

Reprint 2/9/84

House File 257

State Government: Pavich, Chair; Hanson and Renaud.

Amend per 3293 + Do Pass 3/18/83 (p. 822)

HOUSE FILE 257

FEB 21 1983

BY RENAUD and CONNORS

STATE GOVERNMENT

Passed House, Date 2-3-84 (p. 265) Passed Senate, Date 3-6-84 (p. 678)
Vote: Ayes 99 Nays 0 Vote: Ayes 47 Nays 0
Approved _____

A BILL FOR

1 An Act relating to fire safety, and liquefied petroleum
2 gas fuel and natural gas transportation, and liquefied
3 petroleum gas heaters, and providing penalties.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 257

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

3 100.2 DUTIES ~~OF-CITY-AND-TOWNSHIP-OFFICERS~~. The chief
4 of the fire department or the chief's designee of every city
5 in which a fire department is established, ~~the-mayor-or-chief~~
6 ~~executive-officer-of-every-city-in-which-no-fire-department~~
7 ~~exists,~~ or the chief of the fire department or the chief's
8 designee responding to every ^{city of,} township fire where there is
9 a contract for fire protection in effect, ~~or-the-township~~
10 ~~clerk-of-every-township-outside-the-limits-of-any-city-not~~
11 ~~having-a-contract-for-fire-protection~~ shall investigate into
12 the cause, origin and circumstances of every fire occurring
13 in ~~such~~ the city, ~~village,~~ or township by which property has
14 been destroyed or damaged or which results in bodily injury
15 to any a person, and determine whether ~~such~~ the fire was the
16 result of natural causes, negligence or design. The state
17 fire marshal may assist in ~~such~~ the investigation or may
18 ~~superintend-and~~ direct the investigation if ~~he-deems~~ the fire
19 marshal finds it necessary.

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

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

1 the fire incidents.

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

4 100.4 PENALTY FOR NONREPORTING. The failure or refusal
5 of a fire official to make an investigation or report required
6 by sections 100.2 and 100.3 is a simple misdemeanor.

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

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

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

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

22 100.12 AUTHORITY FOR INSPECTION. The chief of a fire
23 department or an authorized subordinate who is a trained fire
24 official may enter a building or premises at a reasonable
25 hour to examine the building or premises and its contents.
26 The examining official shall order the correction of a
27 condition which is in violation of this chapter, a rule adopted
28 under this chapter, or a city or county fire safety ordinance.

29 The order shall be in writing or, if the danger is imminent,
30 orally. The examining official shall enforce the order in
31 accordance with the applicable law or ordinance. At the
32 request of the examining official the state fire marshal may
33 assist in an enforcement action.

34 Sec. 6. Section 100.18, subsection 5, Code 1983, is amended
35 to read as follows:

1 5. The state fire marshal or a designated subordinate
2 shall initially and may annually inspect smoke detectors
3 installed as required by subsection 2. Upon inspection, the
4 state fire marshal shall issue a written notice to the owner
5 or manager of a multiple-unit residential building informing
6 the owner or manager of compliance or noncompliance with this
7 section. The state fire marshal may contract with any
8 political subdivision without fee assessed to either the state
9 fire marshal or the political subdivision, for the performance
10 of the inspection and notification responsibilities. The
11 inspections authorized under this section are limited to the
12 placement, repair, and operability of smoke detectors. Any
13 broader inspection authority is not derived from this section.
14 The state fire marshal shall adopt rules under chapter 17A
15 as necessary to enforce this section including rules concerning
16 the placement of smoke detectors and the use of acceptable
17 smoke detectors. The smoke detectors shall display a label
18 or other identification issued by an approved testing agency
19 or another label specifically approved by the state fire
20 marshal. The state fire marshal shall not require other than
21 single-station smoke detectors. If smoke detectors are not
22 required under subsection 4 due to the presence of an automatic
23 smoke detection system, the state fire marshal shall not
24 require other than the automatic smoke detection system.

