

1 ENGROSSED SENATE AMENDMENT  
TO

2 ENGROSSED HOUSE  
BILL NO. 2459

By: Fetgatter of the House

and

Green of the Senate

7 An Act relating to fire suppression; amending Section  
1, Chapter 106, O.S.L. 2024 (74 O.S. Supp. 2024,  
8 Section 325.20), which relates to mobile food  
establishments, fire extinguishers, and inspections;  
9 directing compliance with current adopted codes;  
providing exception for certain extinguishing  
10 systems; deleting certain annual inspection  
requirement; providing for inspections; providing for  
11 the expiration of certain provisions; requiring  
compliance with certain codes; providing sole  
12 authority to the Fire Marshal; providing for the  
issuance of operational permit decals; declaring  
13 authority of the State Fire Marshal to enforce  
minimum code requirements and revoke operations of  
14 mobile food preparation vehicles; declaring authority  
of political subdivisions to enforce permits, fees,  
15 regulations, and ordinances; prohibiting the  
enactment or enforcement of any fire or life safety  
16 code-regulated ordinances or rules; and providing an  
effective date.

19 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and  
entire bill and insert

21 "An act relating to fire suppression; amending  
Section 1, Chapter 106, O.S.L. 2024 (74 O.S. Supp.  
22 2024, Section 325.20), which relates to mobile food  
establishments, fire extinguishers, and inspections;  
23 directing compliance with certain adopted fire codes;  
providing certain exceptions; requiring inspection of  
24 certain vehicles by certain entities; requiring

1 issuing of certain permit decal; establishing  
2 expiration of certain provisions; establishing  
3 certain jurisdiction; requiring coordination by the  
4 State Fire Marshal of certain annual inspections;  
5 providing certain exceptions; directing promulgation  
6 of certain rules; and providing an effective date.

7 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

8 SECTION 1. AMENDATORY Section 1, Chapter 106, O.S.L.  
9 2024 (74 O.S. Supp. 2024, Section 325.20), is amended to read as  
10 follows:

11 Section 325.20. A. ~~In lieu of an automatic fire extinguishing~~  
12 ~~system, portable fire extinguishers shall be installed in mobile~~  
13 ~~food establishments that produce~~ All mobile food preparation  
14 vehicles operating within this state prior to July 1, 2024, that are  
15 capable of producing smoke or grease-laden vapors shall be in  
16 compliance with the most current adopted fire code. With the  
17 exception of an automatic fire extinguishing system, such  
18 requirement shall apply to vehicles including, but not limited to,  
19 vehicles utilizing electric energy, liquefied petroleum gas,  
20 compressed natural gas, or a combination thereof for cooking,  
21 provided that portable fire extinguishers are installed and  
22 maintained in accordance with the most current version of NFPA 10:  
23 Standard for Portable Fire Extinguishers. ~~All fire extinguishers~~  
24 ~~shall be inspected annually by a licensed contractor. A six-liter~~  
Class K-rated, portable fire extinguisher is required for all

1 cooking equipment involving solid fuels ~~or~~, vegetable or animal oils  
2 and fats, or a combination thereof. All portable fire extinguishers  
3 shall be in clear view and immediately available for use.

4 ~~B. The provisions of this section shall cease to have the force~~  
5 ~~and effect of law on November 1, 2025~~ All mobile food preparation  
6 vehicles utilizing, handling, or transporting liquefied petroleum  
7 gas or any liquefied petroleum gas system, equipment, container,  
8 apparatus, or appliance shall receive and maintain a permit from,  
9 and be inspected annually by, the Oklahoma Liquefied Petroleum Gas  
10 Administration or its employees, in conjunction with the State Fire  
11 Marshal issuing an annual operation permit decal to mobile food  
12 preparation vehicles.

13 C. The provisions in subsection A of this section shall expire  
14 on January 1, 2026, and all mobile food preparation vehicles shall  
15 comply with the most current adopted fire codes set forth by this  
16 state.

17 D. Mobile food preparation vehicles shall be under the  
18 jurisdiction of the State Fire Marshal for fire and life safety code  
19 compliance and shall be inspected annually by the State Fire Marshal  
20 to ensure compliance with the latest version of the state-adopted  
21 minimum codes for fire and life safety as adopted by the Oklahoma  
22 Uniform Building Code Commission. The State Fire Marshal shall  
23 coordinate, at minimum, annual inspections conducted:

24 1. Within each of the four quadrants of this state; and

1        2. Twice within each county with a population exceeding four  
2 hundred thousand (400,000) according to the latest Federal Decennial  
3 Census.

4        E. Upon approval, the State Fire Marshal shall issue an  
5 operational permit decal indicating that the vehicle meets the  
6 minimum fire and life code requirements adopted at the time of  
7 inspection.

8        F. Nothing in this section shall prevent:

9        1. The State Fire Marshal from enforcing the minimum fire code  
10 requirements as allowed by law and revoking the operations of a  
11 mobile food preparation vehicle for cause when such vehicle is  
12 determined to be inherently dangerous to the health, safety, or  
13 welfare of persons within this state;

14        2. A political subdivision from enforcing the event permits,  
15 operational fees, land use regulations, zoning, or other ordinances  
16 in relation to the operation of a mobile food preparation vehicle  
17 within the boundaries of the political subdivision; or

18        3. The State Department of Health from licensing and regulating  
19 mobile food preparation vehicles as provided by the provisions of  
20 Title 63 of the Oklahoma Statutes and rules promulgated by the State  
21 Commissioner of Health.

