

**STATE FIRE PREVENTION COMMISSION  
MINUTES  
Public Hearing on Amendments to  
COMAR 29.06.01 State Fire Prevention Code  
February 20, 2025**

**Members present:** Edward S. Tochterman, Chairman  
Caroll Spriggs, Vice Chairman  
Mark Hopkins  
Jerred Johnson  
Randy Sanger  
Ephraim Siff  
Eric Smothers  
Daniel Stevens

**Vacancy:** Washington-Metro Area/Industry

The Fire Prevention Commission held a public hearing on February 20, 2025, at the Eastport Fire Department, 814 Bay Ridge Avenue, Annapolis, Anne Arundel County.

Chairman Tochterman called the hearing to order, noting that two persons signed-in to testify before the Commission:

Chief Fire Protection Engineer Kenneth Bush, Office of the State Fire Marshal  
Terin Hopkins, National Fire Sprinkler Association

Others wishing to testify were invited to sign-in.

The purpose of the hearing was to hear public comments on proposed amendments to COMAR 29.06.01 State Fire Prevention Code which will adopt the 2024 editions of *NFPA 101 Life Safety Code* and *NFPA 1 Fire Code* by incorporation. Chief Fire Protection Engineer (CFPE) Bush presented the proposal after which each Commissioner was provided an opportunity to comment or ask questions. Following the Commissioners, members of the public were invited to comment. The Commission did not vote on the proposed amendments at today's hearing because by law additional public comments may be submitted through March 10, 2025.

**CHIEF FIRE PROTECTION ENGINEER KENNETH BUSH TESTIMONY**

CFPE Bush reviewed the changes published in the *Maryland Register* on February 7, 2025, and those originally proposed and submitted by the Commission. He compared the differences between the two versions and did not re-iterate other amendments that were previously discussed and remained unchanged.

As noted, the proposed revisions would adopt the 2024 editions of *NFPA 101 Life Safety Code* and *NFPA 1 Fire Code* as part of the references to the Maryland State Fire Prevention Code which is COMAR 29.06.01. Since the inception of the current State Fire Prevention Code on September 1, 1963, NFPA 101 has been adopted by reference to provide the basis for regulations regarding fire protection for new and existing buildings. NFPA 1 has been adopted as part of the State Fire Prevention Code since January 14, 1999, and continues to serve as the basis for general fire prevention enforcement. Both of these Model Codes are routinely reviewed by the Commission on a three-year cycle. The Commission established a review committee to facilitate with the review and several audience members were recognized as being on that committee. The review committee for this code cycle was appointed by the Commission in December 6, 2022, and consisted of fire officials, building officials, and other interested parties. After holding numerous meetings and reviewing the codes, the committee presented its report to the Commission for consideration.

CFPE Bush proceeded to review the version published in the *Maryland Register* on February 7<sup>th</sup>, a copy of which was distributed at the hearing and is attached. The first change was a deletion of portions of NFPA 101, Chapter 31, which addressed the classification of un-sprinklered residential high-rise buildings as being an inimical hazard, thus requiring corrective action (old letter designation as regulation LLL). This originally submitted amendment was deleted from the *Maryland Register* version. In conjunction with that change, the published amendment LLL replaces the Commission's version that would have required compliance by January 1, 2033. The *Maryland Register* published version states that compliance is required within 12 years of the date the violation is originally cited by the fire authority having jurisdiction. Thus if a building is cited sometime in the future after the official adoption of the Code, it allows a full 12-year period for compliance which would be after January 1, 2033. There are conflicting versions in the Model Codes which prompted the reasoning for the original amendment with a fixed date – one Code set the date at January 1, 2033, and the other at within 12 years from the date of adoption of the Code which would mean every time the new Code was adopted, a new 12-year period would be allowed. By stating within 12 years of the violation being cited makes everyone aware of the 12-year time frame even if new Model Codes are amended or adopted in the future.

The other difference in the *Maryland Register* version is amendment BBB for NFPA 1 that also deals with sprinklers in residential high-rise buildings and addresses the same issue with regard to the compliance date, making it 12 years from the date the violation is cited. This amendment does not require a blanket mandate to install sprinklers in existing residential high-rise buildings because State law requires there be an inimical hazard declaration for each individual building. Therefore, this amendment is proposed to correlate the provisions of both NFPA 1 and NFPA 101 with the exception that NFPA 101 would allow the omission of sprinklers in buildings which are constructed with exterior means of egress, which would be the case for many of the buildings in Ocean City. It also allows the omission of sprinklers in buildings that have a currently adopted engineered life safety evaluation system.

