

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

House Bill 274 (Delegates Bozman and Conway)
Economic Matters

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

This bill requires the State Fire Commission to adopt regulations permitting the continuous operation of an unattended, retail self-service station if the station complies with specified code requirements from the National Fire Protection Association (NFPA).

Fiscal Summary

State Effect: This bill would not materially affect State government operations.

Local Effect: None.

Small Business Effect: Potential meaningful.

Analysis

Current Law: The State Fire Commission reviews, amends, and adopts code regulations from two NFPA sources: (1) NFPA 1, Fire Prevention Code; and (2) NFPA 101, Life Safety Code. Maryland regulations permit unattended service stations only with preprogrammed cards for dispensation and a membership requirement whereby users of the facilities are trained in the operation of fuel dispensing equipment and fire prevention. This primarily applies to State and local government refueling centers for vehicles belonging to the jurisdiction.

Background: To date, Delaware, Indiana, New York, Ohio, Pennsylvania, and Texas permit unattended retail service stations. The State Fire Marshal advises that those states have experienced no significant increase in service station fires or problems in the

implementation of regulations related to unattended service stations. Delaware has permitted unattended retail stations for eight years and has approximately 100 such stations. The Delaware Fire Marshal has received some reports of fires at those stations, but not out of line with reports of fires at other service stations. Alabama, California, and Montana permit unattended service stations only at “key lock” facilities, those with a card key or membership requirement similar to Maryland’s current law.

NFPA 1 Fire Prevention Code § 28-2.8.5 permits unattended fueling subject to the authority having jurisdiction (AHJ). In Maryland, the State Fire Commission is the AHJ for 18 counties. Anne Arundel, Baltimore, Montgomery, Prince George’s, and Worcester counties also utilize the NFPA Code but are AHJs for fire prevention purposes. Baltimore City, which does its own AHJ, uses the Uniform Fire Code, not NFPA.

Small Business Effect: The regulations adopted by the Fire Commission may enable retail self-service stations to increase hours of operation without increasing personnel costs. Personnel costs could be reduced if employees are no longer needed at some stations. Associated facility improvements would increase one-time costs to bring facilities in line with regulations to permit unattended fueling. There are 2,182 service stations in the State. In 2000 there were 48,311 people employed in service stations and car dealerships in Maryland.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Comptroller’s Office, Department of State Police, Department of Legislative Services

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mdf/jr

Analysis by: Daniel P. Tompkins

Direct Inquiries to:
(410) 946-5510
(301) 970-5510