

Carbon Dioxide System Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Hoang Nguyen

Senate Sponsor:

LONG TITLE**General Description:**

This bill concerns carbon dioxide systems.

Highlighted Provisions:

This bill:

- defines terms;
- requires the Utah Fire Prevention Board (board) to establish a licensing and certification program for certain carbon dioxide systems;
- requires a person engaging in the business of servicing carbon dioxide systems to have a license from the state fire marshal;
- requires, with exceptions, an individual who services a carbon dioxide system to have a certification from the state fire marshal;
- requires the board to establish rules, application forms, and fees for carbon dioxide system licensing and certification; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:**AMENDS:**

53-7-204, as last amended by Laws of Utah 2025, First Special Session, Chapter 9

ENACTS:

53-7-601, Utah Code Annotated 1953

53-7-602, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53-7-204** is amended to read:

**53-7-204 . Duties of Utah Fire Prevention Board -- Unified Code Analysis
Council -- Local administrative duties.**

(1) The board shall:

- (a) administer the state fire code as the standard in the state;
- (b) subject to the state fire code, make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act:
 - (i) establishing standards for the prevention of fire and for the protection of life and property against fire and panic in any:
 - (A) publicly owned building, including all public and private schools, colleges, and university buildings;
 - (B) building or structure used or intended for use as an asylum, a mental hospital, a hospital, a sanitarium, a home for the elderly, an assisted living facility, a children's home or day care center, or any building or structure used for a similar purpose; or
 - (C) place of assemblage where 50 or more persons may gather together in a building, structure, tent, or room for the purpose of amusement, entertainment, instruction, or education;
 - (ii) establishing safety and other requirements for placement and discharge of display fireworks on the basis of:
 - (A) the state fire code; and
 - (B) relevant publications of the National Fire Protection Association;
 - (iii) establishing safety standards for retail storage, handling, and sale of a division 1.4G common state approved explosive;
 - (iv) defining methods to establish proof of competence to place and discharge display fireworks, special effects fireworks, and flame effects;
 - (v) subject to Subsection (2), creating a uniform statewide policy regarding a state, county, special district, and local government entity's safe seizure, storage, and repurposing, destruction, or disposal of a division 1.1G explosive, division 1.2G explosive, division 1.3G explosive, or division 1.4G explosive that:
 - (A) is illegal; or
 - (B) a person uses or handles in an illegal manner;
 - (vi) deputizing qualified persons to act as deputy fire marshals, and to secure special services in emergencies;
 - (vii) implementing Section 15A-1-403;

- (viii) establishing criteria for the certification of firefighters, pump operators, instructors, fire officers, fire investigators, and rescue personnel not certified or licensed under any other section of the Utah Code;
- (ix) establishing criteria for training and safety equipment grants for fire departments enrolled in firefighter certification;
- (x) establishing ongoing training standards for hazardous materials emergency response agencies;
- (xi) establishing criteria for the fire safety inspection of a food truck; and
- (xii) establishing criteria for the accreditation and reaccreditation of fire service training organizations;
- (c) recommend to the commissioner a state fire marshal;
- (d) develop policies under which the state fire marshal and the state fire marshal's authorized representatives will perform;
- (e) provide for the employment of field assistants and other salaried personnel as required;
- (f) prescribe the duties of the state fire marshal and the state fire marshal's authorized representatives;
- (g) provide technical expertise, advice, and support to Utah Valley University in the establishment and operation of the fire and rescue training program described in Section 53H-4-705;
- (h) establish a statewide fire statistics program for the purpose of gathering fire data from all political subdivisions of the state;
- (i) coordinate the efforts of all people engaged in fire suppression in the state;
- (j) work aggressively with the local political subdivisions to reduce fire losses;
- (k) regulate the sale and servicing of portable fire extinguishers and automatic fire suppression systems in the interest of safeguarding lives and property;
- (l) establish a certification program for persons who inspect and test automatic fire sprinkler systems;
- (m) establish a certification program for persons who inspect and test fire alarm systems;
- (n) establish a certification for persons who provide response services regarding hazardous materials emergencies;
- (o) in accordance with Section 53-7-602, establish a licensing and certification program for carbon dioxide systems;
- ~~(p)~~ (p) in accordance with Sections 15A-1-403 and 68-3-14, submit a written report to

the Business and Labor Interim Committee; and
[(p)] (q) jointly create the Unified Code Analysis Council with the Uniform Building
Code Commission in accordance with Section 15A-1-203.

(2)(a) In the rules that the board makes under Subsection (1)(b)(v), the board shall
include a provision prohibiting a state, county, special district, or local government
entity from disposing of an item described in Subsection (1)(b)(v) by means of open
burning, except under circumstances described in the rule.

(b) When making a rule under Subsection (1)(b)(v), the board shall:

(i) review and include applicable references to:

(A) requirements described in Title 15A, Chapter 5, State Fire Code Act; and

(B) provisions of the International Fire Code; and

(ii) consider the appropriate role of the following in relation to the rule:

(A) the federal Bureau of Alcohol, Tobacco, Firearms, and Explosives; and

(B) a firework wholesaler or distributor.

(3) The board may incorporate in its rules by reference, in whole or in part:

(a) the state fire code; or

(b) subject to the state fire code, a nationally recognized and readily available standard
pertaining to the protection of life and property from fire, explosion, or panic.

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

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

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

(c) subject to the state fire code and the other provisions of this chapter, establishing,
modifying, or deleting fire flow and water supply requirements.

Section 2. Section **53-7-601** is enacted to read:

Part 6. Carbon Dioxide System Licensing and Certification

53-7-601 . Definitions.

As used in this part:

(1)(a) "Carbon dioxide system" means a system that:

(i) stores, uses, or dispenses carbon dioxide; and

(ii) has a capacity of 100 pounds or more of carbon dioxide.

(b) "Carbon dioxide system" includes:

(i) an appliance used with a carbon dioxide system; and

(ii) pipes, tubing, fittings, required signage, and gas detection, that are part of, or connect to, a carbon dioxide system.

(2) "Service" means the inspection, installation, maintenance, repair, or modification of a carbon dioxide system.

Section 3. Section **53-7-602** is enacted to read:

53-7-602 . Carbon dioxide system licensing and certification required for certain activities -- Licensing and certification procedures.

(1) A person may not engage in the business of servicing a carbon dioxide system unless the person is currently licensed by the state fire marshal.

(2)(a) Except as provided by Subsection (2)(b), an individual may not service a carbon dioxide system unless the individual is currently certified by the state fire marshal.

(b) Subsection (2)(a) does not apply to:

(i) a fire officer; or

(ii) an individual in training who:

(A) has not worked for more than 45 business days as a trainee; and

(B) is supervised by an individual who holds a current certification under Subsection (2)(a).

(3) The board shall:

(a) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establishing requirements and standards for:

(i) licensing under Subsection (1), including for initial licensing qualification, renewal, and revocation; and

(ii) certification under Subsection (2), including for initial certification qualification, renewal, and revocation;

(b) create application forms for licensing and certification; and

(c) establish fees for licensing and certification under Section 63J-1-504.

(4) An applicant for licensing under Subsection (1) or certification under Subsection (2) shall:

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

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

(c) submit the fee established under Subsection (3)(c).

Section 4. **Effective Date.**

This bill takes effect on May 6, 2026.