Basically these two amendments ensure the provisions that are recognized in NFPA 101 are also recognized in NFPA 1 to bring both Model Codes into agreement with one another and with the 12-year compliance date.

Another change in the *Maryland Register* version was the deletion of the Commission amendment CCC for NFPA 1 which would have cited the blanket inimical hazard classification for un-sprinklered residential high-rise buildings.

Other proposed amendments as recommended by the Commission were published unchanged in the *Maryland Register*. By adopting the 2024 editions of the Model Codes, the proposed amendments would make available to State fire authorities the use of a wide array of other codes and standards to address changing technologies and innovations.

Chairman Tochterman thanked CFPE Bush for his testimony and noted that the *Maryland Register* version of changes were not made by the Fire Prevention Commission but by the Department of State Police.

Vice Chairman Spriggs commented that he has a concern with the 12-year adoption period and will research it further. Delaying the installation of sprinklers could be risking lives.

Commissioner Hopkins found the changes disappointing, noting that before accepting the committee's proposed amendments, the Commission had made efforts to work with the Department of State Police.

Commissioner Sanger expressed his agreement with comments made by Vice Chairman Spriggs and Commissioner Hopkins.

Commissioner Smothers also expressed concern with the 12-year time frame.

Chairman Tochterman called on Terin Hopkins who had signed-in to testify but Mr. Hopkins advised he did not wish to testify at this time.

Chairman Tochterman again noted that written comments may be submitted to the Department of State Police through March 10, 2025.

There being no further comments or testimony, motion by Commissioner Johnson, second by Commissioner Hopkins, and unanimously carried to adjourn.

Respectfully submitted,  
(as summarized from transcript provided by eScribers),



Heidi Ritchie, Secretary

Attachments: Maryland Register February 7, 2025, Notice  
Maryland Register February 21, 2025, Errata



# Maryland Register

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**Issue Date: February 7, 2025**  
Volume 52 • Issue 3 • Pages 133 — 184

## IN THIS ISSUE

Governor  
General Assembly  
Regulations  
Errata  
Special Documents  
General Notices

### FIRE PREVENTION COMMISSION

**Subject:** Public Meeting

**Date and Time:** February 20, 2025, 10 a.m.

**Place:** Eastport Fire Station, 914 Bay Ridge Avenue, Annapolis, MD

**Add'l. Info:** Portions of the meeting may be held in closed session. If public schools are CLOSED in Anne Arundel County, the meeting and any appeals will be rescheduled.

**Contact:** Heidi Ritchie 877-890-0199

[25-03-06]

### FIRE PREVENTION COMMISSION

**Subject:** Public Hearing on Regulations

**Date and Time:** February 20, 2025, 11 a.m.

**Place:** Eastport Fire Station, 914 Bay Ridge Avenue, Annapolis, MD

**Add'l. Info:** Hearing on proposed amendments to COMAR 29.06.01 as published in the February 7 edition of the Maryland Register. Check the Commission's website for any changes due to inclement

weather: <https://mdsp.maryland.gov/Organization/Pages/StateFirePreventionCommission.aspx>

**Contact:** Heidi Ritchie 877-890-0199

[25-03-16]



# Maryland Register

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Issue Date: February 21, 2025  
Volume 52 • Issue 4 • Pages 185 — 226

## IN THIS ISSUE

General Assembly  
Judiciary  
Regulatory Review and Evaluation  
Regulations  
Errata  
General Notices

## MARYLAND STATE POLICE Subtitle 06 FIRE PREVENTION COMMISSION

### Notice of Change to Opportunity for Public Comment

[24-207-P-I]

The Notice of Opportunity for Public Comment which appeared at 52:3 Md. R. 173 (February 7, 2025) has been corrected. The deadline for public comment is March 10, 2025, not January 13, 2025, as originally published. The corrected notice follows:

### Opportunity for Public Comment

Comments may be sent to F/Sgt. Brandon Gosnell, Regulations Coordinator, Maryland State Police, 1201 Reisterstown Road, Pikesville, MD 21208, or call 410-653-4375, or email to Brandon.Gosnell@Maryland.Gov. Comments will be accepted through March 10, 2025. A public hearing will be scheduled.

ROLAND L. BUTLER, JR.  
Secretary of State Police

## Errata