

**STATE FIRE PREVENTION COMMISSION
MINUTES
April 17, 2025**

Members present: Edward S. Tochterman, Chairman
Caroll Spriggs, Vice Chairman
Mark Hopkins
Eric Smothers
Randy Sanger
Daniel Stevens

Members absent: Jerred Johnson
Ephraim Siff

Vacancy: Washington-Metro Area/Industry

The Fire Prevention Commission held a public meeting April 17, 2025, at the Laurel Municipal Center, 8103 Sandy Spring Road, Laurel, Prince George's County.

The Chairman called the meeting to order at 10:00 a.m.

The pledge of allegiance was recited.

FIRE MARSHAL REPORT

A copy of Acting State Fire Marshal (A/SFM) Jason Mowbray's written report was distributed.

There were 56 confirmed fire fatalities in 2024 involving residential structures, nine associated with vehicle fires, and six in other settings for a total of 71 confirmed fatalities. One fatality is being reviewed so the confirmed number may change.

To date in 2025, there have been seventeen confirmed fatalities involving residential structures, one associated with a vehicle fire, and two in other settings. Seven deaths are pending determination by the Chief Medical Examiner. There have been five double fatal fires this year. In the past 24 hours there have been three fatal fires, one yesterday in Prince George's County, one overnight in Cecil County, and currently a double fatality fire in Charles County that investigators are responding to. In response to an inquiry from Vice Chairman Spriggs regarding any similarities with cluster of multi-fatality fires, A/SFM Mowbray advised one similarity is they occurred in the winter during overnight hours. There is a presumption that there is a correlation between heating appliances and the fires with one perhaps being directly associated with a woodstove. Getting the messages such as "get out stay out", having working smoke alarms, not having hoarding conditions, etc. would definitely be a key component to prevention.

To date for 2025, the agency has conducted 254 investigations for fires, explosives, or other incidents. Inspections number approximately 2,500 for the year, plan reviews are 350, and public education events are 29.

A/SFM Mowbray summarized this year's legislative session:

- HB022/SB0175 - Public Safety - Corrugated Stainless Steel Tubing for Fuel Gas Piping Systems - Requirements and Prohibitions - Passed to create a study of the topic
- HB0477 - Family Child Care Homes and Child Care Centers - Adult to Child Ratios - Alterations - Passed to create a study of the topic
- HB0489/SB0436 - Maryland Department of Labor - Study on Building Code Requirements for Single-Staircase Buildings - Passed to create a study of the topic

- HB0943/SB0334 - Criminal Law - Crimes of Malicious or Fraudulent Burning - Prohibitions and Penalties – Passed
- HB1002 - Consumer and Display Fireworks - Regulation and Tax - Did not move from committee

Workgroups:

- HB0468 - Li-Ion Battery Safety - CFPE Ken Bush is involved with this workgroup
- HB0823 (2024 session) Pre 1974 High-Rises – This workgroup is completing drafts for some different topics that will be merged into a report to submit to the Governor’s Office by June

A/SFM Mowbray reviewed some noteworthy incidents:

February 2025 – Deputies from the Southern Region arrested a Prince Frederick man who films fire departments for his social media content. In the course of the investigation it was learned that he set fires and made false 911 calls to film fire department responses. The incidents occurred in Charles and St. Mary’s Counties. Investigators have reached out to local partners in the area as well as some national organizations where he may have traveled and spent time.

February 2025 – The State experienced three double-fatal fires in a twelve-hour period. Two victims were confirmed deceased in a house fire in LaVale, Allegany County. Upon fire department arrival, heavy fire was coming from the roof. Upon fire department arrival at a house fire in Aberdeen, a 77-year old man with injuries advised two other family members were still inside. Aberdeen police officers attempted to enter but were unable to do so due to heavy fire and smoke. The 77-year old man was transported to Bayview Medical Center and an Aberdeen police officer was taken to a local hospital for smoke inhalation. It took 70 firefighters an hour to bring the fire under control and later located the two victims inside. The Anne Arundel County Fire department and mutual aid partners responded to a well-involved townhouse fire on Riversedge Circle. The fire was immediately attacked and a search for occupants took place. Two adult occupants were located with one transported to a local hospital with life-threatening injuries. Both occupants later succumbed to their injuries. Investigations of all three fires are on-going.

