



ANNUAL REPORT

FISCAL YEAR 2023
July 1, 2022 – June 30, 2023

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. Due to statewide elections in 2022, the Governor's Appointments Office did not process any applications to fill vacancies or consider reappointments to second terms. Three members continued to serve beyond their June 30, 2022, expirations. The Appointments Office began accepting new applications and requests for reappointments in May 2023 but as of the end of Fiscal Year 2023, no appointments or reappointments were made. It is noted that two members are not seeking reappointment to a second term, a third member's reappointment request is pending, and a fourth member is not eligible for reappointment. One member eligible for a second term has not yet applied for reappointment. Appointments and reappointments are critical to ensure a quorum is met for each meeting in order to conduct official business. The following members served on the Commission in Fiscal Year 2023:

Edward S. Tochterman, Jr. Chairman 2 nd Term Expires June 30, 2026 Not eligible for reappointment	At-Large Industry Representative
Kevin J. Simmons Vice Chairman 1 st Term Expired June 30, 2022 Not seeking a 2 nd term Serving until replaced	Central Maryland Career Fire Company
Douglas C. Alexander 1 st Term Expired June 30, 2023 Not seeking a 2 nd term Resigned	Western Maryland Volunteer Fire Company
Mark A. Bilger 2 nd Term Expires June 30, 2024 Not eligible for reappointment	At-Large Volunteer Fire Company
Emily K. Devan 2 nd Term Expires June 30, 2024 Not eligible for reappointment	At-Large Member of Public
Michael R. Faust 1 st Term Expired June 30, 2022 Has not applied for 2 nd term Continues to serve	Eastern Shore Industry Representative
Randy E. Sanger, II 1 st Term Expired June 30, 2023 Reappointment to 2 nd term pending	At-Large Building Contractor
Daniel J. Stevens 1 st Term Expires June 30, 2025 Eligible for reappointment	Southern Maryland Volunteer Fire Company
Stacy N. Welch 2 nd Term Expired June 30, 2022 Not eligible for reappointment Serving until replaced	Washington-Metro Architect/Engineer

The Fire Prevention Commission may be contacted as follows:

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PUBLIC SAFETY ARTICLE TITLE 6-204:

The Commission is mandated to hold a minimum of six regular meetings every year. Six meetings were held but a quorum was not achieved at the April 22, 2023, meeting and an additional meeting was scheduled for July 20, 2023. 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	8/18/22 Savage	10/20/22 Woodbine	12/15/22 Pikesville	2/16/23 Annapolis	4/20/23 Aberdeen	6/20/23 Ocean City
ALEXANDER	A	P	A	P	P	P
BILGER	P	P	P	P	A	A
DEVAN	P	A	P	P	A	A
FAUST	P	A	A	P	A	P
SANGER	P	A	P	P	A	P
SIMMONS	A	P	P	P	P	P
STEVENS	P	P	P	P	A	P
TOCHTERMAN	P	P	P	P	P	P
WELCH	A	P	P	A	A	A

P=Present A=Absent

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 appeals were received in FY 2023.

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

The Commission’s endeavor to adopt the 2021 editions of *NFPA (National Fire Protection Association) 1 Fire Code* and *NFPA 101 Life Safety Code*, continued into FY 2023. During FY 2022 Commissioners Stacy Welch and Chairman Edward Tochterman served on the committee to review the 2021 NFPA codes and the State Fire Prevention Code regulations. Approximately 30 other state and local fire and building code authorities also served on the committee which was chaired by Office of the State Fire Marshal Chief Fire Protection Engineer Kenneth Bush. After holding several meetings and conducting an in-depth review of the codes and regulations, the proposed amendments to the State Fire Prevention Code were duly published and a public hearing was held on August 18, 2022. No public comments were received at the public hearing. A prior written public comment regarding elevator regulations was read into the record. The Commission unanimously voted to proceed with publishing the final notice to adopt the proposed amendments.

The Commission members deeply regret, after taking the aforementioned actions, then-Secretary of State Police Woodrow Jones submitted a notice to withdraw the proposal. The withdrawal notice was published December 16, 2022. The Commission did not receive any

official explanation as to why Secretary Jones took such action but it is believed that the decision was due in part to the economic impact statement and the requirement that all existing residential high-rise buildings needed to be sprinklered by January 1, 2033. A retrofitting requirement is already in the currently adopted codes. At the Secretary's request, Fire Marshal Brian Geraci provided a revised economic impact statement. The Department of State Police advised it would resubmit the revised economic impact statement and proposed amendments for republication for adoption. This never occurred and at the Commission's June 2023 meeting, the Commission members voted unanimously to abandon seeking adoption of the 2021 NFPA codes and to move forward with the process to review and adopt the upcoming 2024 editions.

