

PART Saf-FMO 300 AMENDMENTS TO THE STATE FIRE CODE

Statutory Authority: RSA 153:5

Saf-FMO 301	Purpose
Saf-FMO 302	Scope
Saf-FMO 303	Fire Prevention Code, NFPA 1
Saf-FMO 304	Life Safety Code, NFPA 101
Saf-FMO 305	Fireworks Code, NFPA 1124
Saf-FMO 306	Automotive & Marine Service Station Code, NFPA 30A
Saf-FMO 307	Oil Burning Equipment, NFPA 31
Saf-FMO 308	Installation & Use of Stationary Combustion Engines & Gas Turbines, NFPA 37

Saf-FMO 301.01 PURPOSE

- (a) The purpose of these rules is to publish the amendments to the state fire code adopted by the board of fire control and the state fire marshal pursuant to Bfc 200.
- (b) Rules that have not been ratified by the Legislature will expire twelve months from the effective date.

Saf-FMO 302.01 SCOPE

- (a) All persons constructing, reconstructing, modifying, maintaining or operating any structure and all owners or occupants of existing structures or premises shall comply with the requirements of the state fire code and codes adopted by reference as defined in RSA 153:1 VI-a, except as modified in Saf-FMO 300.
- (b) All persons installing, modifying, operating or maintaining equipment or processes that are regulated under the provisions of NFPA 1 shall comply with the requirements of the state fire code and codes adopted by reference as defined in RSA 153:1 VI-a, except as modified in Saf-FMO 300.
- (c) All persons processing, handling or storing materials that are regulated under the provisions of the state fire code and codes adopted by reference as defined in RSA 153:1 VI-a, except as modified in Saf-FMO 300.

Saf-FMO 303.01 AMENDMENTS TO THE FIRE PREVENTION CODE

(a) The following sections of NFPA 1 shall be excluded from incorporation pursuant to these rules:

- (1) Section 1-10 Board of Appeals;
- (2) Section 1-13 Certificates of Fitness;
- (3) Section 10.14.11 Crop Maze;
- (4) Section 65.2 Fireworks Displays; and
- (5) NFPA 5000 in its entirety, designate the state building code adopted pursuant to RSA 155-A.

(eff 7/1/2022, ratified)

(b) Amend NFPA 1 Section 1.7.2 to read as follows:

1.7.2.1 Fire Inspectors and plan examiners should meet the minimum professional qualifications established in NFPA 1031.

1.7.2.3 Fire marshals should meet the minimum professional qualifications established in NFPA 1037

(eff 7/1/2022, ratified)

(c) Amend NFPA 1 Section 2.2 to include NFPA 79, Electrical Standard for Industrial Machinery, 2018 edition.

(eff 7/1/2022, ratified)

(d) Amend NFPA 1 Section 2.2 to include NFPA 855, Standard for the Installation of Stationary Energy Storage Systems, 2020 edition.

(eff 7/1/2022, ratified)

(e) Amend NFPA 1 Section 10.2.7 to read as follows:

Section 10.2.7.1 Fire prevention inspections may occur on existing premises in accordance with the minimum inspection frequency schedule in Table 10.2.7.1.

(eff 7/1/2022, ratified)

(f) Amend NFPA 1 Section 11.12.2 to include a new section as follows:

11.12.2.1.6 Structural Analysis

Photovoltaic systems installed on roofs shall be reviewed and stamped by a NH licensed professional engineer.

(eff 7/1/2022, ratified)

(g) Amend NFPA 1 Section 11.12.2.2 to read as follows:

Photovoltaic systems installed in one- and two-family dwellings and townhouses shall be in accordance with this section.

Exception: Photovoltaic systems not occupying more than 50% of the aggregate roof area of one- and two-family dwellings only. When applying this exception a minimum 18” ridge setback shall be required unless approved by the AHJ.

(eff 7/1/2022, ratified)

(h) Amend NFPA 1 Section 11.5.1.8 to read as follows:

Any person requesting to install a fuel oil burner shall obtain a permit from the local fire official in the locality in which the fuel oil burner is to be installed, or if none, to the state fire marshal's office. Permit shall be in accordance with NFPA 1 Section 1.12.

(eff 7/1/2022, ratified)

(i) Amend NFPA 1 Section 13.3.2.9 to read as follows:

13.3.2.9 New Educational Occupancies

13.3.2.9.1 Educational occupancy buildings exceeding 12,000 ft<sup>2</sup> (1120 m<sup>2</sup>) shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 13.3

13.3.2.9.2 Educational occupancy buildings with an occupant load of 300 or more shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 13.3

13.3.2.9.3 Every portion of educational buildings located on a floor other than a level discharge serving such occupancies shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 13.3

(eff 7/1/2022, ratified)

(j) Amend NFPA 1 Section 13.3.2.20.1 to insert the following exception:

“Exception: Detached one and 2-family dwellings are exempt from the automatic fire sprinkler requirements as set forth in 13.3.2.20.1.”