25 Sec. 7. Section 100.26, Code 1983, is amended to read
26 as follows:

27 100.26 TIME FOR COMPLIANCE WITH ORDER. When no petition
28 of review as provided in section 100.14 has been filed or
29 when the fire marshal on review or the court on review has
30 affirmed or modified an order for the removal, destruction,
31 or repair of a building, or the removal of any of its contents,
32 or the change of any of its conditions, the owner, lessee,
33 or occupant shall comply with ~~such~~ the order within thirty
34 days after the delivery of the same order or a copy thereof
35 ~~to him~~ of the order to the person, either personally or by

1 certified letter to ~~his~~ the last known address, or by service
 2 upon ~~his-duty~~ the person's appointed agent. ~~if-such~~ Failure
 3 of the owner, lessee, or occupant shall-fail to comply with
 4 ~~such~~ the order he shall be subject the owner, lessee, or
 5 occupant to a penalty of ten dollars for each day of failure
 6 or neglect after the expiration of ~~said~~ the period, ~~which~~.
 7 The penalty shall be recovered in the name of the state and
 8 paid into the treasury of the county-where-collected political
 9 subdivision which issues the order or the treasurer of state
 10 if the order is issued by the state. If the owner, lessee,
 11 or occupant cannot reasonably comply with the order within
 12 thirty days and a good faith effort at compliance has been
 13 made within thirty days, the owner, lessee, or occupant shall
 14 not be subject to a penalty under this section. However,
 15 the penalty may be imposed on the person upon a failure to
 16 continue the good faith compliance with the order.

17 Sec. 8. Section 100.28, unnumbered paragraph 1, Code 1983,
 18 is amended by striking the unnumbered paragraph and inserting
 19 in lieu thereof the following:

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

28 Sec. 9. NEW SECTION. 100.55 AUTHORITY TO CITE VIOLATIONS.
 29 Fire officials acting under the authority of this chapter
 30 may issue citations in accordance with chapter 805, for
 31 violations of this chapter or a violation of a local fire
 32 safety code.

33 Sec. 10. NEW SECTION. 101.11 MARKING--DISPENSING PROHIBI-
 34 TION--PENALTY.

35 1. A vehicle which carries liquefied petroleum gas fuel

1 or natural gas, as a fuel source for the vehicle, in a
2 concealed area, including but not limited to trunks or
3 compartments located in or under the vehicle, shall display
4 on the exterior of the vehicle in block letters at least two
5 inches high the words "Pressured Flammable Gas", or a standard
6 abbreviation or symbol approved by the department of public
7 safety. The letters shall be of contrasting colors and placed
8 on the rear bumper of the vehicle.

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

12 3. A person who violates this section is guilty of a
13 simple misdemeanor.

14 Sec. 11. NEW SECTION. 101.12 PROHIBITION. Liquefied
15 petroleum gas fired heaters not connected to an outdoor fuel
16 source shall not be installed, used, or maintained in a
17 building except under the following conditions:

18 1. In buildings or structures under construction or under-
19 going major renovation when the buildings are not occupied
20 by the public. If a building is partially occupied by the
21 public, the heaters may be used in the unoccupied portion
22 if prior approval is obtained from the authority which has
23 jurisdiction.

24 2. If necessary for temporary heating purposes in order
25 to prevent damage to a building or contents and if the
26 permanent heating system is out of service and the temporary
27 heating system is monitored at all times. A person violating
28 this section is guilty of a simple misdemeanor.

