

# FIRES

## CHAPTER 181

### HOUSE BILL NO. 1288

(Representatives Schneider, Adams, P. Anderson, Dobervich, Guggisberg, Hager,  
Mitskog, O'Brien, Strinden)  
(Senator Kreun)

AN ACT to amend and reenact section 18-01-03.1 of the North Dakota Century Code, relating to duties of the fire marshal to provide education regarding fire safety code requirements.

#### **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 18-01-03.1 of the North Dakota Century Code is amended and reenacted as follows:

#### **18-01-03.1. Inspections - Department of human services - Education.**

1. The state fire marshal and the state fire marshal's deputies may perform fire safety inspections of those facilities required to be inspected under administrative rules of the department of human services. The state fire marshal shall charge a fee not to exceed fifty dollars for conducting these fire safety inspections in an amount determined by administrative rules adopted by the state fire marshal. Inspection fees received by the state fire marshal must be deposited into the attorney general's operating fund.
2. The state fire marshal shall provide the department of human services and designees of the fire marshal education regarding the fire safety requirements of licensed early childhood program premises, including smoke detector and carbon monoxide alarm requirements.

Approved March 20, 2019

Filed March 21, 2019

## CHAPTER 182

### SENATE BILL NO. 2270

(Senator Meyer)  
(Representatives Fegley, Guggisberg, Pyle)

AN ACT to amend and reenact sections 18-01-05, 18-01-06, and 18-08-09, subsection 2 of section 18-08-12, and sections 18-09-02, 18-12-16, and 18-12-25 of the North Dakota Century Code, relating to the reporting of fires and fire losses to the state fire marshal, misconduct at fires, fire inspections of state buildings, rules for storage and handling of liquefied petroleum gases, fire alarms in school buildings, and reference data used in the fire prevention code for school buildings; to repeal section 18-01-08 of the North Dakota Century Code, relating to compensation of fire officials for reporting fires; and to provide a penalty.

#### BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

**SECTION 1. AMENDMENT.** Section 18-01-05 of the North Dakota Century Code is amended and reenacted as follows:

##### **18-01-05. Insurance companies to report fire losses to state fire marshal.**

Each insurer authorized to transact fire insurance business in this state is hereby required to report to the state fire marshal, either directly or through an approved agency, fire losses on property insured in the company, giving the name of the insured, the date of the fire, the amount of loss, the loss paid, the character of the property destroyed or damaged, and the supposed cause of the fire. Provided, however, the state fire marshal may waive the reporting of such losses which are deemed unimportant because of the small amount involved to the end that a saving in time and expense will result. This report must be mailed or sent as an electronic record to the state fire marshal as soon as possible after notice of loss is received by the company. This report must be in addition to, and not in lieu of, any report the company may be required to make by any law of this state to the insurance commissioner.

**SECTION 2. AMENDMENT.** Section 18-01-06 of the North Dakota Century Code is amended and reenacted as follows:

##### **18-01-06. Fire chiefs and auditors or secretaries of cities and rural fire protection districts must report fires.**

Within thirty days after the occurrence of any fire in which property in a city or rural fire protection district has been destroyed or damaged ~~in an amount which exceeds twenty five dollars,~~ an organization that is contracted by a political subdivision for fire protection or the fire chief of such city or rural fire protection district, if a fire department is maintained therein, or the auditor of the city or the secretary of the rural fire protection district, if a fire department is not maintained therein, shall report the cause, if known, and the origin and circumstances of the fire and the name of the owner and occupant of such property, to the state fire marshal ~~or enter the information in the national fire incident reporting system software.~~ Reports shall be submitted in a form compliant and compatible with the national fire incident reporting requirements. Such report must show whether such fire was the result of

carelessness, accident, or design. The provisions of this section must be complied with, insofar as the same are applicable, if the fire is of unknown origin, regardless of the amount of damage caused thereby.

