



Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

STATE OF MARYLAND

DEPARTMENT OF STATE POLICE

FIRE PREVENTION COMMISSION

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Colonel Woodrow W. Jones III
Secretary

Edward S. Tochterman, Jr.
Chairman

September 14, 2020

The Honorable Lawrence J. Hogan, Jr.
Governor, State of Maryland
100 State Circle
Annapolis MD 21401

RE: Report Required by Public Safety Article 6-205(c) (#2029)

Honorable Governor Hogan:

On behalf of the members of the Fire Prevention Commission, I am pleased to provide you the Commission's Annual Report for Fiscal Year 2020.

Should you have any questions or would like any additional information concerning activities of the Commission, please feel free to contact me.

Respectfully yours,

Edward S. Tochterman, Jr.
Chairman
Fire Prevention Commission

cc: Colonel Woodrow W. Jones III
State Fire Marshal Brian S. Geraci
Sarah Albert, Dept. of Legislative Services

Enclosure

MARYLAND
STATE FIRE
PREVENTION
COMMISSION



**ANNUAL
REPORT**

FISCAL YEAR 2020

July 1, 2019 – June 30, 2020

MSAR #2029

Commission No. SP-0156

The State Fire Prevention Commission was established in 1964 and consists of nine (9) members appointed to a maximum of two five-year terms by the Secretary of the State Police, with the approval of the Governor in accordance with Public Safety Article Title 6-201. The following members served on the Commission in Fiscal Year 2020:

Edward S. Tochterman, Jr. Chairman Term Expires June 30, 2021	At-Large Industry Representative
Kevin J. Simmons Vice Chairman Term Expires June 30, 2022	Central Maryland Career Fire Company
Douglas Alexander Term Expires June 30, 2023	Western Maryland Volunteer Fire Company
Mark A. Bilger Term Expires June 30, 2024*	At-Large Volunteer Fire Company
C. Daniel Davis, Jr. Term Expired June 30, 2020*	Southern Maryland Volunteer Fire Company
Emily K. Devan Term Expires June 30, 2024*	At-Large Member of Public
Michael R. Faust Term Expires June 30, 2022	Eastern Shore Industry Representative
K. C. Harrington Term Expired June 30, 2018**	At-Large Building Contractor
Stacy N. Welch Term Expires June 30, 2022*	Washington-Metro Architect/Engineer

*Second Term – Not eligible for reappointment

**Second term expired – Serving until replaced

The Fire Prevention Commission may be contacted as follows:

Maryland State Police/Western Operations Center
18345 Colonel H.K. Douglas Drive, Suite 240
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Fax: 301-766-3889
E-Mail: mshp.sfpc@maryland.gov
Website: <http://sfpc.mdsp.org>
Secretary: Heidi Ritchie

PUBLIC SAFETY ARTICLE TITLE 6-204:

The Commission is mandated to hold a minimum of six regular meetings every year. A quorum was achieved at all meetings. Due to the COVID-19 State of Emergency, the April meeting was cancelled. Public meeting agendas and approved minutes are posted at the Commission's website: <http://sfpc.mdsp.org>

FISCAL YEAR ATTENDANCE ROSTER						
MEETING DATES LOCATION & MEMBERS	8/15/2019 Laurel	10/24/2019 Laurel	12/19/2019 Sparrows Point	2/20/2020 Annapolis	April Meeting Cancelled COVID-19	6/8/2020 Virtual
ALEXANDER	P	P	A	P		P
BILGER	P	P	P	P		A
DAVIS	P	P	A	A		P
DEVAN	P	P	P	P		P
FAUST	N/A	P	A	P		P
HARRINGTON	A	P	A	A		A
SIMMONS	P	P	P	P		P
TOCHTERMAN	A	P	P	P		P
WELCH	P	A	P	P		P

P=Present A=Absent N/A Not Appointed

At the October meeting, Commissioner Tochterman was elected Chairman to replace outgoing Chairman Davis and Commissioner Simmons was elected Vice Chairman to replace Vice Chairman Bilger who relinquished the post.

Commissioner Faust was appointed to the Commission by Governor Larry Hogan on September 23, 2019.

PUBLIC SAFETY ARTICLE TITLE 6-302

The Commission is empowered to recommend three names to the Secretary of State Police for appointment of the State Fire Marshal to a six-year term. Fire Marshal Brian S. Geraci's six-year term ended in August 2019. The position of State Fire Marshal was advertised by the Department of Budget and Management. The Commission members reviewed five qualified applications and submitted its recommendation to then Secretary William Pallozzi for consideration. A final appointment has not yet been made.

PUBLIC SAFETY ARTICLE TITLE 6-501:

The Commission is empowered to hear appeals filed by a person who is aggrieved by an order or decision of the State Fire Marshal or his designee in the course of enforcing the State Fire Prevention Code. No new appeals were filed in Fiscal Year 2020.

An appellant, Blackwater Distilling from Stevensville, filed for a judiciary review of the Commission's 2019 decision to uphold the Queen Anne's County Fire Marshal's order to install a sprinkler system. The appellant withdrew its petition to the Circuit Court prior to the case being heard.

