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By: **Delegates Bozman, Bartlett, Burns, Cane, Conroy, Eckardt, Elmore, Fulton, Gordon, Haddaway, Harrison, Heller, Howard, Jameson, King, Kirk, Krysiak, Love, Malone, Marriott, McHale, McKee, Minnick, Moe, Parrott, Patterson, Ramirez, Sossi, Stull, Taylor, Vaughn, Walkup, and Wood**

Introduced and read first time: February 9, 2004  
Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety - State Fire Prevention Commission - Unattended Retail**  
3 **Self-Service Stations**

4 FOR the purpose of requiring the State Fire Prevention Commission to permit the  
5 continuous operation of an unattended retail self-service station if an  
6 unattended retail self-service station complies with certain regulations and  
7 posts a certain sign at the fuel pumps notifying customers that use of a cellular  
8 telephone within a certain distance of the fuel pumps is prohibited; and  
9 generally relating to unattended retail self-service stations and the State Fire  
10 Prevention Commission.

11 BY repealing and reenacting, with amendments,  
12 Article - Public Safety  
13 Section 6-206(a)  
14 Annotated Code of Maryland  
15 (2003 Volume)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - Public Safety**

19 6-206.

20 (a) (1) (i) To protect life and property from the hazards of fire and  
21 explosion, the Commission shall adopt comprehensive regulations as a State Fire  
22 Prevention Code.

23 (ii) The State Fire Prevention Code shall comply with standard safe  
24 practice as embodied in widely recognized standards of good practice for fire  
25 prevention and fire protection.

1 (iii) The State Fire Prevention Code has the force and effect of law  
2 in the political subdivisions of the State.

3 (2) (i) Except as provided in subparagraph (ii) of this paragraph, the  
4 regulations adopted under this subsection do not apply to existing installations,  
5 plants, or equipment.

6 (ii) If the Commission determines that an installation, plant, or  
7 equipment is a hazard so inimicable to the public safety as to require correction, the  
8 regulations adopted under this subsection apply to the installation, plant, or  
9 equipment.

10 (3) THE COMMISSION SHALL ALLOW THE CONTINUOUS OPERATION OF  
11 AN UNATTENDED RETAIL SELF-SERVICE STATION IF THE UNATTENDED RETAIL  
12 SELF-SERVICE STATION:

13 (I) BY REGULATION, COMPLIES WITH THE REQUIREMENTS OF §  
14 28-2.8.5 OF THE NFPA 1 FIRE PREVENTION CODE (2000 EDITION); AND

15 (II) POSTS A SIGN IN A CONSPICUOUS LOCATION AT THE FUEL  
16 PUMP THAT IS READILY VISIBLE TO INDIVIDUALS USING THE FUEL PUMP NOTIFYING  
17 THE CUSTOMER THAT THE USE OF A CELLULAR TELEPHONE WITHIN 100 FEET OF  
18 THE FUEL PUMP IS PROHIBITED.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 2004.