29 EXPLANATION

30 This bill changes reporting procedures for fire officials
31 filing reports on fire incidents to the state fire marshal's
32 division and provides a penalty for nonreporting. Fires where
33 arson is suspected, where there is serious property damage,
34 or loss of life must be reported immediately. Other fire
35 incidents must be described in a written report filed within

1 ten days of the end of each month with the state fire marshal's
2 division. The bill also provides that the reports are open
3 to the public unless the reports would jeopardize an
4 investigation of criminal activity. The bill defines the
5 inspection authority of fire officials and eliminates the
6 requirement that the state fire marshal or subordinate inspect
7 smoke detectors annually. However, the fire marshal or a
8 subordinate is required to inspect smoke detectors initially.
9 The bill revises the compliance procedure for a person who
10 receives an order or assessment from the state fire marshal
11 and requires official notice of assessment by the fire
12 marshal's division. The penalty fee is paid to the political
13 subdivision which issues the order or the treasurer of state.
14 The bill allows fire officials to issue citations for
15 violations of chapter 100 and violations of a local fire
16 safety ordinance. The bill prohibits carrying liquefied
17 petroleum gas fuel or natural gas, as a fuel source of the
18 vehicle, in concealed areas of a vehicle unless the area is
19 plainly marked and makes a violation of the prohibition a
20 simple misdemeanor. The bill also restricts the use of
21 liquefied petroleum gas heaters and makes a violation of the
22 restrictions a simple misdemeanor. This bill creates sections
23 100.55, 101.11, and 101.12. This bill takes effect July 1
24 following enactment.

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HOUSE FILE 257

H-3293

- 1 Amend House File 257 as follows:
- 2 1. Page 2, line 30, by inserting after the word
- 3 "orally" the words "followed by a written order".
- 4 2. Page 5, by striking lines 4 through 8 and
- 5 inserting in lieu thereof the following: "on the
- 6 left rear and right front bumpers of the vehicle a
- 7 standard abbreviation or symbol, approved by the
- 8 department of public safety, which indicates liquefied
- 9 petroleum gas fuel or natural gas is a fuel source
- 10 for the vehicle."

H-3293 FILED MARCH 18, 1983

BY COMMITTEE ON STATE GOVERNMENT

4/18 2/3/84 (p. 263)

HOUSE FILE 257

H-3465

- 1 Amend House File 257 as follows:
- 2 1. Page 5, by striking lines 9 through 11 and
- 3 inserting in lieu thereof the following:
- 4 "2. The owner of the vehicle which is fueled by
- 5 natural gas or liquefied petroleum gas shall be
- 6 responsible for the placement of the approved
- 7 abbreviation or symbol on the vehicle."

BY PAVICH of Pottawattamie

CONNORS of Polk

RENAUD of Polk

H-3465 FILED MARCH 30, 1983

4/18 2/3 (p. 264)

HOUSE FILE 257

H-5025

- 1 Amend House File 257 as follows:
- 2 1. Page 2, line 30, by inserting after the word
- 3 "orally" the words "followed by a written order".
- 4 2. Page 2, by striking lines 34 through page 3,
- 5 line 24.
- 6 3. Page 5, by striking lines 4 through 8 and
- 7 inserting in lieu thereof the following: "on the
- 8 left rear and right front bumpers of the vehicle a
- 9 standard abbreviation or symbol, approved by the
- 10 department of public safety, which indicates liquefied
- 11 petroleum gas fuel or natural gas is a fuel source
- 12 for the vehicle."
- 13 4. Page 5, by adding after line 8 the following:
- 14 "2. The owner of the vehicle which is fueled by
- 15 natural gas or liquefied petroleum gas shall be
- 16 responsible for the placement of the approved
- 17 abbreviation or symbol on the vehicle."
- 18 5. By renumbering the sections and subsections
- 19 to conform with this amendment.

H-5025 FILED JANUARY 25, 1984 BY COMMITTEE ON STATE GOVERNMENT

Adopted 2/3 (p. 263)

HOUSE FILE 257

H-5040

- 1 Amend House File 257 as follows:
- 2 1. Page 1, line 4, by inserting after the word
- 3 "city" the words "or township".

