

**STATE FIRE PREVENTION COMMISSION
MINUTES
December 19, 2024**

Members present: Edward S. Tochterman, Chairman
Caroll Spriggs, Vice Chairman
Mark Hopkins
Ephraim Siff
Eric Smothers

Members Absent: Jerred Johnson
Randy Sanger
Daniel Stevens

Vacancy: Washington-Metro Area/Industry

The Fire Prevention Commission held a public meeting on December 19, 2024, at the Maryland State Police Headquarters complex, Pikesville, Baltimore County.

Chairman Tochterman called the meeting to order. The Pledge of Allegiance was recited.

Acting State Fire Marshal (A/SFM) Jason Mowbray introduced members of the Office of the State Fire Marshal (OSFM) who were present:

Deputy Chief Caryn McMahon, Commander Upper Eastern Shore Region
Deputy Chief Dexter Hodges, Commander Northeast Region
Deputy Chief John Nelson, Commander Southern Region
Chief Fire Protection Engineer Ken Bush
Fire Protection Engineer Christopher Koch, Western Region

The Chairman recognized the presence of Terin Hopkins with the National Fire Sprinkler Association.

FIRE MARSHAL REPORT

A copy of A/SFM Mowbray's written report was distributed.

A/SFM Mowbray provided an update on fire fatalities for calendar year 2024 as of last week. There are 46 confirmed fire fatalities in residential structures, 8 vehicle-related, and 4 in other settings, for a total of 58. Eleven causes of death are pending the Chief Medical Examiner's report. There have been five multi-fatality fires.

The OSFM fire investigations were down in 2024 but incendiary fires have shown an increase over the last two years. Explosive investigations are also down which is attributed to Baltimore City police resuming responsibility for bomb squad operations in the city. Inspections are up over the last two years, with approximately 12,000 being conducted as of the end of November. The increase is contributed to the hiring of five additional inspectors, although one was lost due to a personnel matter. That position will be re-advertised.

A/SFM Mowbray reviewed some noteworthy incidents:

- In December, a 34-year-old male succumbed to carbon monoxide poisoning in Cecil County. A 43-year-old female and 4-year-old male were transported to Shock Trauma in

critical condition. The single-family home's oil heater malfunctioned. In response to an inquiry from Commissioner Hopkins, Deputy Chief Hodges noted there were no carbon monoxide detectors in the home. The emergency responder detectors registered roughly 36,000 parts per million. A/SFM Mowbray noted the agency has recently been awarded a grant for carbon monoxide detectors which is being finalized to provide community outreach. Part of the grant initiative, headed by Community Risk Reduction Specialist Teresa Crisman, will be targeted at both land and maritime residences in bilingual languages. The OSFM has also implemented improved tracking for carbon monoxide related incidents.

- A November fifth-wheel camper trailer fire claimed the life of a 56-year-old female in Elkton, Cecil County. A second occupant was able to escape. The preliminary cause of death is smoke inhalation and the cause of the fire remains under investigation.
- Another November fire in Cecil County that resulted after a vehicle collision and rollover claimed the life of a 57-year-old female.
- Occupants of two house fires, one in Garrett County and one in Allegany County, were saved by free smoke alarms that were installed through a joint Community Risk Reduction initiative.
- A two acre wild land fire in Cecil County resulted in the arrest of an individual after surveillance footage of a person of interest was identified.
- A 94-year-old was located deceased in Charles County and the investigation discovered the victim regularly burned brush and trash on his property. A statewide burn ban was in effect at the time.
- The Special Operations Bomb Squad Unit responded to a request from Maryland State Police to an incident in Allegany County involving a possible improvised explosive device. The OSFM bomb technicians responded and rendered the device safe. A search warrant resulted in a male suspect being charged with possession and manufacturing of a destructive device and possession of explosives.
- An on-going case in Western Maryland resulted in the Maryland Attorney General announcing that a 40-year-old male from Hanover, Maryland, pled guilty to multiple charges including the dumping and abandonment of over 250,000 scrap tires in Allegany County. The OSFM, Department of Environment, Allegany County government agencies, and local fire service officials worked on the case for several years with the charges stemming from enforcement of the State Fire Prevention Code.

Deputy Chief Caryn McMahon recently graduated from an intensive three-week leadership academy. Deputy Chief Hodges was the first to graduate from the Washington DC Metropolitan Police Academy and the agency is very proud of both of them for their accomplishments. Congratulations were extended to Deputy Chiefs McMahon and Hodges from A/SFM Mowbray and Commission members.

Regarding personnel, the OSFM has advertised several positions including a contractual Public Information Act processor and record retention specialist, contractual fire safety inspectors, and a contractual fire protection engineer. The Bomb Squad and Southern Maryland Administrative Aide positions cannot be advertised until they have actually retired. A temporary contractual employee is handling the bomb squad duties until a permanent replacement is hired.

