

An Act

ENROLLED HOUSE
BILL NO. 2459

By: Fettergatter of the House

and

Green of the Senate

An Act relating to fire suppression; amending Section 1, Chapter 106, O.S.L. 2024 (74 O.S. Supp. 2024, Section 325.20), which relates to mobile food establishments, fire extinguishers, and inspections; directing compliance with certain adopted fire codes; providing certain exceptions; requiring inspection of certain vehicles by certain entities; requiring issuing of certain permit decal; establishing expiration of certain provisions; establishing certain jurisdiction; requiring coordination by the State Fire Marshal of certain annual inspections; providing certain exceptions; directing promulgation of certain rules; and providing an effective date.

SUBJECT: Fire suppression

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:

Section 325.20. A. ~~In lieu of an automatic fire extinguishing system, portable fire extinguishers shall be installed in mobile food establishments that produce All mobile food preparation vehicles operating within this state prior to July 1, 2024, that are capable of producing smoke or grease-laden vapors shall be in compliance with the most current adopted fire code. With the exception of an automatic fire extinguishing system, such requirement shall apply to vehicles including, but not limited to, vehicles utilizing electric energy, liquefied petroleum gas, compressed natural gas, or a combination thereof for cooking,~~

provided that portable fire extinguishers are installed and maintained in accordance with the most current version of NFPA 10: Standard for Portable Fire Extinguishers. All fire extinguishers shall be inspected annually by a licensed contractor. A six-liter Class K-rated, portable fire extinguisher is required for all cooking equipment involving solid fuels or, vegetable or animal oils and fats, or a combination thereof. All portable fire extinguishers shall be in clear view and immediately available for use.

B. The provisions of this section shall cease to have the force and effect of law on November 1, 2025 All mobile food preparation vehicles utilizing, handling, or transporting liquefied petroleum gas or any liquefied petroleum gas system, equipment, container, apparatus, or appliance shall receive and maintain a permit from, and be inspected annually by, the Oklahoma Liquefied Petroleum Gas Administration or its employees, in conjunction with the State Fire Marshal issuing an annual operation permit decal to mobile food preparation vehicles.

C. The provisions in subsection A of this section shall expire on January 1, 2026, and all mobile food preparation vehicles shall comply with the most current adopted fire codes set forth by this state.

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

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

E. Upon approval, the State Fire Marshal shall issue an operational permit decal indicating that the vehicle meets the minimum fire and life code requirements adopted at the time of inspection.

F. Nothing in this section shall prevent:

1. The State Fire Marshal from enforcing the minimum fire code requirements as allowed by law and revoking the operations of a mobile food preparation vehicle for cause when such vehicle is determined to be inherently dangerous to the health, safety, or welfare of persons within this state;

2. A political subdivision from enforcing the event permits, operational fees, land use regulations, zoning, or other ordinances in relation to the operation of a mobile food preparation vehicle within the boundaries of the political subdivision; or

3. The State Department of Health from licensing and regulating mobile food preparation vehicles as provided by the provisions of Title 63 of the Oklahoma Statutes and rules promulgated by the State Commissioner of Health.

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

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

Passed the House of Representatives the 21st day of May, 2025.

Presiding Officer of the House
of Representatives

Passed the Senate the 6th day of May, 2025.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____
day of _____, 20_____, at _____ o'clock _____. M.
By: _____

Approved by the Governor of the State of Oklahoma this _____
day of _____, 20_____, at _____ o'clock _____. M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20_____, at _____ o'clock _____. M.
By: _____