H-5040 FILED JANUARY 30, 1984 BY SPEAR of Lee

Adopted 2/3 (p. 264)

HOUSE FILE 257

H-5041

- 1 Amend House File 257 as follows:
- 2 1. Page 2, by striking lines 2 through 6.
- 3 2. Page 2, by striking lines 10 through 16.
- 4 3. Page 2, by striking lines 20 through 33.
- 5 4. Page 4, by striking lines 17 through 27.
- 6 5. By renumbering as necessary.

H-5041 FILED JANUARY 30, 1984 BY SCHROEDER of Pottawattamie

2/15 2/3 (p. 264)

HOUSE FILE 257

H-5052

- 1 Amend House File 257 as follows:
- 2 1. Page 2, lines 23 and 24, by striking the words
- 3 "a trained fire official" and inserting in lieu thereof
- 4 the words "trained in fire prevention safety
- 5 standards".

BY PAVICH of POTTAWATTAMIE
SCHROEDER of POTTAWATTAMIE

H-5052 FILED FEBRUARY 1, 1984

Adopted 2/3 (p. 264)

Sen. & File Cont. 2/9
HOUSE FILE 257
State Government
Dieleman, Chair
Gettings
Soorholtz
*Be Pass 2/27/84
(p.557)*

HOUSE FILE 257

BY RENAUD and CONNORS

(As amended and Passed by the House)

Passed House, Date ^{4-2-84 (p.1563)} ~~3-6-84 (p.678)~~ Passed Senate, Date 3-6-84 (p.678)
Vote: Ayes 47 Nays 0 Vote: Ayes 47 Nays 0
Approved April 17, 1984

Repassed House

A BILL FOR

- 1 An Act relating to fire safety, and liquefied petroleum
- 2 gas fuel and natural gas transportation, and liquefied
- 3 petroleum gas heaters, and providing penalties.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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S-5216

HOUSE FILE 257

- 1 Amend House File 257 as amended, passed, and re-
- 2 printed by the House as follows:
- 3 1. By striking page 4, line 27 through page 5
- 4 line 6.

S-5216 FILED
MARCH 5, 1984
Adopted 3/6 (p.678)

BY WM. W. DIELEMAN
EDGAR H. HOLDEN
TED ANDERSON

SENATE AMENDMENT TO HOUSE FILE 257

H-5476

- 1 Amend House File 257 as amended, passed and re-
- 2 printed by the House as follows:
- 3 1. By striking page 4, line 27 through page 5,
- 4 line 6.

H-5476 FILED MARCH 8, 1984

RECEIVED FROM THE SENATE
Same concurred 4/2 (p.1563)

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

3 100.2 ~~DUTIES OF CITY-AND-TOWNSHIP-OFFICERS.~~ The chief
4 of the fire department or the chief's designee of every city
5 or township in which a fire department is established, ~~the~~
6 ~~mayer-or-chief-executive-officer-of-every-city-in-which-no~~
7 ~~fire-department-exists,~~ or the chief of the fire department
8 or the chief's designee responding to every township fire
9 where there is a contract for fire protection in effect, ~~or~~
10 ~~the-township-clerk-of-every-township-outside-the-limits-of~~
11 ~~any-city-not-having-a-contract-for-fire-protection~~ shall
12 investigate into the cause, origin and circumstances of every
13 fire occurring in ~~such~~ the city, ~~village,~~ or township by which
14 property has been destroyed or damaged or which results in
15 bodily injury to any a person, and determine whether ~~such~~
16 the fire was the result of natural causes, negligence or
17 design. The state fire marshal may assist in ~~such~~ the
18 investigation or may ~~superintend-and~~ direct the investigation
19 if he ~~deems~~ the fire marshal finds it necessary.

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

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

1 the fire incidents.

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

4 100.4 PENALTY FOR NONREPORTING. The failure or refusal
5 of a fire official to make an investigation or report required
6 by sections 100.2 and 100.3 is a simple misdemeanor.

