

STATE FIRE PREVENTION COMMISSION
MINUTES
February 18, 2016

Members Present: Charles D. Davis, Chairman
Mark F. Hubbard, Vice Chairman
Mark A. Bilger
K.C. Harrington
Martin J. LePore
Joseph L. Scheffey
Anthony J. Spencer
Stacy Welch
Richard L. Yinger

Chairman Davis called the meeting to order at the Taylor Avenue Fire Station in Annapolis, Anne Arundel County.

FIRE MARSHAL REPORT

Fire Marshal Brian Geraci reported the Office of the State Fire Marshal (OSFM) has three sworn vacancies and eight civilian vacancies. Seven of the civilian positions are in various stages of being filled. The annual salary review was conducted by the Department of Budget and Management (DBM) and denied based on lack of data to show any recruitment and retention issues. They stated we could hire inspectors at the mid-level range and move current inspectors up to that level. The Fire Marshal will look into this in order to keep current staff. The inspector for the Southern Region resigned this month to take a position with the University of Maryland at a higher salary. An inspector on the shore recently left to take a job with Ocean City at a higher salary. New procedures dealing with the medical division and agility testing for civilian inspectors makes the hiring process take longer.

Fire fatalities stand at 14 for 2016, same as for this time period last year. In 2015, 47 fires resulted in 61 deaths, which was three less than in 2014. Of the 61 deaths, 13 were children under the age of 18; 34 were over the age of 50. There were nine multiple fatal fires that claimed 23 lives. Montgomery County had seven incidents where residential sprinkler activations saved 26 lives. It had no residential fire fatalities in 2015. The Fire Marshal distributed his report with additional details.

OSFM personnel conducted 935 investigations in 2015, 247 of which were criminal in nature, with 33% of the criminal cases closed by arrest. Of the 94 persons arrested, 47 were juveniles. 13,030 inspections were conducted and 1,746 plans were reviewed. The agency received \$912,902 in revenue from services provided.

An intern is developing informational pocket cards for the fire service on residential sprinklers, carbon monoxide alarms, and smoke alarms. The double-sided laminated cards will have common speaking points on each topic and will be distributed at the Maryland State Firemen's Association (MSFA) convention in Ocean City.

The Fire Marshal reviewed several legislative bills:

- House Bill 19 seeks to repeal the residential sprinkler requirements, especially in rural areas. The fire service had a great turnout. Delegate Adams presented the bill to the committee. Several county commissioners from Caroline, Somerset, and Allegany Counties, and representatives of the Maryland Home Builders Association and Maryland Realtors testified in favor of the bill. Two representatives from the Manufactured Housing Association were also present although the law does not impact manufactured homes which have required sprinklers for several years now. The Maryland Fire Chiefs Association, Maryland State Firemen's Association, International Association of

Firefighters, National Fallen Firefighters, Former State Fire Marshal Bill Barnard, a burn center nurse and doctor, and a burn survivor testified against the bill, giving powerful testimony in favor of residential sprinklers. Chief Siarnicki played a video of the fatal Annapolis mansion fire. Sher Grogg with Common Voices who lost a brother and four other relatives in the fire, also gave compelling testimony against the bill. The Fire Marshal and other state agency representatives were not permitted to testify.

Some legislators may have thought that with the Regulatory Reform Commission's review the residential sprinkler requirements would go away. Sprinklers came up during testimony at public meetings in Western Maryland and the Eastern Shore and it was included in its final report to the Governor.

- House Bill 57 seeks to increase the time frame for the Department of Housing and Community Development to adopt a new version of the Maryland Building Performance Standards. It also would give local jurisdictions more time to adopt and implement the new version.
- House Bill 78 seeks to repeal the requirement to report information on chimney fires to the OSFM and for the OSFM to maintain such reports. The Fire Marshal gave brief testimony in favor of repeal.
- House Bill 438 seeks to require retired K9s to have veterinary care paid for by agencies.
- House Bill 465 requires agencies to provide retired law enforcement officers with identification cards.
- House Bill 466 requires that retired law enforcement officers who apply for a handgun permit be presumed to have a good reason.
- House Bill 26 seeks to change the definition of property of another under the arson and destruction of property laws. This bill did not pass last year and the OSFM took no position on it.
- House Bill 50 seeks to include crimes against law enforcement officers and first responders as hate crimes.
- House Bill 121 would allow charges to be filed and tried in the county where a call that gives a false statement concerning destructive devices or toxic materials is received, instead of where the call was made. The bill is trying to address the robo-call issues that have been occurring.
- House Bill 97 seeks to eliminate the statute of limitations on solicitation to commit murder and arson. This bill has failed in prior years.
- Senate Bill 182 requires carbon monoxide alarms in rental dwelling units utilizing fossil fuels. Fire Marshal testified in favor of the bill. Some associations testified in favor of the bill but with amendments. The only amendment the Fire Marshal did not like was to allow the use of plug-in detectors as they could easily be rendered useless by simply unplugging.
- Senate Bill 213 seeks to change the speed camera enforcement activities to eliminate road side safety. The Department of State Police could use those funds to purchase vehicles. But unfortunately the bill died.
- Senate Bill 238 would require agencies to provide law enforcement K9s with protective vests.

