



General Assembly

Substitute Bill No. 7115

January Session, 2007

* _____ HB07115PS _____ 022807 _____ *

AN ACT CONCERNING THE OFFICE OF THE STATE FIRE MARSHAL.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-291a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) The State Fire Marshal, in coordination with the advisory
4 committee established under subsection (b) of this section, shall adopt
5 and administer a state Fire Prevention Code based on a nationally
6 recognized fire prevention code. Said code shall be used to enhance the
7 enforcement capabilities of local fire marshals and for the purposes of
8 prevention of fire and other related emergencies. Said code shall be
9 adopted not later than [January 1, 2005] October 1, 2008, and shall be
10 revised thereafter as deemed necessary to incorporate any subsequent
11 revisions to the code not later than eighteen months following the date
12 of first publication of such revisions.

13 (b) There is established an advisory committee consisting of nine
14 persons appointed by the State Fire Marshal. The State Fire Marshal
15 shall appoint two members selected from a list of individuals
16 submitted by the Codes and Standards Committee from the
17 membership of said committee and seven members representing local
18 fire marshals, deputy fire marshals and fire inspectors selected from a
19 list of individuals submitted by the Connecticut Fire Marshals

20 Association.

21 Sec. 2. Subsection (a) of section 29-298 of the general statutes is
22 repealed and the following is substituted in lieu thereof (*Effective*
23 *October 1, 2007*):

24 (a) The State Fire Marshal and the Codes and Standards Committee,
25 acting jointly shall adopt minimum standards of qualification for local
26 fire marshals, deputy fire marshals, fire inspectors and such other
27 classes of inspectors and investigators as they deem necessary. The
28 State Fire Marshal and the Codes and Standards Committee shall (1)
29 prepare and conduct oral, written or practical examinations to
30 determine if a person is qualified and eligible to be certified, or (2)
31 accept successful completion of programs of training developed by
32 public agencies and approved by him as proof of qualification for
33 certification eligibility, or (3) prepare and conduct a training program,
34 the successful completion of which shall qualify a person to be
35 certified. Upon determination of the qualification of a local fire official
36 under subdivision (1), (2) or (3), the State Fire Marshal and the Codes
37 and Standards Committee shall issue or cause to be issued a certificate
38 to such person stating that he is eligible to be certified. The State Fire
39 Marshal and the Codes and Standards Committee shall establish
40 classes of certification that will recognize the varying involvements of
41 such local fire officials. Local fire marshals, deputy fire marshals, fire
42 inspectors and other inspectors or investigators holding office in any
43 municipality shall be certified in accordance with subdivision (1), (2) or
44 (3). On or after October 1, 1979, no local fire marshal, deputy fire
45 marshal, fire inspector or other inspector or investigator shall be
46 appointed or hired unless such person is certified and any such person
47 shall be removed from office if he fails to maintain his certification. The
48 State Fire Marshal and the Codes and Standards Committee shall
49 conduct educational programs designed to assist such local fire
50 officials in carrying out the duties and responsibilities of their office.
51 Such educational programs for local fire marshals, deputy fire
52 marshals and fire inspectors shall be in addition to the programs

53 specified under subdivisions (2) and (3) of this subsection and shall
54 consist of not less than ninety hours of training over a three-year
55 period. The State Fire Marshal and the Codes and Standards
56 Committee shall establish the minimum hours of training for the other
57 classes of inspectors and investigators, which shall recognize the
58 varying involvements of such officials. Each local fire official shall
59 attend such training programs or other approved programs of training
60 and present proof of successful completion to the State Fire Marshal.
61 The State Fire Marshal may, after notice and opportunity for hearing,
62 revoke any certificate issued under the provisions of this subsection for
63 failure on the part of a local fire official to present such proof. Any
64 appointed local fire marshal, deputy fire marshal or other inspector or
65 investigator who wishes to retire his or her certificate may apply to the
66 State Fire Marshal and the Codes and Standards Committee to have
67 such certificate retired and be issued a certificate of emeritus. Such
68 retired local fire official may no longer hold himself or herself out as a
69 certified local fire official.