**SECTION 3. AMENDMENT.** Section 18-08-09 of the North Dakota Century Code is amended and reenacted as follows:

**18-08-09. Misconduct at fires - Penalty.**

1. Every person who, at any ~~building~~unwanted fire, disobeys the lawful orders of a public officer or firefighter, or resists or interferes with the lawful efforts of any firefighter or company of firefighters to extinguish the fire, or acts in a manner calculated to prevent the fire from being extinguished, or forbids, prevents, or dissuades others from assisting to extinguish the fire, is guilty of a class A misdemeanor.
2. As used in this section, "~~building~~unwanted fire" means a fire ~~in a dwelling, commercial building, or other building or structure used by humans as a residence or place of business, or as a storage or holding place for animals or goods not used for cooking, heating, or recreational purposes or one not incidental to the normal operations of the property.~~

**SECTION 4. AMENDMENT.** Subsection 2 of section 18-08-12 of the North Dakota Century Code is amended and reenacted as follows:

2. For purposes of this section, a "fire inspection" is a procedure performed in accordance with standards set forth in the state building code, the fire protection code of the local jurisdiction, or the ~~code of the national fire protection association~~rules set forth in North Dakota Administrative Code chapter 10-07-01.

**SECTION 5. AMENDMENT.** Section 18-09-02 of the North Dakota Century Code is amended and reenacted as follows:

**18-09-02. State fire marshal to make rules.**

The state fire marshal shall adopt rules setting forth minimum general standards covering the design, construction, location, installation, and operation of equipment for storage, handling, transporting by tank truck, tank trailer, and utilizing liquefied petroleum gases and specifying the odorization of said gases and the degree thereof. The rules must be such as are reasonably necessary for the protection of the health, welfare, and safety of the public and persons using such materials and must be in substantial conformity with the generally accepted standards of safety concerning the same subject matter. The rules must substantially comply with national standards for the design, installation, construction of containers, and pertinent equipment for the handling and storage of liquefied petroleum gases, such as those promulgated by the international code council and the national fire protection association.

**SECTION 6. AMENDMENT.** Section 18-12-16 of the North Dakota Century Code is amended and reenacted as follows:

**18-12-16. Fire alarm systems.**

~~Every new school building and every addition to a school building must be equipped with an approved electrical, closed circuit, supervised fire alarm system with the supply fused ahead of the main switch or disconnect, except that this does not apply to one-room schools. The fire alarm disconnect must be painted red and clearly~~

marked DISCONNECT, and the control panel must have an automatic outlet which can be connected to the city system.

New fire alarm systems in additions must be connected to systems in the existing building so that all stations throughout the entire building will actuate all alarms.

Fire alarm systems must be painted red in color and be clearly marked FIRE ALARM.

Manual stations must be located in the kitchen area, public assembly areas, auditorium stages, main office, and in corridors, preferably near exits or stairs, so that it will not be necessary to travel more than one hundred feet [30.48 meters] from the door of any room to reach a station on the same floor. A pull box station must be located in the main office of a school or elsewhere if directed by the local fire authorities and connected directly to the local fire department in localities which are equipped with a pull box system. This pull box station may be independent of the fire alarm system in the school building. Automatic fire alarm systems must be provided in boiler and furnace rooms, kitchens, and dangerous storage rooms over one hundred square feet [9.29 square meters] in area.

Fire alarm signals must be located throughout the building so that persons in all areas of the building, including high noise areas, will be able to hear the signal.

Fire alarm signals must have an auditory sound distinct from other signals in use in the building for other purposes.

All fire alarm equipment must be listed for its intended use by underwriters laboratories, incorporated.

The wiring in the fire alarm systems and controls must be installed in a metallic raceway. Fire alarm systems for school buildings must be installed in accordance with the rules set forth in North Dakota Administrative Code chapter 10-07-01.

**SECTION 7. AMENDMENT.** Section 18-12-25 of the North Dakota Century Code is amended and reenacted as follows:

**18-12-25. Reference data.**

The following data must be used as reference and as an aid in the interpretation of this chapter:

1. State and local fire and building codes.
2. The National Electrical Code - national fire protection association.
3. The International Fire Code.
4. The national fire protection association.

**SECTION 8. REPEAL.** Section 18-01-08 of the North Dakota Century Code is repealed.

Approved March 28, 2019

Filed March 29, 2019