

11 with respect to wages received during the calendar years 1970 to 1974,
 12 both inclusive, not to exceed three and three-fourths per centum of
 13 such wages; and with respect to wages received after December 31,
 14 1974, not to exceed four and one-half per centum of such wages."

Approved May 2, 1957.

CHAPTER 75

FIRE MARSHAL

S. F. 81

AN ACT relating to fire protection, fire safety and powers and duties of the state fire marshal, and to amend certain sections of chapters one hundred (100), one hundred three (103), one hundred thirty-five C (135C) and one hundred seventy (170), Code 1954, relating thereto.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred point one (100.1), Code 1954, is
 2 amended by adding thereto the following:
 3 "His duties shall be as follows:
 4 1. To enforce all laws of the state relating to the suppression of
 5 arson, and to apprehend those persons suspected of arson;
 6 2. To investigate into the cause, origin and circumstances of fires;
 7 3. To promote fire safety and reduction of loss by fire through edu-
 8 cational methods;
 9 4. To enforce all laws, and the rules and regulations of the Iowa
 10 department of public safety, concerned with:
 11 a. The prevention of fires;
 12 b. The storage, transportation, handling and use of inflammable
 13 liquids, combustibles, and explosives;
 14 c. The storage, transportation, handling and use of liquid petroleum
 15 gas;
 16 d. The electric wiring and heating, and adequate means of exit in
 17 case of fire, from churches, schools, hotels, theatres, amphitheatres,
 18 asylums, hospitals, nursing homes, college buildings, lodge halls, public
 19 meeting places, and all other structures in which persons congregate
 20 from time to time, whether publicly or privately owned;
 21 5. To promulgate fire safety regulations. The state fire marshal
 22 shall have exclusive right to promulgate fire safety regulations as they
 23 apply to enforcement or inspection requirements by the state fire
 24 marshal, but such regulations shall be promulgated only after public
 25 hearing and approval thereof by the attorney general. Wherever by
 26 any statute the fire marshal or the department of public safety is
 27 authorized or required to promulgate, proclaim, or amend rules, reg-
 28 ulations and minimum standards regarding fire hazards or fire safety
 29 or protection in any establishment, building or structure, such rules,
 30 regulations and standards shall promote and enforce fire safety, fire
 31 protection and the elimination of fire hazards as the same may relate
 32 to the use, occupancy and construction of such buildings, establish-
 33 ments or structures. The word "construction" shall include, but is not
 34 limited to, electrical wiring, plumbing, heating, lighting, ventilation,

35 construction materials, entrances and exits, and all other physical
 36 conditions of the building which may affect fire hazards, safety or
 37 protection. Such rules, regulations and minimum standards shall be
 38 in substantial compliance with the standards of the National Fire
 39 Protection Association relating to fire safety as published in the na-
 40 tional fire codes."

1 SEC. 2. Section one hundred point two (100.2), Code 1954, is
 2 hereby repealed and the following substituted in lieu thereof:

3 "The chief of the fire department of every city or town in which a
 4 fire department is established, the mayor or chief executive officer of
 5 every city or town in which no fire department exists, the chief of the
 6 fire department responding to every township fire where there is a
 7 contract for fire protection in effect, or the township clerk of every
 8 township outside the limits of any city or town not having a contract
 9 for fire protection shall investigate into the cause, origin and circum-
 10 stances of every fire occurring in such city, town, village, or township
 11 by which property has been destroyed or damaged or which results in
 12 bodily injury to any person, and determine whether such fire was the
 13 result of natural causes, negligence or design. The state fire marshal
 14 may assist in such investigation or may superintend and direct the
 15 investigation if he deems it necessary."

1 SEC. 3. Section one hundred point three (100.3), Code 1954, is
 2 hereby repealed and the following substituted therefor:

3 "Whenever the investigation of a fire indicates that bodily injury,
 4 or property damage to the extent of fifty (50) dollars or more, was
 5 caused by such fire, or where arson is suspected, the official required
 6 by section one hundred point two (100.2) to make such investigation
 7 shall, within one (1) week of the occurrence of the fire, report in
 8 writing to the state fire marshal stating all facts relating to the cause
 9 and origin of the fire and such other information as may be called for
 10 by the report forms provided by the state fire marshal. Furthermore,
 11 when the investigating officer believes the fire was by design, or when-
 12 ever death occurs as the result of a fire such officer shall immediately
 13 notify the state fire marshal."

1 SEC. 4. Section one hundred point thirteen (100.13), Code 1954,
 2 is hereby amended by striking the word "and" from line thirteen (13),
 3 and inserting in lieu thereof the following:

4 " , or he may order the owner or occupant to follow safe-storage
 5 procedures for explosives as set forth by the fire prevention code of
 6 the National Fire Protection Association. Any".

