

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
FOR ENGROSSED
4 HOUSE BILL 2459

By: Fetgatter of the House

5 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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