

Title 29
DEPARTMENT OF STATE POLICE
Subtitle 06 FIRE PREVENTION COMMISSION

29.06.01 Fire Prevention Code

Authority: Public Safety Article, §§6-206 and 6-501, Annotated Code of Maryland

Notice of Proposed Action

[19-148-P-I]

The Secretary of State Police proposes to amend Regulations **.02**, **.06—10**, and **.14** under **COMAR 29.06.01 Fire Prevention Code**.

Statement of Purpose

The purpose of this action is to amend COMAR 29.06.01 by updating its incorporation by reference documents to the 2018 editions of the NFPA 1 Fire Code and the NFPA 101 Life Safety Code.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Heidi Ritchie, Maryland Fire Prevention Commission, 18345 Colonel H.K. Douglas Drive, Suite 240, Hagerstown, MD 21740, or 1-877-890-0199, or email to mshp.sfpc@maryland.gov, or fax to 301-766-3889. Comments will be accepted through September 3, 2019. A public hearing has been scheduled for 9:30 a.m., August 15, 2019, at Laurel Municipal Building, 8103 Sandy Spring Road, Council Chambers, Laurel, MD 20707.

Editor's Note on Incorporation by Reference

Pursuant to State Government Article, §7-207, Annotated Code of Maryland, NFPA 1 Fire Code 2018 and NFPA 101 Life Safety Code 2018 have been declared documents generally available to the public and appropriate for incorporation by reference. For this reason, they will not be printed in the Maryland Register or the Code of Maryland Regulations (COMAR). Copies of these documents are filed in special public depositories located throughout the State. A list of these depositories was published in 46:1 Md. R. 9 (January 4, 2019), and is available online at www.dsd.state.md.us. These documents may also be inspected at the office of the Division of State Documents, 16 Francis Street, Annapolis, Maryland 21401.

.02 Purpose.

A. (text unchanged)

B. This chapter incorporates by reference NFPA 1 Fire Code ([2015] 2018 Edition), except as amended in Regulations .08 and .09 of this chapter, and NFPA 101 Life Safety Code ([2015] 2018 Edition), except as amended in Regulation .07 of this chapter. [Certain requirements of the International Building Code as incorporated by reference by the Maryland Building Performance Standards are also adopted by incorporation by reference in Regulations .06—16 of this chapter and are considered minimum standards.]

C. (text unchanged)

.06 Incorporation by Reference.

A. (text unchanged)

B. Documents Incorporated.

(1) NFPA 1 Fire Code ([2015] 2018 Edition).

(2) NFPA 101 Life Safety Code ([2015] 2018 Edition).

(3) International Building Code as incorporated by reference by the Maryland Building Performance Standards, which can be found under COMAR 05.02.01.02-1.]

C. (text unchanged)

.07 National Fire Protection Association 101 Life Safety Code.

The NFPA 101 Life Safety Code ([2015] 2018 Edition) is incorporated by reference, except for the following amendments:

A. Amend Section 2.2 to [add the referenced publication NFPA 1124 Code for the Manufacturer, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, 2006 edition] *delete the referenced publication NFPA 150 Standard on Fire and Life Safety in Animal Housing Facilities, 2016 edition.*

B. Amend Section 2.4 to delete the referenced publications NFPA 150 Standard on Fire and Life Safety in Animal Housing Facilities, 2016 edition, and NFPA 5000 Building Construction and Safety Code, 2018 edition. Wherever NFPA 5000 is referenced, other than for extracted text, substitute the building code adopted by the AHJ.

[B.] C. Amend Subsection [3.3.62] 3.3.64 to add the following Paragraph: [3.3.62.3] 3.3.64.3 Bulkhead Door. A type of door assembly covering an opening in the ground providing direct access to a basement, the floor of which is not more than 8 feet below ground level. The door consists of a single rigid leaf or two overlapping rigid leaves or covers which need to be pushed or lifted upwards in order to be opened. A person, after opening the door, can walk up a series of steps to escape to the outside.

[C.] D. Amend Paragraph [3.3.142.1] 3.3.148.1 and Subparagraphs 16.6.1.1.2 and 17.6.1.1.2 to delete “more than 3, but”.

[D.] E. Amend Paragraphs [3.3.190.4] 3.3.196.4 and 6.1.4.1 to delete “four or more”.

[E.] F. Amend Paragraphs [3.3.190.12] 3.3.196.12 and 6.1.9.1 to replace “four” with “six”.