1 SEC. 5. Section one hundred point thirty-one (100.31), Code 1954,
 2 is hereby repealed and the following substituted in lieu thereof:

3 "It shall be the duty of the state fire marshal and his designated
 4 subordinates to require all private and public school officials and
 5 teachers to conduct fire drills in all school buildings at least once each
 6 month when school is in session; and to require the officials and teach-
 7 ers of all schools to keep all doors and exits of their respective rooms
 8 and buildings unlocked during school hours or when such areas are
 9 being used by the public at other times.

10 Every school building with two (2) or more classrooms shall have
 11 a warning system of a type approved by the Underwriters' Labora-

12 tories and by the state fire marshal. Said warning system shall be
 13 used only for fire drills or as a warning for emergency. Every school
 14 building shall also be equipped with first-aid fire extinguishers, with
 15 the type, size and number in accordance with National Fire Protec-
 16 tion Association standards and approved by the state fire marshal.

17 The state fire marshal or his deputies shall cause each public or
 18 private elementary or high school, college or university to be inspected
 19 at least once every two (2) years to determine whether each school
 20 meets the fire safety standards of this code and is free from other fire
 21 hazards. Provided, however, that cities which employ fire department
 22 inspectors shall cause such inspections to be made."

1 SEC. 6. Section one hundred point thirty-two (100.32), Code 1954,
 2 is hereby repealed and the following substituted therefor:

3 "The state fire marshal may cooperate with any recognized agency
 4 in the education of the public in fire safety, but no money shall be
 5 expended for such purpose except it be specifically appropriated by
 6 the legislature for that purpose. Any such agency receiving appro-
 7 priations of state money for fire safety purposes shall annually file
 8 with the auditor of the state an itemized statement of all its receipts
 9 and expenditures.

10 The state fire marshal may cause fire-safety information and edu-
 11 cational material to be printed and distributed to schools, fire depart-
 12 ments, or other interested persons or organizations."

1 SEC. 7. Section one hundred point thirty-four (100.34), Code 1954,
 2 is hereby amended by striking all of the first five (5) lines and the
 3 words, "state fire marshal," from line six (6) and inserting in lieu
 4 thereof the following:

5 "Every official reporting a fire to the state fire marshal as required
 6 by section one hundred point three (100.3) shall be paid".

1 SEC. 8. Section one hundred three point one (103.1), Code 1954,
 2 is hereby repealed and the following is substituted in lieu thereof:

3 "Every church, school, hotel, theater, amphitheater, asylum, hos-
 4 pital, nursing home, college or university building, lodge hall, club
 5 room, public meeting place, and all other structures in which persons
 6 congregate from time to time, whether publicly or privately owned,
 7 shall have at least two (2) means of exit from each story. All such
 8 buildings shall be equipped with such protection from fire, and means
 9 of escape therefrom, as in this chapter provided.

10 After the thirty-first day of December, 1957, every such new or
 11 remodeled building, except private one- or two-family dwellings and
 12 farm buildings, shall have at least two (2) means of exit from each
 13 story and shall be equipped with such protection from fire, and means
 14 of escape therefrom, as in this chapter provided."

1 SEC. 9. Section one hundred three point two (103.2), Code 1954,
 2 is hereby amended by adding the following new sentences:

3 "The word 'exit' shall mean a doorway or doorways or windows, or
 4 such doorways together with connecting hallways or stairways, either
 5 interior or exterior, or fire escapes, by means of which occupants may
 6 proceed safely from a room or space to a street or to a space which
 7 provides safe access to a street. Two (2) or more separate exit ways
 8 may use the same corridor or hallway."

1 SEC. 10. Section one hundred three point three (103.3), Code 1954,
2 is hereby amended as follows:

3 1. By striking all of the first twelve (12) lines thereof and by in-
4 serting the following in lieu thereof:

5 "In addition to the requirements of section one hundred three point
6 one (103.1), every building coming under the provisions of this chap-
7 ter shall have at least the number of exits of the kind prescribed by
8 law and as determined by the following formula:

9 Number of exits shall equal C times P."

10 2. By striking all of lines forty (40) to forty-six (46), inclusive,
11 and substituting the following in lieu thereof:

12 "Nothing in this chapter shall be construed to permit less than two
13 (2) exits from each story of every building except private one- or
14 two-family dwellings and farm buildings. When the result of said
15 formula is two (2) or less than two (2), the number of exits shall be
16 two (2). The number of additional exits required shall include any
17 fraction as a unit, except when such fraction shall be thirty-three
18 hundredths (.33) or less, in which case the fraction may be dropped
19 if permitted by the inspector."

