, and inspection;
11 extending sunset; providing for inspections;
12 providing sole authority to the Fire Marshal; and
13 providing an effective date.

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

15 SECTION 1. AMENDATORY Section 1, Chapter 106, O.S.L.
16 2024 (74 O.S. Supp. 2024, Section 325.20), is amended to read as
17 follows:

18 Section 325.20. ~~A. In lieu of an automatic fire extinguishing~~
19 ~~system, portable fire extinguishers shall be installed in mobile~~
20 ~~food establishments that produce~~ 1. All mobile food preparation
21 vehicles operating within the State of Oklahoma prior to July 1,
22 2024, that are capable of producing smoke or grease-laden vapors
23 shall be in compliance with the most current adopted code with
24 exception of an automatic fire extinguishing system, this shall
include, but not be limited to, those utilizing electric, liquefied

1 petroleum (LP) gas, compressed natural gas (CNG), or combination
2 thereof for cooking, provided that portable fire extinguishers are
3 installed and maintained in accordance with the most current version
4 of NFPA 10 (Standard for Portable Fire Extinguishers). All fire
5 ~~extinguishers shall be inspected annually by a licensed contractor.~~
6 A Class K-rated, portable fire extinguisher is required for all
7 cooking equipment involving solid fuels or vegetable or animal oils
8 and fats or combination thereof. All portable fire extinguishers
9 shall be in clear view and immediately available for use.

10 ~~B. The provisions of this section shall cease to have the force~~
11 ~~and effect of law on November 1, 2025~~ 2. The provisions in
12 subsection A will expire on July 1, 2030, in which all mobile food
13 preparation vehicles shall comply with the most current adopted
14 codes set forth by the State of Oklahoma.

15 3. Mobile food preparation vehicles shall be under the sole
16 jurisdiction of the Oklahoma State Fire Marshal and be inspected
17 annually by the Oklahoma State Fire Marshal to ensure compliance
18 with the latest version of the state adopted minimum codes for fire
19 and life safety as adopted by the Oklahoma Uniform Building Code
20 Commission.

21 a. upon approval by the State Fire Marshal, the State
22 Fire Marshal shall issue an operational permit decal
23 indicating that the vehicle meets the minimum code
24

1 requirements as currently adopted at the time of
2 inspection, and

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

10 4. Nothing in this act shall prevent a political subdivision
11 from enforcing the political subdivision's event permits,
12 operational fees, land use regulations, zoning, and other ordinances
13 in relation to the operation of a mobile food preparation vehicle
14 within the boundaries of said political subdivision.

15 5. The rules promulgated pursuant to Section 325.20 et seq. of
16 this title shall have uniform force and effect throughout the state
17 and no city, town, county, political subdivision, or other agency
18 shall enact or enforce any fire or life safety code related
19 ordinances, rules, or other requirements for mobile food preparation
20 vehicles.

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

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