[F.] G. (text unchanged)

H. Amend Paragraph 4.6.10.2 to replace “Where required by Chapters 11 through 43, construction” with “Construction”.

[G.] I.—[H.] J. (text unchanged)

K. Amend Subparagraph 6.1.8.1.1 to replace “three” with “five” and delete “, if any, accommodated in rented rooms”.

[I.] L.—[P.] S. (text unchanged)

T. Amend Subsection 9.11.4 and Paragraph 9.14.1.1 to replace “Chapters 11 through 43” with “the AHJ and Chapters 11 through 43”.

[Q.] U.—[R.] V. (text unchanged)

W. Delete Subsection 11.12.2

X. Delete Paragraphs 12.2.1.2, 14.2.1.5, 16.2.1.1, 28.2.1.4, 30.2.1.3, 32.2.2.7, 36.2.1.6, 38.2.1.5, 40.2.1.3, 42.2.1.3, Subparagraphs 16.6.2.1.2, 32.3.2.1.3, and Subsection 26.2.4.

[S.] Y.—[T.] Z. (text unchanged)

AA. Amend Subparagraph 15.2.2.2.4 to add the following new item: (10) Two releasing operations shall be permitted for hardware on an existing door leaf provided that releasing does not require simultaneous operations and the locking device is of a type that is readily distinguishable as locked.

[U.] BB. Amend Subsections 16.1.1 and 17.1.1 to add the following Paragraphs: [16.1.1.9 and 17.1.1.9] 16.1.1.10 and 17.1.1.10 Day-care centers providing day care for school-age children before or after school hours in a building which is in use as a public or private school are not required to meet the provisions of this chapter, but shall meet the provisions for educational occupancies.

[V.] CC.—[Y.] FF. (text unchanged)

[Z.] GG. Amend [Paragraphs 16.6.2.1 and 17.6.2.1 and Subparagraphs 16.6.2.4.5 and 17.6.2.4.5] Subparagraph 16.6.2.1.1 and Paragraph 17.6.2.1 to add the following: Bulkhead doors may not serve as a primary means of escape.

HH. Amend Subparagraphs 16.6.2.4.5 and 17.6.2.4.5 to delete item (3).

[AA.] II.—[BB.] JJ. (text unchanged)

[CC.] KK. Amend Subparagraph [17.6.3.4.4] 17.6.3.4.5 to delete “existing” and replace “and battery” with “battery, and smoke alarm”.

[DD.] LL. (text unchanged)

[EE.] Amend Subparagraphs 22.4.5.1.4(1) and 23.4.5.1.4(1) to replace “2 minutes” with “30 seconds”.

FF. Amend Subparagraphs 22.4.5.1.4(2) and 23.4.5.1.4(2) to replace “2-minute” with “30-second”.]

[GG.] MM.—[QQ.] WW. (text unchanged)

.08 National Fire Protection Association 1 Fire Code.

The NFPA 1 Fire Code ([2015] 2018 Edition) is incorporated by reference, except for the amendments in Regulation .09 of this chapter and the following amendments:

[A. Amend Paragraph 1.7.12.2 to add the following sentence: The AHJ shall be authorized to require plans to bear the stamp of a registered design professional.]

[B.] A.—[G.] F. (text unchanged)

[H.] G. Delete Paragraphs 1.13.12.4 and [1.16.4.2] 1.16.4.3.

H. Amend Paragraphs 2.1.1.1 and 2.1.1.2 to replace “Compliance” with “Where permitted by the AHJ, compliance”.

I. Amend Section 2.2 to delete the referenced publication NFPA 5000 Building Construction and Safety Code, [2015] 2018 edition. Wherever NFPA 5000 is referenced, other than for extracted text, substitute the building code adopted by the AHJ. Delete the referenced publication NFPA 150 Standard on Fire and Life Safety in Animal Housing Facilities, [2013] 2016 edition. [Add the referenced publication NFPA 1124 Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, 2006 edition.]

J. Amend Section 3.3 to add the following Subsection. 3.3.278 Fireworks. Any composition or device for the purpose of producing a visible or audible effect for entertainment purposes by combustion, deflagration or detonation, and that meets the definition of Consumer Fireworks or Display Fireworks as set forth in NFPA 1124 Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, 2006 edition, and as referenced in Public Safety Article, §10-101, Annotated Code of Maryland.]