22        G. The State Fire Marshal may promulgate rules necessary to  
23 implement the provisions of this section. Such rules shall have  
24 uniform force and effect throughout this state and no political

1 subdivision or other agency shall enact or enforce any fire or life  
2 safety code-related ordinances, rules, or other requirements for  
3 mobile food preparation vehicles, except in a county with a  
4 population exceeding four hundred thousand (400,000) according to  
5 the latest Federal Decennial Census.

6 SECTION 2. This act shall become effective November 1, 2025."

7 Passed the Senate the 6th day of May, 2025.

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9 \_\_\_\_\_  
10 Presiding Officer of the Senate

11 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
12 2025.

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14 \_\_\_\_\_  
15 Presiding Officer of the House  
16 of Representatives  
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1 ENGROSSED HOUSE  
2 BILL NO. 2459

By: Fetgatter of the House

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4 Green of the Senate  
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7 An Act relating to fire suppression; amending Section  
8 1, Chapter 106, O.S.L. 2024 (74 O.S. Supp. 2024,  
9 Section 325.20), which relates to mobile food  
10 establishments, fire extinguishers, and inspections;  
11 directing compliance with current adopted codes;  
12 providing exception for certain extinguishing  
13 systems; deleting certain annual inspection  
14 requirement; providing for inspections; providing for  
15 the expiration of certain provisions; requiring  
16 compliance with certain codes; providing sole  
17 authority to the Fire Marshal; providing for the  
18 issuance of operational permit decals; declaring  
19 authority of the State Fire Marshal to enforce  
20 minimum code requirements and revoke operations of  
21 mobile food preparation vehicles; declaring authority  
22 of political subdivisions to enforce permits, fees,  
23 regulations, and ordinances; prohibiting the  
24 enactment or enforcement of any fire or life safety  
code-regulated ordinances or rules; and providing an  
effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 3. AMENDATORY Section 1, Chapter 106, O.S.L.  
2024 (74 O.S. Supp. 2024, Section 325.20), is amended to read as  
follows:

1       Section 325.20. A. ~~In lieu of an automatic fire extinguishing~~  
2 ~~system, portable fire extinguishers shall be installed in mobile~~  
3 ~~food establishments that produce~~ All mobile food preparation  
4 vehicles operating within the State of Oklahoma prior to July 1,  
5 2024, that are capable of producing smoke or grease-laden vapors  
6 shall be in compliance with the most current adopted code. With the  
7 exception of an automatic fire extinguishing system, this shall  
8 include, but not be limited to, those utilizing electric, liquified  
9 petroleum gas, compressed natural gas, or a combination thereof for  
10 cooking, provided that portable fire extinguishers are installed and  
11 maintained in accordance with the most current version of NFPA 10  
12 (Standard for Portable Fire Extinguishers). ~~All fire extinguishers~~  
13 ~~shall be inspected annually by a licensed contractor.~~ A six-liter  
14 Class K-rated, portable fire extinguisher is required for all  
15 cooking equipment involving solid fuels or vegetable or animal oils  
16 and fats or a combination thereof. All portable fire extinguishers  
17 shall be in clear view and immediately available for use.

18       B. ~~The provisions of this section shall cease to have the force~~  
19 ~~and effect of law on November 1, 2025~~ All liquified petroleum gas  
20 shall be inspected by the Oklahoma Liquified Petroleum Gas Board or  
21 a certified contractor.

22       C. The provisions in subsection A of this section shall expire  
23 on July 1, 2026, and all mobile food preparation vehicles shall  
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1 comply with the most current adopted codes set forth by the State of  
2 Oklahoma.

3 D. Mobile food preparation vehicles shall be under the sole  
4 jurisdiction of the State Fire Marshal and shall be inspected  
5 annually by the State Fire Marshal to ensure compliance with the  
6 latest version of the state adopted minimum codes for fire and life  
7 safety as adopted by the Oklahoma Uniform Building Code Commission.

8 E. Upon approval by the State Fire Marshal, the State Fire  
9 Marshal shall issue an operational permit decal indicating that the  
10 vehicle meets the minimum code requirements as currently adopted at  
11 the time of inspection.

12 F. Nothing in this act shall prevent the State Fire Marshal  
13 from enforcing the minimum code requirements as allowed by law and  
14 revoking the operations of a mobile food preparation vehicle upon  
15 cause when it is determined to be inherently dangerous to the  
16 health, safety, or welfare of persons within the State of Oklahoma.

17 G. Nothing in this act shall prevent a political subdivision  
18 from enforcing the political subdivision's event permits,  
19 operational fees, land use regulations, zoning, and other ordinances  
20 in relation to the operation of a mobile food preparation vehicle  
21 within the boundaries of said political subdivision.

22 H. The rules promulgated pursuant to this section shall have  
23 uniform force and effect throughout the state and no city, town,  
24 county, political subdivision, or other agency shall enact or



1 enforce any fire or life safety code-related ordinances, rules, or  
2 other requirements for mobile food preparation vehicles.

3 SECTION 4. This act shall become effective November 1, 2025.

4 Passed the House of Representatives the 25th day of March, 2025.

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6 \_\_\_\_\_  
7 Presiding Officer of the House  
8 of Representatives

9 Passed the Senate the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

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12 Presiding Officer of the Senate  
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