

8465

2015-2016 Regular Sessions

I N A S S E M B L Y

October 9, 2015

Introduced by M. of A. BRINDISI -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to establishing installation and maintenance standards for gas station fire suppression systems

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 378 of the executive law is amended by adding a new
2 subdivision 17 to read as follows:
3 17. STANDARDS FOR GAS STATION FIRE SUPPRESSION SYSTEMS SHALL REQUIRE:
4 A. AN AUTOMATIC FIRE-EXTINGUISHING SYSTEM USING AN EXTINGUISHING AGENT
5 SUITABLE FOR PETROLEUM FIRES, INSTALLED IN ACCORDANCE WITH SECTION 17 OF
6 THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA 17) AND LISTED FOR ALL
7 NEW FLAMMABLE MOTOR FUEL-DISPENSING SYSTEMS SUBJECT TO SECTION 2206 OF
8 THE NEW YORK CITY FIRE CODE. FIRE PROTECTION SYSTEMS AT UNATTENDED
9 SELF-SERVICE STATIONS SHALL BE MONITORED BY AN APPROVED SUPERVISING
10 STATION.
11 B. WHERE A BUILDING FIRE ALARM SYSTEM IS INSTALLED, AUTOMATIC FIRE-EX-
12 TINGUISHING SYSTEMS SHALL BE INTERFACED TO THE BUILDING FIRE ALARM
13 SYSTEM IN ACCORDANCE WITH SECTION 72 OF THE NATIONAL FIRE PROTECTION
14 ASSOCIATION (NFPA 72). AUTOMATIC FIRE-EXTINGUISHING SYSTEMS AT UNAT-
15 TENDED SELF-SERVICE MOTOR FUEL-DISPENSING FACILITIES SHALL BE MONITORED
16 BY AN APPROVED SUPERVISING STATION.
17 C. WHERE FLAMMABLE LIQUID MOTOR FUEL IS DISPENSED AT AN AUTOMOTIVE
18 LIQUID MOTOR FUEL-DISPENSING FACILITY, THE DISPENSING AREA SHALL BE
19 PROVIDED WITH A DRY CHEMICAL FIRE-EXTINGUISHING SYSTEM DESIGNED AND
20 INSTALLED IN ACCORDANCE WITH NFPA 17, AND THE FOLLOWING REQUIREMENTS:
21 (I) THE FIRE-EXTINGUISHING SYSTEM SHALL BE DESIGNED TO PROVIDE OVER-
22 HEAD PROTECTION OF THE DISPENSER AREA ENCOMPASSED BY A CIRCLE FORMED BY
23 THE FULLY EXTENDED HOSE AND NOZZLE ON EACH FUEL DISPENSER AND SCRIBING
24 AN ARC ON THE GROUND;

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 (II) THE EXTINGUISHING AGENT CONTAINERS SHALL BE EQUIPPED WITH INDICA-
2 TORS TO SHOW WHETHER THE SYSTEM IS FULLY CHARGED;

3 (III) THE INSTALLATION, ALTERATION, TESTING AND REPAIR OF THE FIRE-EX-
4 TINGUISHING SYSTEM, INCLUDING ANY MAINTENANCE OR MODIFICATION OF THE
5 SYSTEM, SHALL BE PERFORMED BY A TECHNICIAN WHO COMPLIES WITH THE MANUAL
6 OF THAT SYSTEM; THE TECHNICIAN MUST BE TRAINED IN ACCORDANCE WITH THE
7 MANUFACTURER'S INSTALLATION MANUAL AND BE KNOWLEDGEABLE IN THE INSTALLA-
8 TION, OPERATION AND MAINTENANCE OF THE SPECIFIC FIRE-EXTINGUISHING
9 SYSTEM; AND

10 (IV) DISPENSERS SHALL NOT BE OPERATED WHEN THE FIRE-EXTINGUISHING
11 SYSTEM HAS DISCHARGED OR IS INOPERATIVE, EXCEPT AS AUTHORIZED IN WRITING
12 BY THE DEPARTMENT; THE MOTOR FUEL-DISPENSING FACILITY CERTIFIED ATTEND-
13 ANT SHALL IMMEDIATELY NOTIFY THE DEPARTMENT OF SYSTEM DISCHARGE OR INOP-
14 ERABILITY.

15 D. AUTOMATIC FIRE-EXTINGUISHING SYSTEMS SHALL BE SERVICED AT LEAST
16 EVERY SIX MONTHS AND AFTER ACTIVATION OF THE SYSTEM. INSPECTION AND
17 MAINTENANCE SHALL BE BY QUALIFIED INDIVIDUALS, IN ACCORDANCE WITH THE
18 MANUFACTURER'S LISTED MANUAL, AND A CERTIFICATE OF INSPECTION SHALL BE
19 FORWARDED TO THE CODE ENFORCEMENT OFFICIAL UPON COMPLETION. INSPECTION
20 RECORDS SHALL ALSO BE KEPT ON PREMISES WHERE THE AUTOMATIC FIRE-EXTIN-
21 GUISHING SYSTEMS ARE LOCATED FOR A MINIMUM OF FIVE YEARS.

22 E. SYSTEMS SHALL BE INSPECTED AND TESTED FOR PROPER OPERATION AT
23 INITIAL INSTALLATION AND SIX-MONTH INTERVALS. TESTS SHALL BE IN ACCORD-
24 ANCE WITH THE MANUFACTURER'S REQUIREMENTS AND INCLUDE A CHECK OF THE
25 DETECTION SYSTEM, ALARMS AND RELEASING DEVICES, INCLUDING MANUAL
26 STATIONS AND OTHER ASSOCIATED EQUIPMENT. EXTINGUISHING SYSTEM UNITS
27 SHALL BE WEIGHED, AND THE REQUIRED AMOUNT OF AGENT VERIFIED. STORED
28 PRESSURE-TYPE UNITS SHALL BE CHECKED FOR THE REQUIRED PRESSURE. THE
29 CARTRIDGE OF CARTRIDGE-OPERATED UNITS SHALL BE WEIGHED AND REPLACED AT
30 INTERVALS INDICATED BY THE MANUFACTURER. ACTUATION DEVICES AND LINES
31 SHALL BE THOROUGHLY INSPECTED. SHUT DOWN INTERLOCK SHALL BE INSPECTED
32 FOR PROPER OPERATION. CYLINDER MAINTENANCE SHALL BE IN COMPLIANCE WITH
33 NFPA 17.

34 F. FAILURE TO COMPLY WITH THE INSTALLATION OR MAINTENANCE REQUIREMENTS
35 OF THIS SECTION SHALL RESULT IN THE REVOCATION OF THE BUILDING'S CERTIF-
36 ICATE OF OCCUPANCY AND/OR THE PERMIT TO OPERATE FUELING DISPENSERS.

37 G. THE PROVISIONS OF THIS SUBDIVISION SHALL BE ENFORCED IN ACCORDANCE
38 WITH THE PROVISIONS OF SECTION THREE HUNDRED EIGHTY-ONE OF THIS ARTICLE.

39 S 2. This act shall take effect on the one hundred eightieth day after
40 it shall have become a law; provided, however, that the state fire
41 prevention and building code council shall take any and all actions
42 necessary to implement the provisions of this act on or before its
43 effective date.