March 2025 – The Special Operations Team investigated an incident at Boonsboro High School based on a report of an improvised explosive device. Bomb technicians determined it was a hoax device and Explosive K-9s conducted sweeps of the school and found no explosives or other devices.

March 2025 – Deputies from the Lower Eastern Region charged two Dorchester County men with the arson of a duck blind in Hoopersville that caused \$2,000 in damage.

March 2025 – Deputies from the Western Region charged a Hagerstown woman who set a fire in her apartment. She temporarily barricaded herself inside the rental office and claimed she was performing a séance before the fire broke out.

A/SFM Mowbray reviewed some personnel matters and other agency events:

A newly created full-time Administrative Specialist III position for the headquarters office is currently being advertised for a second time with the application period closing on April 28th. This position will ensure the agency remains compliant with Maryland statutes pertaining to management and retention of public records. During the first process the final applicant was not able to continue and the next qualified applicant had withdrawn.

Partnering with the Maryland State Firefighters Association (MSFA), two internships are being advertised. A Fire Prevention/Community Risk Reduction (CRR) intern will work closely with the OSFM’s

CRR unit to assist with statewide implementation of a CRR strategic plan and various fire prevention activities. A Fire Protection Engineer intern will work with the OSFM's engineering unit to assist with the statewide implementation of a new computer-aided work distribution, records management system, equipment and other engineering software designed to enhance code interpretation, consultation, and plan reviews. The application period closes April 18th. Both internships are paid through MSFA funding.

The application period for the Southern Region's Administrative Specialist III position closed last month and the hiring process is on-going. In addition to handling the region's administrative duties, it also handles the agency's training processing needs. In response to an inquiry from Chairman Tochterman regarding the agency vacancies, A/SFM reported that the Superintendent's office and MSP staff have fortunately been good to work with and several positions have been added, such as the new position in the headquarters office to handle public information requests and making the part-time administrative position currently in headquarters a full-time position. The administrative staff is seeing some growth.

Another position is an IT specialist who will be working with the MSP IT Department. The OSFM will be transitioning to a new records management system to do electronic inspections, electronic plans, licensing, and other things within the electronic system. This IT person will provide the OSFM with support and troubleshooting for that system.

Retired Deputy Fire Marshal Ruxton Bramble recently passed away at the age of 69. He worked for the agency for 22 years, being hired in 1984 after being honorably discharged from the Air Force and working as a firefighter for the Department of Defense. He was recognized through a Governor's Citation Medal of Honor when he and other bomb technicians disarmed 87 bombs in 36 hours. He also earned four Fire Marshal Commendations.

A Deputy Fire Marshal assigned to the Special Operations Unit Bomb Squad retired February 28th. He was hired in 2015 after working as a police patrol officer at a local sheriff's office on the Eastern Shore for several years. He was assigned to the Lower Shore, Upper Shore, and Bomb Squad during his career with the agency. He was an FBI-certified bomb technician and a certified Underwater Hazardous Device Technician.

Senior Deputy/Bomb Technician Raia and Master Deputy/K-9 Handler Alkire joined Churchville Elementary School for its law enforcement day. The day provided an opportunity for students and staff to learn more about state and local agencies.

The annual Public Fire and Life Safety Educators Seminar was held at the Maryland Fire and Rescue Institute in College Park in March. Topics included burn, poison, and fall prevention in homes. Nearly 60 members of the State's CRR community attended the program.

In March, the Northeast Region staff conducted fire safety inspections and toured the Pimlico Race Course in preparation for the Preakness scheduled for May 17th. This will be the final race at the track as it will be transformed into a year-round racing venue. Although located in Baltimore City, the Maryland Stadium Authority will be responsible for maintaining the existing property and its renovations and construction projects. The State Fire Marshal's Office will assume the fire safety responsibilities.

