



28 structure, tent, or room for the purpose of amusement, entertainment, instruction, or education;

29 (iii) establishing safety and other requirements for placement and discharge of display  
30 fireworks based upon:

31 (A) the specific edition of the nationally recognized fire code selected by the board  
32 under Subsection (1)(a)(i); and

33 (B) relevant publications of the National Fire Protection Association;

34 (iv) establishing minimum safety standards for retail storage, handling, and sale of  
35 class C common state approved explosives;

36 (v) defining methods to establish proof of competence to place and discharge display  
37 fireworks;

38 (vi) for deputizing qualified persons to act as deputy fire marshals, and to secure  
39 special services in emergencies;

40 (vii) implementing Sections 53-7-106 and 53-7-205;

41 (viii) setting guidelines for use of funding; and

42 (ix) establishing criteria for training and safety equipment grants for fire departments  
43 enrolled in firefighter certification;

44 (b) recommend to the commissioner a state fire marshal;

45 (c) develop policies under which the state fire marshal and his authorized  
46 representatives will perform;

47 (d) provide for the employment of field assistants and other salaried personnel as  
48 required;

49 (e) prescribe the duties of the state fire marshal and his authorized representatives;

50 (f) establish a statewide fire prevention, fire education, and fire service training  
51 program in cooperation with the Board of Regents;

52 (g) establish a statewide fire statistics program for the purpose of gathering fire data  
53 from all political subdivisions of the state;

54 (h) establish a fire academy in accordance with Section 53-7-204.2;

55 (i) coordinate the efforts of all people engaged in fire suppression in the state;

56 (j) work aggressively with the local political subdivisions to reduce fire losses; ~~and~~

57 (k) regulate the sale and servicing of portable fire extinguishers and automatic fire  
58 suppression systems in the interest of safeguarding lives and property[-]; and

59           (1) establish a certification program for persons who inspect and test automatic fire  
60 sprinkler systems.

61           (2) The board may incorporate in its rules by reference, in whole or in part, nationally  
62 recognized and readily available standards and codes pertaining to the protection of life and  
63 property from fire, explosion, or panic.

64           (3) (a) The board may only make amendments to the state fire code adopted under  
65 Subsection (1)(a)(i) in accordance with Section 53-7-205.

66           (b) The amendments may be applicable to the entire state or within a city, county, or  
67 fire protection district.

68           (4) The following functions shall be administered locally by a city, county, or fire  
69 protection district:

70           (a) issuing permits, including open burning permits pursuant to Sections 11-7-1 and  
71 19-2-114;

72           (b) creating a local board of appeals in accordance with the state fire code; and

73           (c) establishing, modifying, or deleting fire flow and water supply requirements.

74           Section 2. Section **53-7-225.5** is enacted to read:

75           **53-7-225.5. Inspection and testing of automatic fire sprinkler systems --**

76 **Certification required.**

77           (1) Each person engaged in the inspection and testing of automatic fire sprinkler  
78 systems shall be certified by the state fire marshal.

79           (2) The board shall by rule prescribe an application form and standards for certification  
80 qualification and for renewal and revocation.

81           (3) Applicants for certification as an automatic fire sprinkler system inspector and  
82 tester shall:

83           (a) submit a written application on the form prescribed by the board;

84           (b) provide evidence of competency as required by the board; and

85           (c) submit the fee established under Subsection (4).

86           (4) The board may establish an application fee under Section 63-38-3.2.

**Legislative Review Note**

**as of 8-27-02 11:28 AM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**

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**Fiscal Note****Fire Prevention Amendments***30-Dec-02***Bill Number HB0047***3:25 PM*

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**State Impact**

It is estimated that provisions of this bill can be implemented with existing resources and the fee provision as allowed.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**