1 SEC. 11. Section one hundred three point four (103.4), Code 1954,
2 is hereby amended by striking from line four (4) the words, "first
3 fire escape" and substituting in lieu thereof the words, "second exit".

1 SEC. 12. The fire marshal shall adopt, amend, promulgate and
2 enforce rules, regulations and standards relating to fire protection,
3 fire safety and the elimination of fire hazards in churches, schools,
4 hotels, theaters, amphitheaters, hospitals, nursing homes, custodial
5 homes, boarding homes or housing, rest homes, dormitories, college
6 buildings, lodge halls, club rooms, public meeting places, places of
7 amusement, and all other buildings or structures in which persons
8 congregate from time to time, whether publicly or privately owned.
9 Any person, firm or corporation violating any of such rules and regu-
10 lations of the fire marshal shall be deemed guilty of a misdemeanor
11 and upon conviction shall be punished by a fine of not less than twenty-
12 five (25) dollars nor more than one hundred (100) dollars. Each day
13 of the continuing violation of such rules and regulations after con-
14 viction shall be considered a separate offense. Appeals may be taken
15 from such convictions as in other criminal cases."

1 SEC. 13. Sections one hundred seventy point thirty-eight (170.38),
2 one hundred seventy point thirty-nine (170.39), one hundred seventy
3 point forty (170.40), one hundred seventy point forty-one (170.41),
4 one hundred seventy point forty-two (170.42), one hundred seventy
5 point forty-three (170.43), one hundred seventy point forty-four
6 (170.44), one hundred seventy point forty-five (170.45), and one hun-
7 dred seventy point forty-eight (170.48), Code 1954, are hereby re-
8 pealed.

1 SEC. 14. Section one hundred seventy point forty-seven (170.47),
2 Code 1954, is hereby amended by striking the words, "or that the fire
3 escapes and appliances are not kept in accordance with law," from
4 lines five (5), six (6), and seven (7).

1 SEC. 15. Chapter one hundred seventy (170), Code 1954, is hereby
2 amended by adding the following new section thereto:

3 "The state fire marshal shall adopt, amend, promulgate, and enforce
4 such rules, regulations and standards relating to fire protection and
5 fire safety in hotels, restaurants and food establishments, but such
6 regulations shall be promulgated only after public hearing and ap-
7 proval thereof by the attorney general. Any person, firm or corpora-
8 tion violating any of said rules and regulations of said fire marshal
9 shall be deemed guilty of a misdemeanor, and upon conviction thereof
10 shall be punished by a fine of not less than twenty-five (25) dollars
11 nor more than one hundred (100) dollars, and each day of a continuing
12 violation after conviction shall be considered a separate offense.

13 "All rules, regulations and standards adopted for nursing homes
14 and custodial homes shall be subject to regulations of chapter one
15 hundred thirty-five C (135 C) of the Code."

Approved May 9, 1957.

CHAPTER 76

FLAMMABLE LIQUIDS AND GASES

H. F. 563

AN ACT relating to promulgation and enforcement of uniform regulations of state-
wide effect for the safe transportation, storage, handling and use of flammable
liquids and liquefied petroleum gases.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The state fire marshal is hereby empowered and di-
2 rected to formulate and adopt and from time to time amend or revise
3 and to promulgate, in conformity with and subject to the conditions
4 set forth in this Act, reasonable regulations for the safe transporta-
5 tion, storage, handling and use of flammable liquids and liquefied
6 petroleum gases. For purpose of this Act: "Flammable liquid"
7 means a liquid having a flash point below 200 degrees fahrenheit and
8 a Reid vapor pressure not exceeding 40 psi absolute. "Liquefied
9 petroleum gas" means material composed predominantly of any of the
10 following hydrocarbons, or mixtures of the same: propane, propylene,
11 butanes (normal butane or isobutane) and butylenes.

12 1. The regulations shall be in keeping with the latest generally rec-
13 ognized safety criteria for the materials covered of which the appli-
14 cable criteria recommended and published from time to time by the
15 National Fire Protection Association shall be prima facie evidence.

16 2. The regulations covering flammable liquids and those covering
17 liquefied petroleum gas shall be separately formulated and separately
18 promulgated. To assist in the formulation of these regulations the
19 state fire marshal shall appoint and confer respectively with an ad-
20 visory committee on flammable liquids and an advisory committee on
21 liquefied petroleum gas. Each advisory committee shall consist of
22 persons designated by the state first marshal and who are representa-
23 tive of interests in this state and are experienced in matters of fire
24 prevention and safety with respect to the materials to be covered.

25 3. The regulations shall make reasonable provision under which
26 facilities in service prior to the effective date of the regulations and
27 not in strict conformity therewith may be continued in service unless