A/SFM Mowbray reported that all fire departments are compliant with submission of incident reports for Fiscal Year 2024 (July 2023 to June 2024). Funding is based on Fiscal Year compliance. The Second District Fire Department in Saint Mary's County is the only one missing submissions for Fiscal Year 2025 (July 2024 to June 2025). They have not submitted their August through December 2024 reports which has caused a delay in finishing the Calendar Year 2024 statistical data. The agency continues to evaluate the National Emergency Response Information System (NERIS). Letters have been sent to all fire departments statewide to provide an update on the transition to NERIS. An online survey is being provided to start collecting data from each department related to its records management system to ascertain compatibility with NERIS. Although it's a very easy QR code, response has been poor so it is not allowing collection of

good data to plan accordingly for the transition. OSFM Command staff will be meeting with the NERIS team at the end of April for a train-the-trainer overview. The OSFM is planning some regional seminars over the summer for fire departments and will have information at the MSFA convention to help departments become more aware of the upcoming transition. The NERIS website is <https://www.usfa.fema.gov/nfirs/neris>

Some OSFM staff attended the National Association of State Fire Marshals Community Risk Reduction Summit in North Carolina. The OSFM is working on a statewide CRR program that will be coordinated with local partners in the fire service.

After concluding his report, A/SFM Mowbray requested time to make a presentation and called upon Chief Scott Custer and Chief Fire Protection Engineer (CFPE) Ken Bush. The Maryland Chapter of the International Fire Marshals Association (IFMA) had a meeting yesterday which A/SFM Mowbray was unable to attend but was attended by CFPE Bush on his behalf. Chief Custer will be stepping down as President of the Maryland Chapter of the IFMA and will be retiring to Florida. A/SFM Mowbray presented Chief Custer with a Fire Marshal's Salute and recognized him for his many years of community service throughout the State, particularly through the Federal Fire Department at Fort Detrick, a very unique facility. Congratulations were extended from the Commission. CFPE Bush, who also is a member of the board of directors for the NFPA's IFMA, presented Chief Custer with a challenge coin. CFPE Bush has worked closely with Chief Custer on a variety of projects and expressed his thanks for his dedication.

CHIEF FIRE PROTECTION ENGINEER REPORT

CFPE Bush reported that at yesterday's IFMA meeting, Bud Zapata from Annapolis City will be the interim president of the Maryland Chapter until the formal election process is completed. Donna McGuire from Anne Arundel County will continue to be the Vice President.

Regarding the legislation forming a work group to study the issue of single stair exits, CFPE Bush thanked Chairman Tochtermann for gathering information from various jurisdictions across the country dealing with this issue. Interestingly there are several jurisdictions around that country that have essentially banned the use of single stair exits.

House Bill 1344 passed and requires the Maryland Department of General Services to assess State-owned facilities to determine if they are suitable for lease as child care centers. During this undertaking, the OSFM will keep an eye on safety considerations, particularly fire safety.

With the development of the Pimlico area and racetrack, which is now a State project, the OSFM has been in contact with the Maryland Stadium Authority regarding engineering aspects and design work. The project will be interesting as there are both public and private funds involved. Suppression activities will be handled by Baltimore City so there will be a need to coordinate with a number of different state and local organizations.

The rebuilding of the Francis Scott Key Bridge is another interesting project. The OSFM has been contacted by the Maryland Department of Transportation regarding fire protection for the new bridge, particularly for standpipe systems which is addressed in NFPA 502. It is referenced as part of the State Fire Prevention Code through NFPA 1 so the OSFM does have enforcement authority. Baltimore County personnel want to ensure the areas are protected and code issues are addressed.

NFPA has published a report that deals with fire safety regulations and the impact on other issues such as economic development and affordable housing. The white paper is available to the public at the NFPA website.

