

Key provisions

These are the key provisions of the new fire-safety law signed yesterday:

Grandfather clause

- Eliminates the grandfather clause effective Feb. 20, 2004, the one-year anniversary of The Station fire.
- Requires adoption of National Fire Protection Association (NFPA) codes NFPA 1 (Uniform Fire Code) and NFPA 101 (Life Safety Code), 2003 editions, for new and existing buildings effective Feb. 20, 2004.
- Requires the Fire Safety Code Board of Appeal and Review and the State Building Code Commission to integrate administration of the fire and building codes by July 1, 2004, and conduct training needed for such purposes.

Sprinklers

- Requires fire alarms that are municipally connected in concentrated use places of assembly that are "special amusement buildings" with occupancies of 150 or greater, and in all Class A and B places of assembly, by July 1, 2004.
- Requires sprinklers in all "special amusement buildings," places of assembly buildings with an occupancy of 150 or greater, by July 1, 2006, and in Class A and B places of assembly, except fully alarmed places of worship and state and municipal buildings used for governmental purposes, by July 1, 2005.
- Requires either an occupancy adjustment of minus 20 percent for the lack of sprinklers and 10 percent for the lack of fire alarms or a firefighter on duty at any special amusement building with an occupancy of 150 or greater building that is without sprinklers and fire alarms during periods of special amusement.
- Requires, by July 1, 2005, that all "special amusement buildings" with an occupancy of less than 150 use fire-retardant paints or other coverings, to a standard acceptable to the Fire Safety Code Board of Appeal and Review, unless the building has sprinklers.

Pyrotechnics

- Prohibits use of pyrotechnics in all Class B and C places of assembly effective upon passage, and allows pyrotechnics only in Class A places of assembly that are fully fire alarmed and sprinklered.
- Requires NFPA standards for the use of pyrotechnics, and require all licenses issued or renewed after Feb. 20, 2004, to have holder demonstrate satisfactory knowledge of NFPA standards for the use of pyrotechnics.
- Raises the financial responsibility, from \$50,000 to \$1,000,000, for permits to possess or use commercial fireworks or pyrotechnics, effective Feb. 20, 2004.
- Makes it a felony for violation of requirements for commercial and public use or display of commercial pyrotechnics, effective upon passage.

Fire alarms

- Retains Rhode Island's fire-alarm requirements that are more stringent than the NFPA's.
- Requires "hard wired or approved wireless" smoke and carbon monoxide detectors, with combined detectors specifically allowed, in three-family dwellings by July 1, 2008.

Enforcement

- Gives power of entry for purposes of inspections to fire marshals similar to those of other state and local inspectors, effective upon passage.
- Gives power to fire marshals to order the immediate abatement of conditions, such as blocked fire exits or improper storage of flammable materials, that pose an imminent threat to public safety or property — with approval of the fire marshal, or a designee, to order premises to be vacated, effective upon passage.
- Requires inspections of places of special amusement and places of assembly that have a Class B or C liquor license at least once annually during actual hours of operation when fire risks are highest and require proof of compliance with the fire code for renewal of Class B and Class C licenses, effective Feb. 20, 2004.
- Gives power to fire marshals to issue citations for violations, which are identified in inspections for enforcement purposes, that constitute imminent hazards, effective upon passage.
- For failure to correct routine violations, which are identified in inspections for enforcement purposes, provides for issuance of notice of violation (NOV), and makes the failure to respond to the NOV subject to fine and made part of land evidence record; makes failure to correct following a second NOV a misdemeanor that includes a greater fine and/or jail time, effective upon passage.

Additional special provisions for all nightclubs

- Specifies that a nightclub use is considered a "special amusement building" and that use of a restaurant as a nightclub with concentrated occupancy, reduced lighting or food service, constitutes a change in use for the purposes of fire and building codes, effective Feb. 20, 2004.
- Requires two fire extinguishers, which shall be at least 20 pounds or such other size as may be established as appropriate by the Fire Safety Code Board of Appeal and Review, in all stage areas, effective Feb. 20, 2004.
- Requires that alarm systems sound, that all lighting return to normal levels, and that any conflicting sounds or visuals stop on the actuation of any smoke detector or fire alarm, effective Feb. 20, 2004.
- Requires floor proximity exit signs for all occupancies greater than 150 by Feb. 20, 2006.
- Requires audible announcement of the location of emergency exits prior to

each act or set, effective on passage.

- Requires that there be an emergency plan for the premises, approved by a fire marshal and consistent with rules established by the Fire Safety Code Board of Appeal and Review by July 1, 2004.
- Requires that for every occupancy of 300 or greater there shall be a crowd manager present during special amusement events, who has been trained by the fire marshal with regard to the emergency plan and basic crowd management techniques, effective Oct. 1, 2004. This requirement shall be in addition to the current requirement for a detail firefighter.
- Prohibits use of decorative or acoustical materials that are not certified, consistent with NFPA requirements or such other requirements as may be established by the Fire Safety Code Board of Appeal and Review, with a penalty of up to \$5,000, effective upon passage.

Coordination and education

- Augments the duties of the fire marshal to include planning, implementing, and overseeing a comprehensive system for fire-safety education, fire prevention, fire-safety code enforcement and fire investigations, effective upon passage. (Note: current law treats the fire marshal as a law enforcement officer, not a system manager.)
- Requires the fire marshal to make public the repeat and/or uncorrected fire-safety code violations of all places of assembly that are special amusement buildings and to provide this information on a Web site, effective Feb. 20, 2004.
- Requires the Fire Safety Code Board of Appeal and Review to approve all local amendments, changes, additions or deletions to fire-safety codes, effective Feb. 20, 2004.
- Requires the preparation of five-year plans for the improvement of fire safety in Rhode Island, with the first plan due by Feb. 20, 2004, which plans shall include recommendations regarding fire-safety education.
- Requires annual reports submitted by the fire marshal, on or before Feb. 1, to the governor, the speaker of the House, the president of the Senate, on fire safety in Rhode Island, progress toward meeting goals set forth in the plan, and recommendations for improving fire safety. A copy of the report shall be provided to the secretary of state, and the report shall be posted on the Web site of the fire marshal.

Financing

- Supports funding for the fire marshal's office and the Fire Safety Code Board of Appeal and Review in order to implement the requirements of the changes in law.
- Requests the attorney general to monitor for price irregularities among vendors and markets that may be affected by passage of new fire-safety regulations.