PUBLIC SAFETY ARTICLE TITLE 6-206:

The Commission is empowered to promulgate, amend, and repeal regulations for the safeguarding of life and property from the hazards of fire and explosion and to hold public hearings pertaining to such regulations. Code of Maryland Regulations as promulgated by the Commission may be viewed at the Commission's website: <http://sfpc.mdsp.org>

COMAR 29.06.01 State Fire Prevention Code

With the publication of the 2018 editions of *NFPA (National Fire Protection Association) 1 Fire Code* and *NFPA 101 Life Safety Code*, the Commission delegated a committee to review changes in these national standards. Commissioners Stacy Welch and Edward Tochterman served on the committee along with members of the Office of the State Fire Marshal and other local fire and building code authorities. A public hearing on proposed amendments was held August 15, 2019. The amendments were adopted effective October 7, 2019. An emergency action amendment was made to correct an oversight effective February 7, 2020. A public hearing was held June 8, 2020, to permanently adopt the emergency action amendment with an effective date of August 10, 2020.

NFPA 1 Fire Code and *NFPA 101 Life Safety Code* are adopted by reference as part of the State Fire Prevention Code. The NFPA graciously offered to publish a version of *NFPA 1* and *NFPA 101* that incorporates Maryland amendments thereto. State Fire Marshal Brian Geraci, State Fire Marshal Chief Fire Protection Engineer Kenneth Bush and the Commission Secretary Heidi Ritchie worked with NFPA staff to develop and review several drafts of these publications. After much diligence, the Maryland versions have been published and NFPA and has made them available to the public at its website:

<https://www.nfpa.org/codes-and-standards/all-codes-and-standards/codes-and-standards/free-access?mode=view&t=other&c=MD12020>

<https://www.nfpa.org/codes-and-standards/all-codes-and-standards/codes-and-standards/free-access?mode=view&t=other&c=MD1012020>

The Commission considers the NFPA's publication of the "Maryland Edition" of *NFPA 1* and *NFPA 101* as a milestone in making the Maryland fire prevention standards more accessible to interested professionals and average citizens alike.

COMAR 29.06.05 Fire Sprinkler Contractor Licensing

A public hearing on a proposed amendment to update the definition of a "qualified designated individual" was held August 15, 2019. The amendment was adopted effective October 7, 2019.

PUBLIC SAFETY ARTICLE TITLE 6-205:

The Commission is mandated to promote and conduct seminars, conferences, workshops and meetings at least once each year to inform the public and firefighting personnel of the latest techniques in fire prevention programs and procedures, life safety measures, changes in the State Fire Prevention Code, and developments in improved fire and life safety goals.

The Fire Prevention Commission co-sponsored the 60th Mid-Atlantic Life Safety Conference held September 25, 2019, in Laurel, Maryland. This annual conference offers a variety of safety oriented workshops presented by some of the nation's leading fire and emergency services professionals. Approximately 200-250 persons attend this annual event, including several Commission members. Commissioner Mark Bilger serves on the Conference Steering Committee.

OTHER ACTIVITIES:

During the year the Commission researched and discussed making a line item budget request to the Secretary of State Police. Funding for Commission expenses currently comes out of the State Fire Marshal's budget. Costs incurred by the Commission include travel reimbursement, stenographer services, mandated advertisements and seminars, code books, postage, and general office supplies. It is estimated that these expenses are approximately \$33,000 each year. While several organizations provide products and services to the Commission gratis, it is not realistic for the Commission to rely on gratuities to perform its mandatory duties. The Commission unanimously agreed to send then Acting Secretary Woodrow Jones a request detailing estimated expenses. To date, a line item budget has not been established.

The Commission, in monitoring personnel vacancies within the Office of the State Fire Marshal, expressed its concern in the inability to hire and fill vacant fire protection engineer positions. After a comparison review of fire protection engineer entrance level pay grades to University of Maryland fire protection engineer graduates, the Commission unanimously recommended to then Secretary of State Police William Pallozzi that the position pay schedule be fully evaluated and increased. To date no increase has occurred.

Throughout the year, Commission members attend and participate in a variety of activities and serve on committees involving fire prevention education, fire and emergency services, fire and explosive investigation, and code enforcement:

- Maryland State Firemen's Association
Commissioners Alexander, Bilger, Davis, and Faust participate in activities or serve on a variety of committees under the auspices of this association. Commissioners Bilger, Davis, and Faust are Past Presidents of the Association. The association membership is comprised of volunteer departments from throughout the State whose mission is to serve, promote, advocate and represent the interests of the volunteer fire, rescue, and emergency medical services of Maryland.

- **National Fire Protection Association**
Commissioner Stacy Welch serves as a member of the National Fire Protection Association's Board of Directors. NFPA board members are chosen from various disciplines and backgrounds and are elected based on experience in business, finance, or administration; respect of peers; respect as a member of the safety community; commitment to the Association's goals; and appreciation for the relationship NFPA must maintain with the changing needs of society. Commissioner Welch is Vice President of Fire Protection and Life Safety for Marriott International.
- **Maryland Rehabilitation Code Advisory Council**
Commissioner Tochterman represents the Commission on this council. The council encourages private investment in existing buildings by streamlining the code requirements for rehabilitation work in buildings older than one year.
- **Fire and Explosive Investigation Advisory Workgroup**
Commissioner Alexander represents the Commission on this workgroup. The group consists of representatives associated with various public and private fire/explosive investigation agencies and organizations, forensic experts, and fire/explosive investigation instructors. The group is tasked with reviewing developments in fire/explosive training/certification standards, advancements in forensic sciences and investigative techniques, and conducting peer reviews of selected fire/explosive investigations and reports to identify areas which can be improved.