[K.] J. (text unchanged)

K. Amend Subsection 3.3.130 and Paragraph 3.3.130.1 to add “and as referenced in Public Safety Article, §10-101, Annotated Code of Maryland”.

L. Amend Paragraph [3.3.183.6] 3.3.192.6 to delete “more than 3 but”.

M. Amend Paragraphs [3.3.183.7] 3.3.192.7 and 6.1.4.1 to delete “four or more”.

N. Amend Paragraph [3.3.183.22] 3.3.192.25 to replace “three” with “five” and delete “, if any, accommodated in rented rooms”.

O. Amend Paragraphs [3.3.183.25] 3.3.192.28 and 6.1.9.1 to replace “four” with “six”.

P.—Q. (text unchanged)

R. Amend Subparagraph 6.1.8.1.1 to replace “three” with “five” and delete “, if any, accommodated in rented rooms”.

[R.] S. (text unchanged)

T. Amend Section 10.2 to delete Subsection 10.2.7 and Table 10.2.7.1.

[S.] U.—[T.] V. (text unchanged)

[U.] W. Amend Subsection 10.11.1 to add the following Subparagraph and Paragraph:

10.11.1.1.1 Subject to the approval of the AHJ, individual suites within structures and rear exterior entrances and/or access from service corridors shall be clearly identified.

[10.11.1.4] 10.11.1.9 Where required by the AHJ, symbols in compliance with NFPA 170 Standard for Fire Safety and Emergency Symbols shall be used.

[V.] X. Amend Paragraph 10.11.1.1 to replace “address numbers” with “premises identification” and Paragraphs 10.11.1.2 [and 10.11.1.3], 10.11.1.6, 10.11.1.7, and 10.11.1.8 to replace “Address numbers” with “Premises identification”.

Y. Amend Paragraph 10.11.1.4 to delete existing wording and replace with “Where required by the AHJ, the assignment of addresses to buildings shall be in accordance with an approved method.”

Z. Delete Paragraph 10.11.1.5.

[W.] AA. Amend Subsection 10.13.1 to add the following new Paragraph: 10.13.1.2 The AHJ shall be permitted to:

(1)—(3) (text unchanged)

[X.] BB.—[II.] MM. (text unchanged)

NN. Amend Section 13.1 to add the following Subsection: 13.1.14 Appearance of Equipment. The AHJ shall be permitted to prohibit any device that has the physical appearance of a life safety or fire protection function but does not perform that life safety or fire protection function.

OO. Amend Subsection 13.1.3 to replace “in Chapters 11 through 43” with “by the AHJ and Chapters 11 through 43”.

[JJ.] PP. (text unchanged)

[KK.] Amend Paragraph 13.3.2.1 to add the following Subparagraph: 13.3.2.1.1 All new buildings shall be equipped with an automatic sprinkler system or other automatic fire suppression system where required by Section 903 of the International Building Code as incorporated by reference by the Maryland Building Performance Standards.]

[LL.] QQ.—[SS.] XX. (text unchanged)

[TT.] Amend Paragraphs 18.1.3.1 and 18.1.3.2 to replace “fire department” with “AHJ”.]

[UU.] YY. (text unchanged)

ZZ. Delete Paragraph 18.2.3.4.

[VV.] AAA. (text unchanged)

[WW.] BBB. Amend Subparagraph 20.3.4.1.1 and 20.3.4.1.2 to delete “more than 3, but” and the “,” after “12”.

[XX.] CCC. (text unchanged)

[YY.] DDD. Amend Subsection [26.1.5] 26.1.6 to add the following Paragraphs:

[26.1.5.2] 26.1.6.2 When requested by the AHJ, a hazard assessment shall be conducted by a technically qualified person acceptable to the AHJ.

[26.1.5.3] 26.1.6.3 When requested by the AHJ, a list of hazardous materials used in each laboratory shall be provided. The list shall specify the chemical name, quantity and hazard class.

[26.1.5.4] 26.1.6.4 New laboratories or laboratories where the NFPA 45 laboratory hazard classification changes shall post an information placard near the main entrance to the laboratory. The placard shall state the building name or address, room number, NFPA 45 laboratory hazard classification, edition of NFPA 45, maximum allowable quantities of flammable liquids both inside a storage cabinet and open use, and maximum quantities of flammable gases permitted within the laboratory.