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

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

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

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

22 100.12 AUTHORITY FOR INSPECTION. The chief of a fire
23 department or an authorized subordinate who is trained in
24 fire prevention safety standards may enter a building or
25 premises at a reasonable hour to examine the building or
26 premises and its contents. The examining official shall order
27 the correction of a condition which is in violation of this
28 chapter, a rule adopted under this chapter, or a city or
29 county fire safety ordinance. The order shall be in writing
30 or, if the danger is imminent, orally followed by a written
31 order. The examining official shall enforce the order in
32 accordance with the applicable law or ordinance. At the
33 request of the examining official the state fire marshal may
34 assist in an enforcement action.

35 Sec. 6. Section 100.26, Code 1983, is amended to read

1 as follows:

2 100.26 TIME FOR COMPLIANCE WITH ORDER. When no petition
3 of review as provided in section 100.14 has been filed or
4 when the fire marshal on review or the court on review has
5 affirmed or modified an order for the removal, destruction,
6 or repair of a building, or the removal of any of its contents,
7 or the change of any of its conditions, the owner, lessee,
8 or occupant shall comply with ~~sueh~~ the order within thirty
9 days after the delivery of the ~~same~~ order or a copy thereof
10 ~~to-him~~ of the order to the person, either personally or by
11 certified letter to ~~his~~ the last known address, or by service
12 upon ~~his-duty~~ the person's appointed agent. ~~If-sueh~~ Failure
13 of the owner, lessee, or occupant shall-fail to comply with
14 ~~sueh~~ the order he shall be subject the owner, lessee, or
15 occupant to a penalty of ten dollars for each day of failure
16 or neglect after the expiration of said the period, ~~which~~.
17 The penalty shall be recovered in the name of the state and
18 paid into the treasury of the ~~county-where-collected~~ political
19 subdivision which issues the order or the treasurer of state
20 if the order is issued by the state. If the owner, lessee,
21 or occupant cannot reasonably comply with the order within
22 thirty days and a good faith effort at compliance has been
23 made within thirty days, the owner, lessee, or occupant shall
24 not be subject to a penalty under this section. However,
25 the penalty may be imposed on the person upon a failure to
26 continue the good faith compliance with the order.

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

30 The fire marshal shall serve by certified mail to the
31 owner, lessee, or occupant of the property a copy of the
32 certification required by section 100.27 and a notice informing
33 the person that the amount of assessment contained in the
34 certification may be challenged in a hearing before the state
35 fire marshal, if the person requests a hearing within fourteen

1 days of service of the notice. The hearing shall be in
2 accordance with chapter 17A.

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

8 Sec. 9. NEW SECTION. 101.11 MARKING--DISPENSING PROHIBI-
9 TION--PENALTY.

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

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

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

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

27 Sec. 10. NEW SECTION. 101.12 PROHIBITION. Liquefied
28 petroleum gas fired heaters not connected to an outdoor fuel
29 source shall not be installed, used, or maintained in a
30 building except under the following conditions:

31 1. In buildings or structures under construction or under-
32 going major renovation when the buildings are not occupied
33 by the public. If a building is partially occupied by the
34 public, the heaters may be used in the unoccupied portion
35 if prior approval is obtained from the authority which has

1 jurisdiction.

2 2. If necessary for temporary heating purposes in order
3 to prevent damage to a building or contents and if the
4 permanent heating system is out of service and the temporary
5 heating system is monitored at all times. A person violating
6 this section is guilty of a simple misdemeanor.

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HOUSE FILE 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~~
~~mayer 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 100.04~~ 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~~ ~~day~~ the person's appointed agent. ~~It~~ ~~such~~ Failure of the owner, lessee, or occupant ~~shall~~ ~~fail~~ to comply with ~~such~~ the order as 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 ~~within~~. The penalty shall be recovered in the name of the state and paid into the treasury of the ~~county where estimated 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 905, 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.

DONALD D. AVENSON
Speaker of the House

ROBERT T. ANDERSON
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 257, Seventieth General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved April 17, 1984

TERRY E. BRANSTAD
Governor