The OSFM has participated in several community outreach events in the last several months including Trunk or Treat during October, Shop with Cop in December, and distribution of pet oxygen masks with the Fort Valley Fire Department and K-9 handler Amanda Cubbage. OSFM staff worked at the two-day Ocean City Sunfest event to interact with visitors to promote fire prevention messages

Staff of the OSFM will be attending a summit hosted by the U.S. Fire Administration on the transition from the National Fire Information Reporting System to the National Emergency Response Information System (NERIS). This will be the first summit targeted at state fire marshals with the responsibility to receive and process fire department data. Fire companies delinquent in submitting Maryland Fire Incident reports for 2024 are listed in A/SFM Mowbray's written report. He advised that unless reports have errors and need to be returned to the departments, the reports are processed fairly quickly. Once transitioned to NERIS, reports should be processed in almost real-time. The NERIS will replace the National Fire Incident Reporting system. Discussion ensued on some of the features of the new NERIS.

A/SFM Mowbray reported he attended a summit at NFPA in Quincy, Massachusetts at which topics such as energy storage systems, electric vehicles, NFPA codes, wildfire mitigation and other emerging issues were discussed.

Chief Fire Protection Engineer Ken Bush was awarded the James Jarboe Public Safety Lifetime Achievement Award at the November 5th Mid-Atlantic Life Safety Conference. Congratulations were extended to CFPE Bush from A/SFM Mowbray and Commission members.

CHIEF FIRE PROTECTION ENGINEER REPORT

CFPE Bush welcomed recently appointed Commissioner Smothers and provided him with the NFPA codes and proposed amendments to the 2024 editions which will be forthcoming. CFPE Bush congratulated Commissioner Hopkins for recently being appointed to the board of directors for the Society of Fire Protection Engineers.

OSFM Community Risk Reduction Specialist Teresa Crisman is working on an issue with some Amazon smoke alarms being sold online that are not listed or UL approved. This type of issue comes up once in a while and was brought to the OSFM's attention by a tenant who purchased them for a rental property.

Work continues on the Purple Line. A meeting was held today dealing with safety issues in Prince George's County. Another issue being addressed is access to the Lyttonsville repair yard in Montgomery County. Jenson-Hughes is a third-party representative working with the OSFM to help resolve such issues.

NFPA met last week with the coordinating committee for the 2027 NFPA 1 Fire Code. The first draft will be posted February 13, 2025. Public comments can be submitted through April 24, 2025. The second draft will be posted February 26, 2026, to hopefully be adopted in August 2026.

CHAIRMAN REPORT

Chairman Tochtermann solicited a motion to adopt the October 17, 2024 minutes. Motion by Vice Chairman Spriggs, second by Commissioner Smothers, and unanimously approved.

The Chairman distributed a report on the Mid-Atlantic Life Safety Conference prepared by Deputy Chief Joseph Walters and Teresa Crisman. Unfortunately the conference had to be reduced from two

days to one day. Chairman Tochterman attended and was pleased with the training and information provided at the event. He encourages Commissioners to attend the November 3, 2026, conference.

Proposed dates for 2025 meetings are February 20 in Annapolis, April 17, June 17 in Ocean City to coincide with the Maryland State Firefighters Association convention, August 21, and October 16. The December meeting date will be determined once the OSFM selects a date for its holiday luncheon. Commissioner Hopkins has a conflict with June 17 as he is scheduled to speak at the NFPA Annual Conference. Vice Chairman Spriggs may have a conflict with April 17 as he may be teaching a class that week in Alabama.

