

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 SENATE BILL 1748

By: Wingard

6 AS INTRODUCED

7 An Act relating to the State Fire Marshal; amending
8 Section 1, Chapter 106, O.S.L. 2024, as amended by
9 Section 1, Chapter 342, O.S.L. 2025 (74 O.S. Supp.
10 2025, Section 325.20), which relates to mobile food
11 preparation vehicles; establishing certain
12 requirements for fire code utilization for certain
13 inspections; updating statutory language; and
14 providing an effective date.

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

16 SECTION 1. AMENDATORY Section 1, Chapter 106, O.S.L.

17 2024, as amended by Section 1, Chapter 342, O.S.L. 2025 (74 O.S.
18 Supp. 2025, Section 325.20), is amended to read as follows:

19 Section 325.20. A. All mobile food preparation vehicles
20 operating within this state prior to July 1, 2024, that are capable
21 of producing smoke or grease-laden vapors shall be in compliance
22 with the ~~most current adopted~~ fire code that was in effect at the
23 time of the most recent inspection of the mobile food preparation
24 vehicle. The vehicle shall remain in compliance with such fire code
25 for a period of ten (10) years from the date of the most recent
26 inspection. At the expiration of the ten-year period, a subsequent

1 inspection shall be based on the fire codes in effect at the time of
2 the inspection and such vehicle shall remain in compliance with such
3 code for a period of ten (10) years. With the exception of an
4 automatic fire extinguishing system, such requirement shall apply to
5 vehicles including, but not limited to, vehicles utilizing electric
6 energy, liquefied petroleum gas, compressed natural gas, or a
7 combination thereof for cooking, provided that portable fire
8 extinguishers are installed and maintained in accordance with the
9 most current version of National Fire Protection Association NFPA
10 10: Standard for Portable Fire Extinguishers. A six-liter Class K-
11 rated, portable fire extinguisher is required for all cooking
12 equipment involving solid fuels, vegetable or animal oils and fats,
13 or a combination thereof. All portable fire extinguishers shall be
14 in clear view and immediately available for use.

15 B. All mobile food preparation vehicles utilizing, handling, or
16 transporting liquefied petroleum gas or any liquefied petroleum gas
17 system, equipment, container, apparatus, or appliance shall receive
18 and maintain a permit from, and be inspected annually by, the
19 Oklahoma Liquefied Petroleum Gas Administration or its employees, in
20 conjunction with the State Fire Marshal issuing an annual operation
21 permit decal to mobile food preparation vehicles.

22 C. ~~The provisions in subsection A of this section shall expire~~
23 ~~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
4 jurisdiction of the State Fire Marshal for fire and life safety code
5 compliance and shall be inspected annually by the State Fire Marshal
6 to ensure compliance with the latest applicable version of the
7 state-adopted minimum codes for fire and life safety as adopted by
8 the Oklahoma Uniform Building Code Commission. The State Fire
9 Marshal shall coordinate, at minimum, annual 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. D. Upon approval, the State Fire Marshal shall issue an
15 operational permit decal indicating that the vehicle meets the
16 minimum fire and life code requirements adopted at the time of
17 inspection.

18 F. E. Nothing in this section shall prevent:

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

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

5 3. The State Department of Health from licensing and regulating
6 mobile food preparation vehicles as provided by the provisions of
7 Title 63 of the Oklahoma Statutes and rules promulgated by the State
8 Commissioner of Health.

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

17 SECTION 2. This act shall become effective November 1, 2026.
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