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Public Law
123rd Legislature
Second Regular Session

Chapter 632
S.P. 775 - L.D. 1981

An Act To Ensure Legislative Review of Fire Sprinkler Rules

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 25 MRSA §2452, first ¶, as amended by PL 2003, c. 535, §3, is further amended to read:

The Commissioner of Public Safety shall adopt and may amend, ~~after notice in accordance with the Maine Administrative Procedure Act,~~ reasonable rules governing the safety to life from fire in or around all buildings or other structures and mass outdoor gatherings, as defined in Title 22, section 1601, subsection 2, within the commissioner's jurisdiction. These rules do not apply to nursing homes having 3 or fewer patients. Automatic sprinkler systems may not be required in existing noncommercial places of assembly. Noncommercial places of assembly include those facilities used for such purposes as deliberation, worship, entertainment, amusement or awaiting transportation that have a capacity of 100 to 300 persons. Rules adopted pursuant to this section are routine technical rules, except that rules pertaining to fire sprinklers are major substantive rules, both of which are defined in Title 5, chapter 375, subchapter 2-A.

Sec. 2. 25 MRSA §2452, sub-§1, as amended by PL 1997, c. 728, §25, is repealed.

Sec. 3. Rules and policies pertaining to fire sprinklers; retroactivity. Notwithstanding any provision of law to the contrary, rules and policies pertaining to fire sprinklers that implement the National Fire Protection Association 2006 Life Safety Code adopted by the State Fire Marshal on or after September 1, 2007 are major substantive rules.

This section applies retroactively to September 1, 2007.