The House Bill 823 high-rise workgroup has met several times and is chaired by A/SFM Mowbray who has facilitated very good meetings. A/SFM Mowbray provided a report on the workgroup's progress. This bill passed last legislative session and established a workgroup to review pre-1974 non-sprinklered residential high-rise buildings with specific criteria. A report was due at the end of calendar year 2024. Criteria included identifying the risk these buildings possess and identifying best practices to mitigate such risks. The workgroup has varied participants including building owners, building occupants, fire code officials, fire alarm professionals, sprinkler system professionals, architects, engineers, etc. When the group first met, it realized that providing a report by the end of 2024 was unlikely but they committed to try. Two subcommittees were formed and worked independently. One subcommittee was tasked to identify the risks and the other to identify best practices to address those risks. The subcommittees provided their findings to the workgroup. During the last two weeks, the workgroup lost a representative of the Maryland State Firefighters Association and a building owner representative. The MSFA was notified as was the Governor's appointment office. At the last workgroup meeting an interim report was reviewed for submission to the legislature and the Governor's office. This report acknowledges the workgroup has not completed its work and would be unable to meet the December 31 expectation due to the complexity of the work and topics and because of delays in appointments to the workgroup which delayed the commencement of meetings. The workgroup is optimistic it can have a final report by Spring but definitely by June since that is when the workgroup expires. Chairman Tochterman reported that Baltimore County has four non-sprinklered high-rise buildings; Montgomery and Prince George's counties combined have about 100; and no report has been received from Baltimore City. One point the workgroup discussed was if automatic sprinkler installations are recommended and becomes law, how would uniform enforcement be applied throughout the various jurisdictions. The Chairman feels the OSFM should be the central authority for uniform enforcement. A/SFM Mowbray added that in workgroup discussions, Mr. Terin Hopkins and his group as well as building owners and maintenance groups, expressed concerns on different instances with implementation and enforcement in jurisdictions around the State. Commissioner Hopkins noted A/SFM Mowbray's comments and the workgroup's concerns on uniform enforcement are extremely relevant. As an example, if the building has an existing fire pump that supports a standpipe system and if sprinklers are added, that could trigger an increase in size or modifications to achieve compliance which would affect the cost. Another aspect that could escalate costs is if older buildings have a fire alarm system that has not been upgraded or maintained to comply with NFPA 72. Adding a dedicated-function fire alarm panel to provide electronic supervision may be another allowance to consider. Commissioner Hopkins thinks having the OSFM be the centralized uniform enforcement authority may remove some roadblocks to achieve retro-fitting sprinkler requirements and fire alarm upgrades. Vice Chairman Spriggs agreed but also realizes some municipalities may want to enforce more stringent requirements. Commissioner Smothers also agreed on uniform enforcement. Commissioner Siff had no opinion but questioned how the Commission can enforce retrofitting, to which Chairman Tochterman responded that is the reason for the workgroup to report its finding to the legislature to determine what may or may not become Maryland law. The Chairman noted that in 2018 the Commission declared that all non-sprinklered residential high-rise buildings were an inimical hazard but the Maryland State Police legal counsel advised the Commission could not make such a blanket ruling and that each building would need to be assessed on a case-by-case basis. It is noted that the OSFM does not conduct the inspections in Baltimore, Montgomery, or Prince George's counties. Those counties have not yet inspected these high-rises to make any inimical

hazard determinations. The current OSFM staff would not be able to handle such a workload to assess individual buildings and review all the sprinkler and fire alarm plans.

OTHER BUSINESS

Vice Chairman Spriggs congratulated CPFE Bush for receiving the James Jarboe Public Safety Lifetime Achievement Award and Deputy Chief McMahon for being accepted into and completing the Washington DC Metropolitan Police Academy. He also acknowledged the long-time OSFM Administrative Specialists Patti Ward and Mary Bare for their years of dedicated service and recent retirements. A/SFM Mowbray thanked Vice Chairman Spriggs for acknowledging Ms. Ward whose duties included the training and accreditation for law enforcement officers in the agency and Ms. Bare who handled the explosive, fireworks, and blasting licensing operations. Vice Chairman Spriggs also commended the OSFM for its positive social media to promote public awareness of important and positive issues dealing with fire safety. A/SFM Mowbray commended Public Information Officer Oliver Alkire who has embraced social media to promote the agency. He has been working closer with the Maryland State Firefighters Association and the Maryland Fire Chiefs to further these endeavors.

Terin Hopkins welcomed Commissioner Smothers and congratulated him on his appointment. He electronically provided to the Commissioners the Maryland high-rise data that was generated by Jon Nisja, a long-time employee of the Minnesota State Fire Marshal's Office and who currently works for the National Fire Sprinkler Association. He worked on the high-rise data with the National Fire Academy using NFIRS data to gather national information and then specifically pulled the data for Maryland. NFIRS data cannot be searched by "high-rise" but it can be searched by floor of buildings so the report represents fires in buildings that occurred on the seventh floor or above. It does not show basement to sixth floor fires. Most fire fatalities in high-rise buildings come from lower-floor fires. NFIRS does separate sprinklered from non-sprinklered buildings and indicates a 60% reduction in injuries and a 55% reduction in damage for sprinklered buildings. The last two years data is down a bit but that is probably due to data being lost with the transition to NERIS. A discussion ensued regarding some of the reported data and how data related to lithium-ion battery fires transposes to high-rise fires. CFPE Bush commented that the State now has a commission that is studying this issue, not just specifically with high-rise buildings, but in general aspects with storage, use, recharging, disposal, and recycling. An interim report has been submitted by that commission's chairman and work is continuing through next year. Chief McMahon noted that the administrative specialist from the bureau office is providing administrative support.

Motion to adjourn by Commissioner Hopkins, seconded and unanimously carried. The meeting was adjourned at 11:17 a.m.

Next Meeting:

Thursday February 20, 2025

10:00 a.m.

Annapolis (location to be determined)

Respectfully submitted,
(as summarized from transcript provided by eScribers),



Heidi Ritchie, Secretary