

BILL ANALYSIS

C.S.H.B. 564
By: Craddick
Urban Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The state fire marshal has adopted National Fire Protection Association (NFPA) standards relating to portable fire extinguishers that are intended to ensure that portable fire extinguishers work reliably and effectively in the event of an emergency. The standards are generally applicable to portable fire extinguishers placed in buildings. However, the state does not specifically regulate portable fire extinguishers placed in vehicles. If a local government chooses to place a portable fire extinguisher in a government-owned vehicle, there appears to be no requirement for the local government to maintain or inspect the fire extinguisher in accordance with NFPA standards.

C.S.H.B. 564 will help keep portable fire extinguishers in working condition by requiring the annual inspection of a portable fire extinguisher placed in a motor vehicle by a local government adopting an ordinance, order, or policy requiring that placement in its motor vehicles.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 564 amends the Local Government Code to require a local government that adopts an ordinance, order, or policy requiring motor vehicles owned by the local government to be equipped with portable fire extinguishers to require maintenance to be performed on the portable fire extinguishers annually in accordance with standards that are at least as stringent as the National Fire Protection Association Standard Number 10, Portable Fire Extinguishers. The bill provides a short title, the Ariel Corley Memorial Act, for purposes of citing its provisions. The bill defines "local government."

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 564 contains a provision not included in the original providing a short title for purposes of citing its provisions. The substitute differs from the original by requiring certain local governmental jurisdictions to require maintenance to be performed annually on the portable fire extinguishers in government-owned vehicles and by specifying certain minimum standards for the maintenance, whereas the original requires the jurisdictions to require the portable fire extinguishers to be inspected annually. The substitute differs from the original by making conforming changes.