The OSFM has received inquiries about sprinkler protection in tiny homes, particularly manufactured and modular homes. It is the OSFM's position that if it is used for residential overnight occupancy it must be sprinklered, unless it meets the exception for buildings that do not have public electric utility service. In

Western Maryland there have been some very small residential structures called yurts that are single-room single-family arrangements and they will require sprinklers. Wicomico County and Salisbury City also have some small residential buildings used for homeless housing. These require sprinkler protection as well.

CHAIRMAN REPORT

Chairman Tochterman entertained a motion to approve the February 20, 2025, business meeting minutes, which do not include the minutes of the public hearing on proposed amendments to the State Fire Prevention Code. Motion by Commissioner Hopkins, second by Commissioner Sanger, and unanimously carried to approve.

Chairman Tochterman entertained a motion to approve the February 20, 2025, public hearing minutes. Motion by Vice Chairman Spriggs, second by Commissioner Smothers and unanimously carried to approve.

Chairman Tochterman entertained a motion to approve the March 31, 2025, public hearing minutes on proposed amendments to the State Fire Prevention Code. Motion by Commissioner Smothers, second by Commissioner Hopkins, and unanimously carried to approve.

The total expenses for the Commission from January through March 2025 was \$1,271.80.

Regarding the single exit stairway issue, the Chairman has contacted Mischelle Vanreusel who oversees Maryland Building Code adoptions. It is believed she will chair the work group. Commissioner Hopkins has expressed an interest in representing the Commission on the workgroup. No one expressed opposition to him doing so. The Chairman will make Ms. Vanreusel aware.

Regarding the status of filling the State Fire Marshal position, the Chairman was made aware that MSP has extended invitations to not only the three candidates the Commission recommended, but to the other applicants as well. The Chairman had previously cautioned the MSP administration in doing so. For the record, Commissioner Hopkins expressed concern with MSP's efforts to degrade the responsibilities of the Fire Prevention Commission and questioned if the Commission and Fire Marshal's Office could be removed from the purview of MSP and placed as a separate entity. The Chairman believes that would take an act by the State Legislature as well as the cooperation of the Governor.

DISCUSSION ON AMENDMENTS TO COMAR 29.06.01

Only one public comment has been received on the proposed amendments to the 2024 Fire Prevention Code, received from Terin Hopkins with the National Fire Sprinkler Association. The Chairman noted that regardless of how the Commission votes, the Commission is susceptible to criticism. If the vote is to adopt, it may give the appearance of downplaying the importance of retroactive sprinkling of residential high-rise buildings. If the vote is not to adopt, that will stop the advancement and all the effort and time put in by the Code Update Committee would be for naught. The Chairman opened the floor for discussion.

Vice Chairman Spriggs expressed his appreciation to the code workgroup. The Commission put forth a document that was 100% supported by its members only to have it returned with changes made by MSP. There was no input on the changes, to his understanding, to the Commission or the work group. This is bothersome especially when dealing with people's lives. Ultimately that is what it is all about and it is his opinion that the Commission's job is to ensure it does its best to protect lives throughout the State. He does not support the changes that were returned to the Commission.

Commissioner Hopkins expressed appreciation of the Vice Chairman's comments and agrees with them. He finds it troubling that politics is being placed over public safety. We hear that tiny homes are required to be sprinklered and yet high-rise buildings with large populations of residents are being ignored. Maryland has become one of the states with more progressive requirements for single-family homes,

condominiums, and townhomes; so why shouldn't high-rise buildings be included. It is extremely troubling with some significant ethical dilemmas. On one hand, the Commission is being asked to ignore the time and effort of the code work group and all the other amendments or to ignore the requirement set for high-rise sprinklers. As a fire protection engineer, a fire prevention commissioner, and based on all his other beliefs, Commissioner Hopkins finds this extremely troubling. He does not support moving forward with accepting the proposed revisions by MSP.

Commissioner Sanger advised he agreed with both fellow commissioner's comments. The Commission had already decided and put forth the proposal of the workgroup and Commission, and believes it would be disregarding all of those efforts to move forward with changes made without any prior consultation.