Maryland has always been a leader in adopting current nationally recognized standards in a timely manner to keep pace with emerging technology that may cause new fire prevention and protection problems, as well as new technology that may address existing fire protection issues and concerns. The failure of the Maryland State Police to adopt and publish the codes as recommended by the Commission is unprecedented in the Commission's nearly 60 year history.

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 Commission co-sponsors the annual Mid-Atlantic Life Safety Conference along with several other organizations. This conference offers a variety of fire and life safety oriented workshops presented by some of the nation's leading fire and emergency services professionals. The 2022 conference had over 200 attendees, including several Commission members. Commissioner Mark Bilger serves as the Chairman of the Conference Steering Committee.

In anticipation of adopting the 2021 NFPA codes (which never occurred), the Commission supported arrangements to provide virtual training programs to provide an overview of the changes in the NFPA codes and amendments to the State Fire Prevention Code. The Commission is thankful to Chief Fire Protection Engineer Kenneth Bush for coordinating this training with NFPA instructors. The program was offered on two different days and approximately 375 fire and building code authorities registered for each day.

PUBLIC SAFETY ARTICLE TITLE 6-302:

The Secretary of State Police appoints a State Fire Marshal from a list of three names submitted by the Commission. The current State Fire Marshal, Brian S. Geraci, was appointed in 2013 and will be retiring in 2023. The Commission is thankful for his dedicated service to not only the citizens of Maryland but also with his involvement in numerous national and international organizations. His hard work has earned him many awards and has helped make Maryland the nation's leader in fire prevention. The Commission will diligently fulfill its responsibility in interviewing perspective applicants for the State Fire Marshal position.

OTHER ACTIVITIES:

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, Faust, and Stevens participate in activities or serve on a variety of committees under the auspices of this association. Commissioners Bilger 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.

Commissioner Stevens, who is a member of the Waldorf Volunteer Fire Department, received the Association's highest award, the Gladhill-Thompson Award, for his outstanding contributions to the Association.

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 Tochtermann 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 represented the Commission on this workgroup for part of the year but due to health reasons was unable to continue to do so. Commissioner Stevens was selected to be the Commission's new representative. 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 that can be improved.

State Fire Marshal Geraci requested the Commission consider a standardized training and certification program for sworn Deputy Fire Marshals as recommended by the workgroup. The new NFPA 1321 Standard for Fire Investigation Units will require investigators to be certified. After reviewing the workgroup's recommendations and the available certification programs, the Commission voted six to two in favor of the Fire Marshal implementing the training and certification program.

Line-Item Budget Expenses

The Commission's expenses are reported to the Department of State Police on a quarterly basis. The total expenses for Fiscal Year 2023 was \$3,453.63. This includes travel/meal expenses for members, miscellaneous purchases, court stenographer services, and postage.

Miscellaneous

Commissioner Douglas Alexander will be resigning from the Commission effective June 30, 2023. Commissioner Alexander was appointed to his first five-year term by Governor Larry Hogan on September 9, 2018. He began his fire service career in 1971 and has been a member of volunteer and career fire departments since that time. He was also an adjunct instructor at the Maryland Fire and Rescue Institute. Commissioner Alexander served as the

Western Maryland volunteer fire service representative and his vast knowledge and experience in the field of fire and life safety has contributed greatly to the Commission. The Commission thanks him for his service and wishes him well in future endeavors.

During the course of the year the Commission discusses various topics that concern not only the public but emergency services personnel as well. The firefighter line-of-duty death in St. Mary's County in June 2023 and the three in Baltimore City in March 2022 are a reminder of how dangerous fighting fires in the interior of structures can be. All died when the buildings had structural failures and collapsed with the firefighters unable to escape or be rescued. The structures were vacant or the occupants had already escaped. Changing the mindset and practices of entering burning structures with no occupants is an issue which the Commission is cooperating and working with the Maryland Division of Labor and Industry to resolve.

With electric vehicles and E-bikes becoming more popular as a means of transportation, the fire hazard of lithium battery charging, storage, and use has gained more attention. Lithium battery fires are extremely difficult to extinguish and often re-ignite after appearing to be extinguished. Fire and building code organizations are developing new code requirements to help safeguard life and property from the hazards of such new emerging technologies and emergency services organizations are also researching the best practices to fight such fires. The Commission is committed to reviewing and researching developing code requirements, technologies, or firefighting practices to keep Maryland's codes and regulations at the forefront of preventing loss of life and property.