

CHAPTER 1094
MATERIAL LIFT ELEVATORS
H.F. 2502

AN ACT relating to material lift elevators.

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

Section 1. Section 104.1, Code 1983, is amended by adding the following new subsection:
NEW SUBSECTION. 11A. "Material lift elevator" means an elevator existing at the location prior to January 1, 1975, which is limited to the movement of materials.

Sec. 2. Section 104.3, Code 1983, is amended by adding the following new subsection:
NEW SUBSECTION. 4. The commissioner may adopt rules permitting existing passenger and freight elevators to be modified into material lift elevators. The American national standard safety standards for conveyors and related equipment, B20.1, shall be the basis for the rules.

Approved April 16, 1984

CHAPTER 1095
FIRE SAFETY
H.F. 257

AN ACT relating to fire safety, and liquefied petroleum gas fuel and natural gas transportation, and liquefied petroleum gas heaters, and providing penalties.

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

Section 1. Section 100.2, Code 1983, is amended to read as follows:

100.2 DUTIES OF CITY AND TOWNSHIP OFFICERS. The chief of the fire department or the chief's designee of every city or township in which a fire department is established, ~~the mayor or chief executive officer of every city in which no fire department exists, or the chief of the fire department or the chief's designee~~ responding to every township fire where there is a contract for fire protection in effect, ~~or the township clerk of every township outside the limits of any city not having a contract for fire protection~~ shall investigate into the cause, origin and circumstances of every fire occurring in ~~such~~ the city, village, or township by which property has been destroyed or damaged or which results in bodily injury to ~~any~~ a person, and determine whether ~~such~~ the fire was the result of natural causes, negligence or design. The state

fire marshal may assist in such the investigation or may ~~superintend and~~ direct the investigation if ~~he deems the fire marshal finds~~ it necessary.

Sec. 2. Section 100.3, unnumbered paragraph 1, Code 1983, is amended by striking the unnumbered paragraph and inserting in lieu thereof the following:

Whenever death, serious bodily injury, or property damage in excess of two hundred thousand dollars has occurred as a result of a fire, or if arson is suspected, the fire official required by section 100.2 to make fire investigations, shall notify the state fire marshal's division immediately. Within ten days following the end of the month, the fire official required by section 100.2 to investigate shall file a report with the fire marshal's division. The report shall indicate all fire incidents occurring and state the name of the owners and occupants of the property at the time of the fire, the value of the property, the estimated total loss to the property, origin of the fire as determined by investigation, and other facts, statistics, and circumstances concerning the fire incidents.

Sec. 3. Section 100.4, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

100.4 PENALTY FOR NONREPORTING. The failure or refusal of a fire official to make an investigation or report required by sections 100.2 and 100.3 is a simple misdemeanor.

Sec. 4. Section 100.5, unnumbered paragraph 1, Code 1983, is amended by striking the unnumbered paragraph and inserting in lieu thereof the following:

Reports required by section 100.3 shall be kept on file for public inspection in the fire marshal's office. In those circumstances where disclosure of particular facts in the reports would plainly and seriously jeopardize an investigation of criminal activity, the portions of the reports pertaining to the facts are classified as peace officers' investigative reports and subject to section 68A.7.

Reports and records on investigations made by the state fire marshal's office are the same as peace officers investigative reports and subject to section 68A.7.

Sec. 5. Section 100.12, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

100.12 AUTHORITY FOR INSPECTION. The chief of a fire department or an authorized subordinate who is trained in fire prevention safety standards may enter a building or premises at a reasonable hour to examine the building or premises and its contents. The examining official shall order the correction of a condition which is in violation of this chapter, a rule adopted under this chapter, or a city or county fire safety ordinance. The order shall be in writing or, if the danger is imminent, orally followed by a written order. The examining official shall enforce the order in accordance with the applicable law or ordinance. At the request of the examining official the state fire marshal may assist in an enforcement action.

Sec. 6. Section 100.26, Code 1983, is amended to read as follows:

100.26 TIME FOR COMPLIANCE WITH ORDER. When no petition of review as provided in section 100.14 has been filed or when the fire marshal on review or the court on review has affirmed or modified an order for the removal, destruction, or repair of a building, or the removal of any of its contents, or the change of any of its conditions, the owner, lessee, or occupant shall comply with such the order within thirty days after the delivery of the same order or a copy thereof to him of the order to the person, either personally or by certified letter to his the last known address, or by service upon his duly the person's appointed agent. If such Failure of the owner, lessee, or occupant shall fail to comply with such the order he shall be subject the owner, lessee, or occupant to a penalty of ten dollars for each day of failure or neglect after the expiration of said the period, which. The penalty shall be recovered in the name of the state and paid into the treasury of the county where collected political subdivision

which issues the order or the treasurer of state if the order is issued by the state. If the owner, lessee, or occupant cannot reasonably comply with the order within thirty days and a good faith effort at compliance has been made within thirty days, the owner, lessee, or occupant shall not be subject to a penalty under this section. However, the penalty may be imposed on the person upon a failure to continue the good faith compliance with the order.

Sec. 7. Section 100.28, unnumbered paragraph 1, Code 1983, is amended by striking the unnumbered paragraph and inserting in lieu thereof the following:

The fire marshal shall serve by certified mail to the owner, lessee, or occupant of the property a copy of the certification required by section 100.27 and a notice informing the person that the amount of assessment contained in the certification may be challenged in a hearing before the state fire marshal, if the person requests a hearing within fourteen days of service of the notice. The hearing shall be in accordance with chapter 17A.

Sec. 8. NEW SECTION. 100.55 AUTHORITY TO CITE VIOLATIONS. Fire officials acting under the authority of this chapter may issue citations in accordance with chapter 805, for violations of this chapter or a violation of a local fire safety code.

Sec. 9. NEW SECTION. 101.11 MARKING—DISPENSING PROHIBITION—PENALTY.

1. A vehicle which carries liquefied petroleum gas fuel or natural gas, as a fuel source for the vehicle, in a concealed area, including but not limited to trunks or compartments located in or under the vehicle, shall display on the left rear and right front bumpers of the vehicle a standard abbreviation or symbol, approved by the department of public safety, which indicates liquefied petroleum gas fuel or natural gas is a fuel source for the vehicle.

2. The owner of the vehicle which is fueled by natural gas or liquefied petroleum gas shall be responsible for the placement of the approved abbreviation or symbol on the vehicle.

3. A person shall not dispense liquefied petroleum gas fuel or natural gas into a tank in a concealed area of a vehicle unless the vehicle complies with subsection 1.

4. A person who violates this section is guilty of a simple misdemeanor.

Approved April 17, 1984