

SENATE BILL 212

Introduced by Hager, et al.

1/21	Introduced
1/21	Referred to Public Health, Welfare & Safety
2/03	Hearing
2/09	Committee Report--Bill Not Passed
2/09	Adverse Committee Report Adopted

1 Senate BILL NO. 212
2 INTRODUCED BY Hager
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4 A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING THE STATE
5 FIRE MARSHAL TO ADOPT BY RULE CONDITIONS FOR PERMITTING THE
6 INSTALLATION AND USE OF BELOW-GRADE LIQUEFIED PETROLEUM GAS
7 APPLIANCES; AND AMENDING SECTION 50-3-103, MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 **Section 1.** Section 50-3-103, MCA, is amended to read:

11 "50-3-103. Rules promulgated by state fire marshal.

12 (1) Rules promulgated by the state fire marshal by authority
13 of 50-3-102 ~~shall~~ must be reasonable and calculated to
14 effect the purposes of this chapter. They ~~shall~~ must include
15 but not be limited to requirements for design, construction,
16 installation, operation, storage, handling, maintenance, or
17 use of structural requirements for various types of
18 construction; building restrictions within congested
19 districts; exit facilities from structures; fire alarm
20 systems and fire extinguishing systems; fire emergency
21 drills; flue and chimney construction; heating devices;
22 electrical wiring and equipment; air conditioning,
23 ventilating, and other duct systems; refrigeration systems;
24 flammable liquids; oil and gas wells; application of
25 flammable finishes; explosives, acetylene, liquefied

1 petroleum gas, and similar products; conditions for
2 permitting the installation and use of below-grade liquefied
3 petroleum gas appliances; calcium carbide and acetylene
4 generators; flammable motion picture film; combustible
5 fibers; hazardous chemicals; rubbish; open flame devices;
6 parking of vehicles; dust explosions; lightning protection;
7 and other special fire hazards.

8 (2) If rules relate to building and equipment
9 standards covered by the state or a municipal building code,
10 the rules are effective upon approval of the department of
11 commerce and filing with the secretary of state.

12 (3) Standards of the national fire protection
13 association, United States bureau of standards, and American
14 insurance association may be adopted in whole or in part by
15 reference.

16 (4) Rules ~~shall~~ must be adopted as prescribed in the
17 Montana Administrative Procedure Act.

18 (5) Any person violating any rule made under the
19 provisions of this part ~~shall--be~~ is guilty of a
20 misdemeanor."

21 NEW SECTION. **Section 2.** Extension of authority. Any
22 existing authority to make rules on the subject of the
23 provisions of [this act] is extended to the provisions of
24 [this act].

-End-

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INTRODUCED BILL

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