

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Facilitate the Upgrading and Preservation of Existing Building Structures**

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

**Sec. 1. 10 MRSA §9701, sub-§3** is enacted to read:

**3. International Fire Code.** "International Fire Code" means the 2003 version of the International Fire Code.

**Sec. 2. 10 MRSA §9703, sub-§1**, as enacted by PL 2003, c. 580, §1, is repealed.

**Sec. 3. 25 MRSA §2396, sub-§6**, as amended by PL 1979, c. 42, is further amended to read:

**6. Means of egress.** The adequacy of means of egress, in the case of fire, from factories, asylums, hospitals, churches, schools, halls, theaters, amphitheaters, dormitories, apartment or rooming houses, hotels, motels and all other places in which numbers of persons work, live or congregate from time to time for any purpose which that comes within the scope of the current edition of the National Fire Protection Association No. 101, Life Safety International Fire Code ; and

**Sec. 4. 25 MRSA §2452, sub-§1-A** is enacted to read:

**1-A. Sources for rules.** Rules adopted pursuant to this section must include a uniform fire and life safety code based on standards established by the International Code Council.

**Sec. 5. 25 MRSA §2452, sub-§1-B** is enacted to read:

**1-B. Existing structures.** Rules that address the modification of existing building structures must allow for preserving the artistic and architectural integrity of historical building structures when feasible without unreasonable risk to life and safety. Rules must also provide for varying degrees of safety requirements depending on the type of construction and the level of risk that may arise from variations in building type and intensity of use. The commissioner is required to balance the economic consequences of proposed rules with the need for reasonable safety requirements when considering any proposed rule to require installation of fire safety equipment or devices in existing buildings. The commissioner shall adopt rules that define different building use groups and levels of risk for each group, providing corresponding distinctions in safety requirements for different uses and hazards. The rules adopted pursuant to this section must apply to secured vacant buildings only to the extent necessary to eliminate hazards affecting adjoining properties. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 6. 25 MRSA §2452, 2nd ¶ from the end**, as amended by PL 2003, c. 535, §3, is further amended to read:

Existing boarding care facilities licensed pursuant to Title 22, Subtitle 6 must comply with the applicable fire safety requirements of the ~~Life Safety~~International Fire Code adopted by the Commissioner of Public Safety pursuant to Title 22, section 7856.

**Sec. 7.25 MRSA §2452, last ¶**, as amended by PL 2003, c. 535, §3, is further amended to read:

Existing children's homes licensed pursuant to Title 22, Subtitle 6 must comply with the applicable fire safety requirements of the ~~Life Safety~~International Fire Code of the ~~National Fire Protection Association~~ adopted by the Commissioner of Public Safety pursuant to Title 22, section 8103.

**Sec. 8. Maine Revised Statutes amended; revision clause.** Wherever in the Maine Revised Statutes the words "the Life Safety Code" or "Life Safety Code of the National Fire Protection Association" or "National Fire Protection Association No. 101, Life Safety Code" appear, they are amended to read "International Fire Code, " and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

## SUMMARY

This bill directs the Commissioner of Public Safety to adopt a uniform fire and life safety code based on standards established by the International Code Council. It repeals the provision of law that requires fire and safety codes to be enforced instead of the Model Building Code when there exists a conflict between the codes. It also requires the commissioner to adopt rules for the modification of existing building structures that allow for the preservation of artistic and architectural integrity of historical building structures and for varying degrees of safety requirements depending on the type of construction and the level of risk that may arise from variations in building type and intensity of use.