

Representative Cindy Beshear proposes the following substitute bill:

FIRE PREVENTION AND SAFETY

AMENDMENTS

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Cindy Beshear

This act modifies the Public Safety Code regarding fire safety by establishing a certification program for persons who inspect or test automatic fire sprinkler systems.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

53-7-204, as last amended by Chapter 25, Laws of Utah 2001

ENACTS:

53-7-225.5, 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 -- Local administrative duties.

(1) The board shall:

(a) make rules:

(i) adopting a nationally recognized fire code and the specific edition of that fire code as the state fire code to be used as the standard;

(ii) establishing minimum 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 aged, an assisted living facility, a children's home or day care



- 26 center, or any similar institutional type occupancy of any capacity; and
- 27 (C) place of assemblage where 50 or more persons may gather together in a building,
- 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 under
- 32 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 class
- 35 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 special
- 39 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 representatives
- 46 will perform;
- 47 (d) provide for the employment of field assistants and other salaried personnel as required;
- 48 (e) prescribe the duties of the state fire marshal and his authorized representatives;
- 49 (f) establish a statewide fire prevention, fire education, and fire service training program
- 50 in cooperation with the Board of Regents;
- 51 (g) establish a statewide fire statistics program for the purpose of gathering fire data from
- 52 all political subdivisions of the state;
- 53 (h) establish a fire academy in accordance with Section 53-7-204.2;
- 54 (i) coordinate the efforts of all people engaged in fire suppression in the state;
- 55 (j) work aggressively with the local political subdivisions to reduce fire losses; ~~and~~
- 56 (k) regulate the sale and servicing of portable fire extinguishers and automatic fire

57 suppression systems in the interest of safeguarding lives and property[-]; and

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

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

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

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

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

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

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

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

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

74 **53-7-225.5. Inspection and testing of automatic fire sprinkler systems -- Certification**
75 **required.**

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

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

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

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

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

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

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