

**UTAH FIRE PREVENTION BOARD**

**AMENDMENT**

2007 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Peter C. Knudson**

House Sponsor: James R. Gowans

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**LONG TITLE**

**General Description:**

This bill modifies the Utah Fire Prevention and Safety Act regarding the administrative duties of the Utah Fire Prevention Board.

**Highlighted Provisions:**

This bill:

► requires the Utah Fire Prevention Board to establish training and certification standards for agencies that respond to hazardous material emergencies.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53-7-204**, as last amended by Chapter 318, Laws of Utah 2006

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*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:



- 28 (a) make rules in accordance with Title 63, Chapter 46a, Utah Administrative  
29 Rulemaking Act:
- 30 (i) adopting a nationally recognized fire code and the specific edition of that fire code  
31 as the state fire code to be used as the standard;
- 32 (ii) establishing minimum standards for the prevention of fire and for the protection of  
33 life and property against fire and panic in any:
- 34 (A) publicly owned building, including all public and private schools, colleges, and  
35 university buildings;
- 36 (B) building or structure used or intended for use as an asylum, a mental hospital, a  
37 hospital, a sanitarium, a home for the aged, an assisted living facility, a children's home or day  
38 care center, or any similar institutional type occupancy of any capacity; and
- 39 (C) place of assemblage where 50 or more persons may gather together in a building,  
40 structure, tent, or room for the purpose of amusement, entertainment, instruction, or education;
- 41 (iii) establishing safety and other requirements for placement and discharge of display  
42 fireworks based upon:
- 43 (A) the specific edition of the nationally recognized fire code selected by the board  
44 under Subsection (1)(a)(i); and
- 45 (B) relevant publications of the National Fire Protection Association;
- 46 (iv) establishing minimum safety standards for retail storage, handling, and sale of  
47 class C common state approved explosives;
- 48 (v) defining methods to establish proof of competence to place and discharge display  
49 fireworks;
- 50 (vi) for deputizing qualified persons to act as deputy fire marshals, and to secure  
51 special services in emergencies;
- 52 (vii) implementing Sections 53-7-106 and 53-7-205;
- 53 (viii) setting guidelines for use of funding; ~~and~~
- 54 (ix) establishing criteria for training and safety equipment grants for fire departments  
55 enrolled in firefighter certification; and
- 56 (x) establishing minimum training standards for hazardous materials emergency  
57 response agencies;
- 58 (b) recommend to the commissioner a state fire marshal;

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

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

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

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

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

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

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

70 (j) work aggressively with the local political subdivisions to reduce fire losses;

71 (k) regulate the sale and servicing of portable fire extinguishers and automatic fire  
72 suppression systems in the interest of safeguarding lives and property;

73 (l) establish a certification program for persons who inspect and test automatic fire  
74 sprinkler systems; ~~and~~

75 (m) establish a certification program for persons who inspect and test fire alarm  
76 systems; and

77 (n) establish a certification program for persons who provide response services  
78 regarding hazardous materials emergencies.

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

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

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

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

88 (a) issuing permits, including open burning permits pursuant to Sections 11-7-1 and  
89 19-2-114;

- 90 (b) creating a local board of appeals in accordance with the state fire code; and  
91 (c) establishing, modifying, or deleting fire flow and water supply requirements.
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**Legislative Review Note**  
**as of 1-31-07 6:30 AM**

**Office of Legislative Research and General Counsel**

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**S.B. 227 - Utah Fire Prevention Board Amendment**

**Fiscal Note**

2007 General Session  
State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

It is not known who would bear the costs associated with training and certification for hazardous materials response.

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