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April 24, 2025

COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 2459

By: Fetgatter of the House

and

Green of the Senate

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[ fire suppression - mobile food establishments, fire
extinguishers, and inspections - fire codes - State
Fire Marshal - permit decals - effective date ]
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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:

Section 325.20. A. ~~In lieu of an automatic fire extinguishing system, portable fire extinguishers shall be installed in mobile food establishments that produce~~ All mobile food preparation vehicles operating within this state prior to July 1, 2024, that are capable of producing smoke or grease-laden vapors shall be in compliance with the most current adopted fire code. With the exception of an automatic fire extinguishing system, such requirement shall apply to vehicles including, but not limited to,

1 vehicles utilizing electric energy, liquefied petroleum gas,
2 compressed natural gas, or a combination thereof for cooking,
3 provided that portable fire extinguishers are installed and
4 maintained in accordance with the most current version of NFPA 10:
5 Standard for Portable Fire Extinguishers. ~~All fire extinguishers~~
6 ~~shall be inspected annually by a licensed contractor.~~ A six-liter
7 Class K-rated, portable fire extinguisher is required for all
8 cooking equipment involving solid fuels or vegetable or animal oils
9 and fats or a combination thereof. All portable fire extinguishers
10 shall be in clear view and immediately available for use.

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

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

19 D. Mobile food preparation vehicles shall be under the sole
20 jurisdiction of the State Fire Marshal and shall be inspected
21 annually by the State Fire Marshal to ensure compliance with the
22 latest version of the state-adopted minimum codes for fire and life
23 safety as adopted by the Oklahoma Uniform Building Code Commission.
24

1 The State Fire Marshall shall coordinate, at minimum, annual
2 inspections conducted:
3 1. Within each of the four quadrants of this state; and
4 2. Twice within each county with a population exceeding four
5 hundred thousand (400,000) according to the latest Federal Decennial
6 Census.

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

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

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

21 H. The State Fire Marshal may promulgate rules necessary to
22 implement the provisions of this section. Such rules shall have
23 uniform force and effect throughout this state and no political
24 subdivision or other agency shall enact or enforce any fire or life

safety code-related ordinances, rules, or other requirements for
mobile food preparation vehicles, except in a county with a
population exceeding four hundred thousand (400,000) according to
the latest Federal Decennial Census.

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

COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND INSURANCE
April 24, 2025 - DO PASS AS AMENDED BY CS