(eff 7/1/2022, ratified)

(k) Amend NFPA 1 Section 52.1 to include a new section as follows:

Section 52.1.1 The design, installation, operation, inspection, and maintenance of all stationary energy storage systems shall comply with this chapter and [NFPA 855](#), Standard for the Installation of Stationary Energy Storage Systems, 2020 edition.

(eff 7/1/2022, ratified)

(l) Amend NFPA 1 Section 50.7.2.3 as follows:

50.7.2.3 Leak Detection.

50.7.2.3.1 Gas systems shall be inspected prior to each use by a worker trained in accordance with [50.7.1.8](#).

50.7.2.3.2 All mobile and temporary cooking operations equipped with a propane appliance and an electrical system shall be equipped with a propane detector listed and marked on the device as being suitable for use in the vehicles under the requirements of UL 1484, and installed according to the terms of its listing.

50.7.2.3.3 The LP-Gas leak detection system shall be tested monthly.

(eff 1/18/2023)

Saf-FMO 304.01 AMENDMENTS TO THE LIFE SAFETY CODE

(a) Amend NFPA 101 Section 14.3.5 to read as follows:

14.3.5 Extinguishment Requirements.

14.3.5.1 Educational occupancy buildings exceeding 12,000 ft<sup>2</sup> (1120 m<sup>2</sup>) shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 13.3

14.3.5.2 Educational occupancy buildings with an occupant load of 300 or more shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 13.3

14.3.5.3 Every portion of educational buildings located on a floor other than a level discharge serving such occupancies shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 13.3  
(eff 7/1/2022, ratified)

(b) Amend NFPA 101 Section 14.7.2.3 and Section 15.7.2.3 by adding the following:

(4) With the approval of the local fire official and in concert with RSA 189:64, at least 4 of the currently required number of fire evacuation drills shall be emergency, all-hazard response drills of which at least one shall test emergency response to an armed assailant. The armed assailant drill may be discussion based. The types of all-hazard drills and exercises and the manner and time in which these activities take place shall be determined by the school in collaboration with local public safety, emergency management, and public health officials. The school may include students and first responders in all-hazard response drills or activities, as appropriate.  
(eff 7/1/2022, ratified)

(c) Amend NFPA 101 Section 14.4.4 and Section 15.4.4 by adding the following:

(7) “Dispensers installed over carpeted floors in non-sprinklered rooms and spaces shall be permitted, provided that there is an impervious, non-combustible surface of at least two feet by two feet in size installed directly below each dispenser that has been permanently affixed to the floor of the structure”.  
(eff 7/1/2022, ratified)

(d) Amend NFPA 101 Section 24.2.5.1 to read as follows:

(1) “Section 24.2.5.1 Stairs ramps, guards and handrails shall be in accordance with 7.2.2 for stairs, 7.2.2.4 for guards and 7.2.5 for ramps, as modified by 24.2.5.1.1 through 24.2.5.1.3.”  
(eff 7/1/2022, ratified)

(e) Amend NFPA 101 Section 24.2.5 to insert new sections 24.2.5.1.4, 24.2.5.1.5, 24.2.5.1.6 and 24.2.5.1.7 to read as follows:

(1) “Section 24.2.5.1.4 Riser heights not exceeding 209 mm (8 1/4 in) and tread depths of not less than 229mm (9 in.) shall be permitted for stairs in new construction;”

(2) “Section 24.2.5.1.5 Porches, balconies or raised floor surfaces located more than 762 mm (30 in.) above the floor or grade below shall have guards not less than 914mm (36 in.) in height. Open sides of stairs with a total rise of more than 762mm (30 in.) above the floor or grade below shall have a guard not less than 864mm (34 in.) in height measured vertically from the nose of the treads;”

(3) “Section 24.2.5.1.6 Handrails shall be permitted to be on one side of the stairs in new construction when the stair width is 965mm (38 in.);” and

(4) “Section 24.2.5.1.7 New handrails shall be installed to provide a clearance of not less than 2 ¼ inches (57mm) between the handrail and the wall to which it is fastened.”  
(eff 7/1/2022, ratified)

(f) Amend NFPA 101 Section 24.3.5.1 to insert the following exception:

24.3.5.1 Exception: Detached one and 2-family dwellings are exempt from the automatic fire sprinkler requirements as set forth in 24.3.5.1”.  
(eff 7/1/2022, ratified)

(g) Amend NFPA 101 Section 30.2.2.3.1 and Section 31.2.2.3.1 to insert the following exception:

(1) “Exception: Within any individual dwelling unit stairs complying with Section 24.2.5.1 as amended shall be permitted.”  
(eff 7/1/2022, ratified)

