

**STATE FIRE PREVENTION COMMISSION**  
**MINUTES**  
**August 15, 2019**

Members Present: Charles D. Davis, Chairman  
Mark Bilger, Vice Chairman  
Douglas Alexander  
Emily Devan (telephonically)  
Kevin Simmons  
Stacy Welch

Members Absent: K.C. Harrington  
Edward Tochterman, Jr.

Chairman Davis called the meeting to order at the Laurel Municipal Center in Laurel, Maryland.

**FIRE MARSHAL REPORT**

Fire Marshal Brian Geraci reported the Office of the State Fire Marshal (OSFM) currently has three sworn and five civilian vacancies. Two new Deputy State Fire Marshals (DSFM) were recently hired: Robert "Rocky" Reed, a retired Lieutenant from the Cumberland Police Department, has been assigned to the Western Region; and Timothy McDowell, a retiree from Annapolis City Fire Marshal's Office, has been assigned to the Southern Region. Timothy Dayton, a former Commission member, has been hired as a Fire Safety Inspector (FSI) assigned to the Western Region. Sue Stevens, Administrative Services Chief, and Pam Harvey, Administrative Services Officer, have been working hard with Human Resources on getting new hires on board.

Fire fatalities to date for the year are 39, compared to 46 for same period last year.

Some jurisdictions reported minor but no major injuries during the July 4<sup>th</sup> holiday. On commercial shoots, a shooter received a minor hand injury. Several fireworks-related fire incidents were reported. A single-family home was destroyed on the Lower Eastern Shore due to improper disposal of fireworks. The OSFM assisted Hagerstown City with enforcement activities in the city limits with over 4,000 pieces of illegal fireworks confiscated.

For the second quarter of 2019, the OSFM conducted 137 investigations, 132 which were fire related. Eight criminal cases were closed with 12 persons being arrested. 6,698 inspections were conducted and 922 plans were reviewed.

All regional offices participated in the National Night Out in partnership with various other law enforcement agencies. Commissioner Simmons thanked Fire Marshal Geraci and OSFM personnel for their participation and outreach to the communities.

The National Association of State Fire Marshals conference was held in Annapolis in July. OSFM personnel along with assistance from the Delaware and Virginia State Fire Marshal's Offices organized the 30<sup>th</sup> anniversary event. State Fire Marshals from 37 states attended. Forty exhibitors were at the conference and several good educational sessions took place.

In response to an inquiry from Commissioner Welch, the Fire Marshal reported there are 29 total college campuses throughout the state. Sixty-five percent have sprinklered dormitories. Fifty-six dormitories are not fully sprinklered—39 on campus and 17 off campus. One college has yet to respond. Final information will be provided once received. Addressing Commissioner Welch's inquiry as to what action the Commission can take to get the dormitories sprinklered, Chief Fire Protection Engineer (CFPE) Ken Bush suggested once all buildings are identified, a first step may be to reach out to the colleges to develop a plan to retrofit dormitories as they get renovated, which is what the University of Maryland College Park did. Other more drastic action would be to amend the State Fire Prevention Code to require all existing dormitories be sprinklered or declare them an iminical hazard.

## **CHIEF FIRE PROTECTION ENGINEER REPORT**

CFPE Ken Bush introduced the regional engineers, all of whom were present for the meeting. The application process is still ongoing to fill the two full-time engineer positions, one in Western Maryland and one in Headquarters. Depending on transfers, one of the openings may end up being in the Southern Region.

CFPE Bush thanked the Commission for their time in holding the public hearing and proceeding with the adoption of amendments to the State Fire Prevention Code. The process has taken some time due to various setbacks but it appears to finally be moving forward for adoption.

NFPA is moving forward with meetings and hearings on the 2021 NFPA 101 draft. As previously discussed, some issues are valet trash in residential occupancies, high-rise safety in business occupancies, and door locking operations for classrooms. A lot of public appeals were heard on NFPA 70 National Electrical Code. Years ago, the NFPA Standards Council pulled the requirements for consumer-based fireworks due to lack of testing data. That is the reason the State Fire Prevention Code still references the 2006 edition of NFPA 1124, the last edition with requirements for consumer-based fireworks. FM Global has recently completed testing and has released its report. The report addresses the possibility of rapid developing flash fires and discusses requirements for all sprinkler heads to activate. The direction NFPA takes on consumer-based fireworks requirements may impact some Maryland amendments.

## **PUBLIC HEARING – PROPOSED AMENDMENTS TO THE STATE FIRE PREVENTION CODE AND FIRE SPRINKLER CONTRACTOR REGULATIONS**

A public hearing took place regarding proposed amendments to COMAR 29.06.01 State Fire Prevention Code and COMAR 29.06.05 Fire Sprinkler Contractor Licensing Regulations as published in the Maryland Register on August 3, 2019. No public comments were presented at the hearing. The public comment period remains open through September 3<sup>rd</sup> and an email vote will be taken thereafter.

## **CHAIRMAN REPORT**

Chairman Davis entertained a motion to accept the draft annual report to be submitted to Governor Hogan. Motion, Second, and unanimously carried to accept the report and send to the Governor.

Commissioner Devan has been reappointed to a second term. Vice Chairman Bilger's reappointment has not yet been confirmed.

Blackwater Distilling, Inc. has filed for a judiciary review of the Commission's appeal decision. A hearing date has not yet been scheduled by the Queen Anne's County Circuit Court. The Commission typically has no further involvement unless it is remanded back.

The position of State Fire Marshal has been advertised. Applications are being accepted through August 16<sup>th</sup> after which the Maryland State Police Human Resources Division will provide the Commission with a list of qualified applicants. Once received, a special meeting will be scheduled to review the applications and the Commission will recommend three applicants to Secretary of State Police Pallozzi for final selection.

Any member wishing to attend the Mid-Atlantic Life Safety Conference on September 24<sup>th</sup> is reminded to contact Secretary Ritchie to register.

Chairman Davis reported his second term will be ending June 2020. In anticipation of a smooth transition of officers, he will relinquish Chairmanship at the October meeting. Members are encouraged to give some thought to serving and selecting a new Chair and possibly a new Vice Chair. Voting on new officers will take place at the October meeting.

Chairman Davis welcomed Michael Faust, President of the Maryland State Firemen's Association. Chairman Davis extended an invitation to the other MSFA presidents and members to attend future meetings.

## **OTHER BUSINESS**

Motion, second, and unanimously carried to approve the June minutes with the following correction. The reference to Commissioner Spencer will be corrected to Commission Simmons on Page 2, Paragraph 5.

Commissioner Simmons reported he has retired from the Annapolis Fire Department effective July 1, 2019. He was advised to check with Secretary Ritchie on how this may affect his representation on the Commission.

## **MEETING SCHEDULED**

The next meeting is scheduled for:  
Thursday October 24, 2019 – 9:30 a.m.  
Laurel Municipal Center  
Council Chambers  
8103 Sandy Spring Road  
Laurel, Prince George's County

There being no further business, the meeting was adjourned.

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



Heidi Ritchie, Secretary