[ZZ.] Amend Chapter 26 to add the following Section and Subsection:

26.3 Construction

26.3.1 All laboratories, laboratory suites or laboratory units within the scope of NFPA 45, regardless of the laboratory hazard classification in NFPA 45, shall be separated by at least one-hour fire resistance rated construction from non-laboratory areas. If a higher fire resistance rating is required by Table 5.1.1 in NFPA 45 or the building code, the higher fire resistance rating shall be used. Rooms that are an incidental use to the lab shall be considered part of the laboratory for the purpose of this requirement and shall not require additional separation.

AAA. Amend Subparagraph 31.3.6.2.2 to add the following item:

BBB. Amend Subparagraph 31.3.6.3.1 to delete existing wording and replace with the following: Piles shall not exceed 18 feet in height, 50 feet in width, and 350 feet in length. Piles shall be subdivided by fire lanes having at least 30 feet of clear space at the base of piles.

CCC. Delete Subparagraph 31.3.6.3.2 and Sub-subparagraphs 31.3.6.3.2.1, 31.3.6.3.2.2, and 31.3.6.3.2.3.]

EEE. Delete Chapter 35 Animal Housing Facilities.

[DDD.] FFF.—[FFF.] HHH. (text unchanged)

III. Amend Subparagraph 50.7.2.3.4 to replace “an approved company” with “a gas fitter certified by the Maryland Department of Labor, Licensing, and Regulation” and add the following: The certification documentation shall consist of the following:

(1) The name of the certified gas fitter;

(2) The license or certification number that demonstrates the gas fitter is approved to install, inspect, and maintain LP-gas systems;

(3) The corporate name of the mobile food service business;

(4) The identifying name on the side of the mobile food vehicle;

(5) The date of inspection;

(6) The vehicle tag number and VIN; and

(7) A signed statement by the certified gas fitter that reads: “The LP-Gas system has been inspected for compliance with the current edition of NFPA 58 and found to be in compliance with the provisions of the code. In addition, leak detection has been conducted on the LP-Gas system piping and the piping has been found to maintain integrity.”

.09 Fireworks and Explosive Materials.

The NFPA 1 Fire Code ([2015] 2018 Edition) is incorporated by reference, except for the amendments in Regulation .08 of this chapter and the following amendments:

A.—B. (text unchanged)

[C. Amend Section 65.2 to add the following subsection: 65.2.3 All storage of display fireworks shall comply with NFPA 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, 2006 edition.]

[D.] C. (text unchanged)

[E.] D. Amend Section 65.5 to add the following [Subsections] Subsection:

[65.5.2 The manufacture, transportation, or storage of fireworks shall comply with NFPA 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, 2006 edition.]

65.5.3 Sale or use of fireworks shall comply with the following:

(1)—(3) (text unchanged)

[F.] E.—[G.] F. (text unchanged)

[H. Amend Section 74.1 reference to NFPA 400 to delete Subsection 11.1.3.]

.10 [Control of Air Overpressure and Ground Vibration for Blasting Operations.] Blasting Operations General Requirements.

[A.]—[C.] (proposed for repeal)

A. Notifications. Written notification by email or facsimile shall be provided to the Office of the State Fire Marshal Bomb Squad at least 24 hours prior to each blast. The name of company or contractor performing the blasting and the location, date, and approximate time shall be identified. The geographical coordinates (longitude and latitude) shall be provided.

B. Complaints. If requested by a property owner registering a complaint and considered necessary by the State Fire Marshal, measurements on three consecutive blasts, using approved instrumentation, shall be made near to the structure in question.

C. Special Precautions. When blasting operations, other than those conducted at a fixed site such as a quarry, are to be conducted within 200 feet of a pipe line or high voltage transmission line, the contractor shall take additional precautionary measures and shall notify the owner of the line, or the owner's agent, that blasting operations are intended.

D.—E. (text unchanged)

.14 Sale and Use of Heaters and Stoves.

A. Gasoline Stoves. The sale or use of gasoline stoves or other similar fuel-burning cooking or heating appliances using Class I flammable liquids as defined in NFPA 1 Fire Code ([2015] 2018 Edition) and NFPA 30 Flammable and Combustible Liquids Code ([2015] 2018 Edition), is prohibited unless the appliance has been tested and listed by a testing laboratory accepted by the State Fire Marshal. The appliance shall be installed, operated, and maintained in a safe manner in accordance with the prescribed recommendation of the manufacturer and the conditions stated in the listing by the respective testing laboratory.

B. (text unchanged)

WILLIAM M. PALLOZZI
Secretary of State Police