(h) Amend the following sections of NFPA 101, 2018 editions

(1) Repeal section 1.1.6 Injuries from Falls and designate as Reserved

(2) Repeal Section 12.2.1.2

(3) Repeal Section 14.2.1.5

(4) Repeal Section 16.2.1.1

(5) Repeal Section 24.2.8

(6) Repeal Section 26.2.4

(7) Repeal Section 28.2.1.4

(8) Repeal Section 30.2.1.3

(9) Repeal Section 32.2.2.7

(10) Repeal Section 32.3.2.1.3

- (11) Repeal Section 36.2.1.6
- (12) Repeal Section 38.2.1.5
- (13) Repeal Section 40.2.1.3
- (14) Repeal Section 42.2.1.3

(eff 7/1/2022, ratified)

#### Saf-FMO 305.01 AMENDMENTS TO THE FIREWORKS CODE

- (a) Amend NFPA 1124, 2017 edition Chapter 7 Reserved as follows:

Insert NFPA 1124, 2013 edition Chapter 7 with the amendments noted below

- (b) Amend NFPA 1124 Section 7.3.6 as follows:

An automatic sprinkler systems designed and installed in accordance with NFPA 13, Standard for the Installation of Sprinkler Systems, shall be provided throughout all CFRS facilities and stores. The required fire sprinkler system shall be designed to Extra Hazard Group 1 and installed in accordance with the state fire code.

(eff 7/1/2022, ratified)

- (c) Amend NFPA 1124 Sections 7.3.9 as follows:

A fire alarm system shall be provided in accordance with NFPA 72.

(eff 7/1/2022, ratified)

- (d) Amend NFPA 1124 Section 7.3.5.1 as follows:

Smoke Control. Smoke and heat vents designed and installed in accordance with the state fire code, shall be provided in all new permissible fireworks retail sales and storage facilities.

(eff 7/1/2022, ratified)

- (e) Repeal NFPA 1124 Section 7.3.15.2.2

(eff 7/1/2022, ratified)

- (f) Amend NFPA 1124 Section 7.3.15.1 as follows:

Only consumer fireworks meeting the criteria for covered fuses as described in 7.3.15.4.2 shall be permitted where retail sales of consumer fireworks are conducted. A covered fuse is a fuse or designed point of ignition that is protected against accidental ignition by contact with a spark, smoldering items, or small open flame.

(eff 7/1/2022, ratified)

(g) Amend NFPA 1124 Section 7.3.15.2 as follows:

A consumer fireworks device shall be considered as having a covered fuse if the fireworks device is contained within a packaged arrangement, container, or wrapper that is arranged and configured such that the fuse of the fireworks device cannot be touched directly by a person handling the fireworks without the person having to puncture or tear the packaging or wrapper, unseal or break open a package or container, or otherwise damage or destroy the packaging material, wrapping, or container within which the fireworks are contained.

(eff 7/1/2022, ratified)

(h) Repeal NFPA 1124 Section 7.4.4

(eff 7/1/2022, ratified)

(i) Repeal NFPA 1124 Section 7.5.1.1 and renumber 7.5.1.2 to 7.5.1.1

(eff 7/1/2022, ratified)

#### Saf-FMO 306.01 AMENDMENTS TO THE CODE FOR MOTOR FUEL DISPENSING FACILITIES AND REPAIR GARAGES

(a) Amend NFPA 30A Section 9.5.6 as follows:

“An approved automatic fire suppression system shall be installed to protect all pump and dispensing areas in all new unattended self-service stations. Activation of the automatic fire suppression system will automatically transmit an alarm to an alarm receiving point approved by the local fire official. A manual fire alarm station that transmits an alarm to the approved alarm receiving point shall be located in immediate proximity to the emergency electrical disconnect specified in Section 6.7.2.”

(eff 7/1/2022, ratified)

#### Saf-FMO 307.01 AMENDMENTS TO THE STANDARD FOR THE INSTALLATION OF OIL BURNING EQUIPMENT

(a) Amend NFPA 31 Section 1.1 to include a new section as follows:

1.1.6 All persons modifying, repairing or maintaining oil burning equipment shall comply with the requirements of this standard.

(eff 7/1/2022, ratified)

(b) Amend NFPA 31 Section 8.4 to include a new section as follows:

8.4.9 When an oil supply or return line is installed within buildings under concrete, sub-floors, or earth surfaces the line shall:

- (1) Be continuous from the burner to the tank; and
- (2) Not contain splices.

(eff 7/1/2022, ratified)

Saf-FMO 308.01 AMENDMENTS TO THE STANDARD FOR THE INSTALLATION AND USE OF STATIONARY COMBUSTION ENGINES AND GAS TURBINES

(a) Amend NFPA 37 Section 6.5.4.1 as follows:

6.5.4.1 The overflow line shall be continuous piping, without valves or traps, back to the source tank or to a collection system except for a hard-seat or ball valve with the handle removed.

(eff 9/26/2022)