- There's also a bill on drone use and limitations. The OSFM has two drones and information was provided to legislators on their use.
- House Bill 1472 has to do with the Fire Safety Construction Act. The Fire Marshal just received it yesterday. It was filed by Delegate Branch. It will require the OSFM to have inspectors on construction sites to ensure they are fire safe. It has to do with lightweight construction and somehow is based on population density. Acting Chief Fire Protection Engineer (A/CFPE) Ken Bush will review it more closely.

The OSFM budget hearings are scheduled for March 2-3. The Fire Marshal and commission members discussed various aspects of the budget process, vehicle procurement and equipment installation, hiring of personnel, and other issues of concern. The money for vehicles has been taken out. So if the next two Deputies are hired, there will be no vehicles for them. The IT position has been eliminated. This position was originally approved, then the hiring freeze was implemented and now when the interview process was just about to begin, the position was eliminated because it was vacant for so long. Maryland State Police (MSP) also lost an IT position. MSP intended to give the OSFM four of its PCO positions to hire three inspectors and one engineer, but not sure of that status. The Fire Marshal has had several meetings with various persons about vehicle and personnel issues, but nothing seems to get done. Chairman Davis stated he would look into meeting with the leadership of the MSFA, since that organization was very instrumental in the original formation of the OSFM and Commission, to see if they will contact the Governor, although it's probably too late for this legislative cycle. Some members felt it would be better for the MSFA and Commission to meet separately with the Governor, or the Superintendent first. Perhaps DBM Secretary David Brinkley could also be contacted. The Fire Marshal encouraged the commissioners to contact their local legislators.

MSP has a new schedule for vehicle—vehicles with 250,000+ miles that need major repairs will need approval from Waterloo before repairing; vehicles with 300,000+ plus miles will be dead lined if they need major repairs. The OSFM currently has three vehicles with 300,000+ miles. About 12 vehicles have been dead lined in the past few years and none have been replaced.

The Fire Marshal continues to receive complaints from senators and delegates regarding inspections and plan reviews. Fire Protection Engineer Hoang has been out of state for an extended period of time for a family emergency. With the retirement of CFPE Iseminger and FPE Hoang's absence, A/CFPE Bush is trying to deal with issues as they arise in Western Maryland. Generally in all the regions, there is a significant backlog of plan reviews and getting inspections completed in a timely manner. The privatization of inspections, third party plan reviewers, and the collection of fees was discussed.

The Fire Marshal encouraged everyone to continue to visit www.md-lifesafety.org and <http://facebook.com/MarylandStateFireMarshal> for updated news and information.

ACTING CHIEF FIRE PROTECTION ENGINEER REPORT

A/CFPE Ken Bush reported that the implementation of the new code editions at the first of the year seems to have gone smoothly. He has not been advised of any issues or received any complaints. Retired CFPE Iseminger did a good job chairing the committee and getting the amendments done.

A/CFPE Bush will be involved in the personnel interviews next week to hire a new inspector for the Upper Shore.

Sherrie Grogg, who the Fire Marshal mentioned earlier, will be the keynote speaker for the MSFA convention this year.

APPEAL

Appeal #15-03 Peele's Apartments, Cambridge, Dorchester County. The petitioner appealed an order of the State Fire Marshal to correct certain violations of the State Fire Prevention Code. The appeal was withdrawn by the petitioner and the appeal was not heard. A/CFPE Bush reported he visited the property and met with the new owner. She was provided written notice of fire code issues that need resolved and she appeared to be agreeable to making the necessary corrections.

CHAIRMAN REPORT

Chairman Davis thanked the OSFM for its efforts in Southern Maryland. There have been several major fires in the last couple weeks and they have been very busy.

Chairman Davis will contact the Superintendent to arrange a meeting, and depending on what occurs, perhaps request a meeting with the Governor. He will contact MSFA to discuss issues for the next legislative session.

Commissioner LePore's second term will expire in June. He currently represents the Commission on the Mid-Atlantic Life Safety Conference committee. Chairman Davis solicited for a volunteer to replace him. Commissioner Bilger volunteered and there were no objections.

OTHER BUSINESS

Motion by Commissioner Yinger, second by Commissioner Spencer, and unanimously carried to approve the minutes of the December 17, 2015, meeting.

Commissioner Spencer's artwork is currently being displayed at Annapolis City Hall, Monday-Friday, 8:30-4:30. Another exhibit will be at 49 West on March 6 from 6:00-7:00 pm.

Commissioner Bilger will be attending the Maryland Weekend at the National Fire Academy this weekend.

Commissioner LePore extended his personal thanks to the group. Although he has a couple more meetings before his term expires, he stated serving on the Commission has really been worth his time. Tomorrow will be his last day working at the Maryland Fire and Rescue Institute (MFRI). He congratulated Commissioner Bilger on his new position at MFRI.

MEETING SCHEDULED

The next meeting has been scheduled for
Thursday, April 21, 2016 – 9:30 a.m.
Laurel Municipal Building, Council Chambers
8103 Sandy Spring Road
Laurel, Prince George's County

Respectfully submitted
(as summarized from transcript furnished by Hunt Reporting),



Heidi Ritchie, Secretary