

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

COMMITTEE SUBSTITUTE

FOR ENGROSSED

HOUSE BILL NO. 2459

By: Fetgatter of the House

and

Green of the Senate

COMMITTEE SUBSTITUTE

An Act relating to fire suppression; amending Section 1, Chapter 106, O.S.L. 2024 (74 O.S. Supp. 2024, Section 325.20), which relates to mobile food establishments, fire extinguishers, and inspections; directing compliance with current adopted fire codes; providing exception for certain extinguishing systems; deleting certain annual inspection requirement; providing for inspections; providing for the expiration of certain provisions; requiring compliance with certain codes; providing sole authority to the State Fire Marshal; providing for the issuance of operational permit decals; declaring authority of the State Fire Marshal to enforce minimum fire code requirements and revoke operations of mobile food preparation vehicles; declaring authority of political subdivisions to enforce permits, fees, regulations, and ordinances; prohibiting the 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 1. 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 this state prior to July 1, 2024, that are  
5 capable of producing smoke or grease-laden vapors shall be in  
6 compliance with the most current adopted fire code. With the  
7 exception of an automatic fire extinguishing system, such  
8 requirement shall apply to vehicles including, but not limited to,  
9 vehicles utilizing electric energy, liquefied petroleum gas,  
10 compressed natural gas, or a combination thereof for cooking,  
11 provided that portable fire extinguishers are installed and  
12 maintained in accordance with the most current version of NFPA 10:  
13 Standard for Portable Fire Extinguishers. ~~All fire extinguishers~~  
14 ~~shall be inspected annually by a licensed contractor.~~ A six-liter  
15 Class K-rated, portable fire extinguisher is required for all  
16 cooking equipment involving solid fuels or vegetable or animal oils  
17 and fats or a combination thereof. All portable fire extinguishers  
18 shall be in clear view and immediately available for use.

19       B. ~~The provisions of this section shall cease to have the force~~  
20 ~~and effect of law on November 1, 2025~~ All liquefied petroleum gas  
21 shall be inspected by the Oklahoma Liquefied Petroleum Gas  
22 Administration or employees.

23       C. The provisions in subsection A of this section shall expire  
24 on January 1, 2026, and all mobile food preparation vehicles shall

1 comply with the most current adopted fire codes set forth by this  
2 state.

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 The State Fire Marshall shall coordinate, at minimum, annual  
9 inspections conducted:

10 1. Within each of the four quadrants of this state; and  
11 2. Twice within each county with a population exceeding four  
12 hundred thousand (400,000) according to the latest Federal Decennial  
13 Census.

14 E. Upon approval, the State Fire Marshal shall issue an  
15 operational permit decal indicating that the vehicle meets the  
16 minimum fire code requirements as currently adopted at the time of  
17 inspection.

18 F. Nothing in this act shall prevent the State Fire Marshal  
19 from enforcing the minimum fire code requirements as allowed by law  
20 and revoking the operations of a mobile food preparation vehicle for  
21 cause when it is determined to be inherently dangerous to the  
22 health, safety, or welfare of persons within this state.

23 G. Nothing in this act shall prevent a political subdivision  
24 from enforcing the event permits, operational fees, land use

1 regulations, zoning, and other ordinances in relation to the  
2 operation of a mobile food preparation vehicle within the boundaries  
3 of the political subdivision.

4 H. The State Fire Marshal may promulgate rules necessary to  
5 implement the provisions of this section. Such rules shall have  
6 uniform force and effect throughout this state and no political  
7 subdivision or other agency shall enact or enforce any fire or life  
8 safety code-related ordinances, rules, or other requirements for  
9 mobile food preparation vehicles, except in a county with a  
10 population exceeding four hundred thousand (400,000) according to  
11 the latest Federal Decennial Census.

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

13  
14 60-1-2070 CAD 4/24/2025 9:04:05 AM  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24