

FEB 9 1998

Place On Calendar

*Substituted by
SF 2182
2/23/98 (P. 323)*

HOUSE FILE

2165

BY COMMITTEE ON STATE GOVERNMENT

WITHDRAWN

(SUCCESSOR TO HSB 521)

(P. 324) 2/23/98

Passed House, Date _____

Passed Senate, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the state fire marshal, including the
2 installation of automatic fire extinguishing systems in new
3 construction.

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

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WITHDRAWN

HF 2165

1 Section 1. Section 100.39, unnumbered paragraph 1, Code
2 1997, is amended to read as follows:

3 All buildings ~~that are~~ approved for construction, after
4 ~~August 15, 1975~~ July 1, 1998 ~~that exceed~~ ^{that exceed} four stories in
5 height, or ~~sixty-five~~ seventy-five feet above grade, shall
6 require the installation of an approved automatic fire
7 extinguishing system designed and installed in conformity with
8 rules promulgated by the state fire marshal pursuant to this
9 chapter.

10 Sec. 2. Section 101.2, Code 1997, is amended by striking
11 the section and inserting in lieu thereof the following:

12 101.2 SCOPE OF RULES.

13 Except as otherwise provided in this chapter, the rules
14 shall be in substantial compliance with the standards of the
15 national fire protection association relating to flammable
16 liquids and liquefied petroleum gases.

17 Sec. 3. Section 101.12, Code 1997, is amended to read as
18 follows:

19 101.12 ABOVEGROUND PETROLEUM TANKS AUTHORIZED.

20 Rules of the state fire marshal ~~shall permit~~ permitting
21 installation of aboveground petroleum storage tanks for retail
22 motor vehicle fuel outlets ~~as permitted by the latest edition~~
23 ~~of the~~ shall be in substantial compliance with the applicable
24 standards of the national fire protection association rule
25 30A, and shall be subject to the approval of the governing
26 body of the local governmental subdivision with jurisdiction
27 over the site of the outlet.

28 Sec. 4. Section 100.32, Code 1997, is repealed.

29 EXPLANATION

30 This bill repeals Code section 100.32 that prevents the
31 fire marshal from providing fire safety information and
32 education materials when moneys are not appropriated for that
33 purpose, increases the new building construction height levels
34 at which automatic fire extinguishing systems must be
35 installed from 65 feet to 75 feet, and requires that the state

1 fire marshal's administrative rules be in substantial
2 compliance with the standards of the national fire protection
3 association relating to aboveground petroleum storage tanks,
4 flammable liquids, and liquefied petroleum gases.

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Bradley, chair
Conners
Tyrrell

HSB 521

STATE GOVERNMENT
Succeeded By
SF HF 2165

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
PUBLIC SAFETY BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

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TERRY E. BRANSTAD, GOVERNOR

DEPARTMENT OF PUBLIC SAFETY
PAUL H. WIECK II, COMMISSIONER

TO: Members of the General Assembly

FROM: Paul Wieck II, Commissioner

DATE: November 17, 1997

RE: Proposed Amendments to State Fire Marshal Code

The State Fire Marshal has proposed the attached amendments to Chapters 100 and 101 to bring code language into compliance with current practice and to provide consistency with rule-making. The sections are outlined below:

1. Amends section 100.39 to reflect language in model building codes, including the State and the Uniform Building Code that requires installation of automatic fire extinguishing systems in buildings 75 feet above grade. Few buildings would be affected by this change since the four-story provisions generally make sprinklers required at less than either 65 or 75 feet. High-rise building requirements generally become effective at 75 feet.
2. Amends 101.2 to conform rules to existing practice which is to maintain substantial compliance with standards of the national fire protection association.
3. Amends 101.12 in order to be consistent with administrative rule-making. (The date of the edition of the national fire protection association that is adopted is part of the rule-making process.)
4. Strikes section 100.32 which seems to require that the state fire marshal's office provide fire safety information and educational material but that no money shall be expended for such purpose. Taken literally, it would appear to prohibit the fire marshal from participating in any type of public fire safety education unless there were a line-item appropriation. The original language was codified in 1911, amended in 1958, and does not reflect current practice. The current language reads:

"The state fire marshal may cooperate with any recognized agency in the education of the public in fire safety, but no money shall be expended for such purpose except it be specifically appropriated by the legislature for that purpose. Any such agency receiving appropriations of state money for fire safety purposes shall annually file with the auditor of the state an itemized statement of all its receipts and expenditures. The state fire marshal may cause fire safety information and educational material to be printed and distributed to schools, fire departments, or other interested persons or organizations."