

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 4121

By: Fetgatter

AS INTRODUCED

An Act relating to mobile food preparation vehicles; 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, and rules; removing annual operation permit decal to mobile food preparation vehicles; providing licensure conditions; 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 the exception of an automatic fire extinguishing system, such requirement shall apply to vehicles including, but not limited to, vehicles utilizing electric energy, liquefied petroleum gas, compressed natural gas, or a

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

9 B. All mobile food preparation vehicles ~~utilizing, handling, or~~
10 ~~transporting liquefied petroleum gas or any liquefied petroleum gas~~
11 ~~system, equipment, container, apparatus, or appliance shall receive~~
12 ~~and maintain a permit from, and be inspected annually by, the~~
13 ~~Oklahoma Liquefied Petroleum Gas Administration or its employees, in~~
14 ~~conjunction with the State Fire Marshal issuing an annual operation~~
15 ~~permit decal to mobile food preparation vehicles~~ will work with
16 state and local fire and health safety requirements as a condition
17 of licensure and operation.

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

22 D. Mobile food preparation vehicles shall be under the
23 jurisdiction of the State Fire Marshal for fire and life safety code
24 compliance and shall be inspected annually by the State Fire Marshal

1 to ensure compliance with the latest version of the state-adopted
2 minimum codes for fire and life safety as adopted by the Oklahoma
3 Uniform Building Code Commission. The State Fire Marshal shall
4 coordinate, at minimum, annual inspections conducted:

- 5 1. Within each of the four quadrants of this state; and
- 6 2. Twice within each county with a population exceeding four
7 hundred thousand (400,000) according to the latest Federal Decennial
8 Census.

9 E. Upon approval, the State Fire Marshal shall issue an
10 operational permit decal indicating that the vehicle meets the
11 minimum fire and life code requirements adopted at the time of
12 inspection.

13 F. Nothing in this section shall prevent:

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

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

23 3. The State Department of Health from licensing and regulating
24 mobile food preparation vehicles as provided by the provisions of

1 Title 63 of the Oklahoma Statutes and rules promulgated by the State
2 Commissioner of Health.

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

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

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