

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 3369

By: Hildebrant

AS INTRODUCED

An Act relating to food truck fire suppression; amending Section 1, Chapter 106, O.S.L. 2024, as amended by Section 1, Chapter 342, O.S.L. 2025 (74 O.S. Supp. 2025, Section 325.20), which relates to mobile food establishments, fire and life safety code compliance, permit, inspection, rules; modifying mandate for automatic fire extinguishing system in food trucks; removing expiration date; 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, as amended by Section 1, Chapter 342, O.S.L. 2025 (74 O.S. Supp. 2025, Section 325.20), is amended to read as follows:

Section 325.20. A. 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,~~ with the exception of an automatic fire extinguishing system, which shall be optional, if the mobile food preparation vehicle is equipped with at least two portable fire extinguishers meeting NFPA 10 standards and all

1 employees receive documented annual fire safety training approved by
2 the State Fire Marshal. ~~such~~ Such requirement shall apply to
3 vehicles including, but not limited to, vehicles utilizing electric
4 energy, liquefied petroleum gas, compressed natural gas, or a
5 combination thereof for cooking, provided that portable fire
6 extinguishers are installed and maintained in accordance with the
7 most current version of NFPA 10: Standard for Portable Fire
8 Extinguishers. A six-liter Class K-rated, portable fire
9 extinguisher is required for all cooking equipment involving solid
10 fuels, vegetable or animal oils and fats, or a combination thereof.
11 All portable fire extinguishers shall be in clear view and
12 immediately available for use.

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

21 ~~C. The provisions in subsection A of this section shall expire~~
22 ~~on January 1, 2026, and all mobile food preparation vehicles shall~~
23 ~~comply with the most current adopted fire codes set forth by this~~
24 ~~state.~~

1 ~~D.~~ Mobile food preparation vehicles shall be under the
2 jurisdiction of the State Fire Marshal for fire and life safety code
3 compliance and shall be inspected annually by the State Fire Marshal
4 to ensure compliance with the latest version of the state-adopted
5 minimum codes for fire and life safety as adopted by the Oklahoma
6 Uniform Building Code Commission. The State Fire Marshal shall
7 coordinate, at minimum, annual inspections conducted:

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

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

12 ~~E.~~ D. Upon approval, the State Fire Marshal shall issue an
13 operational permit decal indicating that the vehicle meets the
14 minimum fire and life code requirements adopted at the time of
15 inspection.

16 ~~F.~~ E. Nothing in this section shall prevent:

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

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

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

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

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

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