Commissioner Smothers feels that in the interest of citizens, the Commission should move in the direction that encompasses sprinklers for all facilities, especially high-rises, knowing some of the tragic incidents that have occurred.

Commissioner Stevens concurred with all the previous comments.

After the Vice Chairman and all commissioners commented, the Chairman took a rollcall vote. Yes was to accept the code as amended by the State Police; No was to reject the code as amended by the State Police:

Vice Chairman Spriggs – No.
Commissioner Hopkins – No.
Commissioner Sanger – No.
Commissioner Smothers – No.
Commissioner Stevens – No.

Vice Chairman Spriggs questioned if the draft the Commission sent to State Police was completely gone. As far as the Chairman knows that is correct and no further action will be taken. Commissioner Hopkins inquired at what point the process would start over. Per CFPE Bush, NFPA 1 2027 will have a second draft meeting the first week in June, NFPA 101 2027 will have a second draft meeting in July. There will be an annual convention and vote in June 2026, with an effective date probably in August or September 2026. The Chairman advised the choice would be to start over with the 2024 codes or wait for the publication of the 2027 codes. It is not believed State Police will change their status or opinion. Commissioner Hopkins questioned if the Commission has any ability to challenge the State Police's actions as the oaths the Commissioners took clearly stated members would look out for the best interests of the citizens of Maryland. The Commission is being prevented from doing its job and providing the appropriate level of protection that is warranted and established by national codes. An entity that is not fully educated or prepared in fire and life safety is taking a position to prevent those that are from taking appropriate action. Chairman Tochtermann expressed there is some hope that the HB 823 high-rise workgroup may support retroactive sprinkling. That would put the ball firmly in the State Legislature's court for them to do what hopefully would be correct. There were no further comments.

The Chairman opened the floor to anyone else wishing to comment.

Chief Custer thanked A/SFM Mowbray and CFPE Bush for acknowledging him and presenting him the Fire Marshal's Salute. Regarding the conversation and vote on the State Fire Code, he would recommend resubmitting the 2024 proposal because with the current administration, the same issues will arise with the 2027 codes. The fire service will be upset that no updated codes are being adopted. It got politicized and the State Police made changes. He agrees with Commissioner Hopkins that a group who is not subject-matter experts made changes, which would be no different that if the Commission made changes to the traffic laws. He had spoken to Director Kelly, the MSP Legislative Liaison, about this. He strongly recommends to move forward with the 2024 code.

Alan Sactor agreed with Mr. Custer to try to move forward with the 2024 codes as there are other provisions, such as lithium-ion batteries in residential facilities, which need to be adopted. He applauded the Commission for its leadership and taking a stand on the high-rise sprinkler issue.

Terin Hopkins thanked the Commission for its actions today and leadership. He would also recommend resubmitting the Commission's original proposal back to MSP.

Vice Chair Spriggs motioned to resubmit the original proposal back to MSP. Second by Commissioner Hopkins. This proposal includes the follow-up amendments CFPE Bush recommended after the Code Update Committee meetings concluded. These follow-up amendments had already been voted on and approved by the Commission and were included in the original proposal sent to MSP. The motion was unanimously carried by those present. It was noted that Commissioner Smothers had left the meeting for a few minutes and was not included in the vote. However, there was still a quorum of five Commissioners present for the vote. Upon Commissioner Smother's return to the meeting, Chairman Tochterman advised him of the motion and vote. Commissioner Smothers abstained from casting a vote on the motion.

OTHER BUSINESS

Chairman Tochterman reminded any Commissioner needing lodging for the Ocean City meeting to contact Secretary Ritchie.

Motion to adjourn by Commissioner Sanger, seconded by Commissioner Hopkins, and unanimously carried. The meeting was adjourned.

Next Meeting:

**Tuesday, June 17, 2025
11:00 a.m.
Roland E. Powell Convention Center
Mezzanine Board Room
4001 Coastal Highway
Ocean City, Worcester County**

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



Heidi Ritchie, Secretary