70 Sec. 3. Section 29-303 of the general statutes is repealed and the
71 following is substituted in lieu thereof (*Effective October 1, 2007*):

72 The fire chief [of] or local fire marshal with jurisdiction over a town,
73 city, borough or fire district, [within five days of the occurrence of any
74 fire or explosion within his jurisdiction, shall furnish the local fire
75 marshal, and the local fire marshal, within ten days of such
76 occurrence,] where a fire, or explosion or other fire emergency occurs
77 shall furnish the State Fire Marshal [(1) a written report signed by the
78 local fire marshal] a report of all the facts relating to its cause, its
79 origin, the kind, the estimated value and ownership of the property
80 damaged or destroyed, and such other information as [is] called for by
81 the [blank] State Fire Marshal on forms furnished by the State Fire
82 Marshal, or [(2) a magnetic tape containing the information specified in
83 subdivision (1) of this section in a] in an electronic format prescribed
84 by the State Fire Marshal, [accompanied by a written certification
85 signed by the local fire marshal.] The fire chief or fire marshal may also

86 submit reports regarding other significant fire department response to
87 such fire or explosion, and such reports may be filed monthly but
88 commencing January 1, 2008, such reports shall be filed not less than
89 quarterly.

90 Sec. 4. Section 29-305 of the general statutes is repealed and the
91 following is substituted in lieu thereof (*Effective October 1, 2007*):

92 (a) Each local fire marshal and the State Fire Marshal, for the
93 purpose of satisfying themselves that all pertinent statutes and
94 regulations are complied with, may inspect in the interests of public
95 safety all buildings and facilities of public service, all buildings and
96 facilities used for manufacturing and all occupancies regulated by the
97 Fire Safety Code within their respective jurisdictions. Each local fire
98 marshal shall inspect or cause to be inspected, at least once each
99 calendar year [and as often as may be necessary] or as often as
100 prescribed by the State Fire Marshal pursuant to subsection (b) of this
101 section, in the interests of public safety, all buildings and facilities of
102 public service and all occupancies regulated by the Fire Safety Code
103 within [his] the local fire marshal's jurisdiction, except residential
104 buildings designed to be occupied by one or two families which shall
105 be inspected, upon complaint or request of an owner or occupant, only
106 for the purpose of determining whether the requirements specified in
107 said code relative to smoke detection and warning equipment have
108 been satisfied. Upon receipt by [him] the State Fire Marshal of
109 information from an authentic source that any other building or facility
110 within [his] the State Fire Marshal's jurisdiction is hazardous to life
111 safety from fire, [he] the State Fire Marshal shall inspect such building
112 or facility. In each case in which the local fire marshal conducts an
113 inspection, [he] the local fire marshal shall [satisfy himself] be satisfied
114 that all pertinent statutes and regulations are complied with, and shall
115 keep a record of such investigations. Such local fire marshal or a
116 designee shall have the right of entry [by himself or by his lawful
117 agent] at all reasonable hours into or upon any premises within [his]
118 the local fire marshal's jurisdiction for the performance of [his] the fire

119 marshal's duties except that occupied dwellings and habitations,
 120 exclusive of common use passageways and rooms in tenement houses,
 121 hotels and rooming houses, may only be entered for inspections
 122 between the hours of [9] 9:00 a.m. and [5] 5:00 p.m., except in the event
 123 of any emergency requiring [his] immediate attention for safety to life,
 124 or in the interests of public safety. Each local fire marshal shall make a
 125 monthly report to the authority [from] which [he received his
 126 appointment,] appointed the local fire marshal and shall be paid for
 127 his or her services in making such inspections of buildings and
 128 facilities the compensation agreed upon with such appointing
 129 authority.

130 (b) The State Fire Marshal may adopt amendments to the Fire Safety
 131 Code and the Fire Prevention Code regarding requirements for the
 132 frequency of inspections of different building uses regulated by the
 133 code and set forth a schedule of inspections that are less frequent than
 134 yearly if the interests of public safety can be met by less frequent
 135 inspections.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	29-291a
Sec. 2	<i>October 1, 2007</i>	29-298(a)
Sec. 3	<i>October 1, 2007</i>	29-303
Sec. 4	<i>October 1, 2007</i>	29-305

PS *Joint Favorable Subst.*