



NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 837

DEPARTMENT OF THE STATE FIRE MARSHAL

FILED

05/25/2025 7:22 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Amend rules for grammar, update code edition references, and add online payment option.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 07/02/2025 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

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Filed By:
Sara Zavala
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 06/18/2025

TIME: 10:00 AM - 11:00 AM

OFFICER: Sara Zavala

IN-PERSON HEARING DETAILS

ADDRESS: Oregon State Fire Marshal Building, 3991 Fairview Industrial Dr. SE, Salem, OR 97302

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 1-503-446-4951

CONFERENCE ID: 788076311

NEED FOR THE RULE(S)

Rule edits are required to update grammar, update code edition references, and to include an option for online payments.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Oregon Fire Code <https://codes.iccsafe.org/content/ORFC2022P1>

NFPA <https://www.nfpa.org/en/for-professionals/codes-and-standards/list-of-codes-and-standards>

Oregon Electrical Specialty Code <https://www.oregon.gov/bcd/codes-stand/Pages/electrical.aspx>

Oregon Mechanical Specialty Code <https://codes.iccsafe.org/content/ORMSC2022P1>

Oregon Residential Specialty Code <https://codes.iccsafe.org/content/ORRC2023P1>

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

The Department of the State Fire Marshal has not identified any racial equity impacts of these rule amendments. The

edits are mostly grammatical and code references. The addition of online payment option may make access more convenient.

FISCAL AND ECONOMIC IMPACT:

There are no expected fiscal or economic impacts with these rule amendments.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

There are 378 LPG business locations in the state of Oregon. There are no expected cost increases from these rule amendments.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Stakeholders representing various business groups participated in the revision of the current rules through an advisory committee meeting.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

RULES PROPOSED:

837-030-0120, 837-030-0130, 837-030-0230, 837-030-0250, 837-030-0260, 837-030-0270, 837-030-0280

AMEND: 837-030-0120

RULE SUMMARY: 837-030-0120 (15) Added Definition: NFPA

837-030-0120 (16) Added Definition: NFPA 54 (2021 Edition)

837-030-0120 (17) Added Definition: NFPA 58 (2020 Edition)

837-030-0120 (18) Added Definition: NFPA 1192 (2021 Edition)

837-030-0120 (19) Added Definition: Oregon Electrical Specialty Code

837-030-0120 (20) Added Definition: Oregon Fire Code (OFC)

837-030-0120 (21) Added Definition: Oregon Mechanical Specialty Code

837-030-0120 (22) Added Definition: Oregon Residential Specialty Code

837-030-0120 (23) to (24) Definition number correction

CHANGES TO RULE:

837-030-0120

Definitions ¶¶

(1) For the purpose of these rules, the following definitions apply to OAR 837-030-0100 through 837-030-0280.¶¶

(2) Application means the forms required by the State Fire Marshal to be completed and submitted to the State Fire Marshal.¶¶

(3) Bulk Plant is a facility where the primary function is to store LP-Gas prior to further distribution. LP-Gas is received by cargo tank vehicle, railroad tank car, or pipeline, and then distributed by portable container (package) delivery, by cargo tank vehicle, or through gas piping.¶¶

(4) Company License means the same as an Installation License defined in OAR 837-030-0120(12).¶¶

(5) Company Representative means an individual who has passed the installation examination administered by the State Fire Marshal and represents the company at a specific site.¶¶

(6) Delivery Unit means any unit that is used to deliver or transport liquefied petroleum gas.¶¶

(7) Examination means a document designed to test an applicant's knowledge regarding liquefied petroleum gas, its properties, related equipment and applicable safety regulations.¶

(8) Fitter License in general means a license issued to an individual who performs LP-Gas container and container appurtenance installation or replacement, and or, performs work on liquefied petroleum fuel gas systems including but not limited to, LP-gas containers, plumbing and pipe fitting, gas venting, installs, repairs or remodels any piping or venting, installs or repairs, connects, or disconnects any liquefied petroleum gas appliance. The specific types of Fitter Licenses are:¶

(a) HVAC Fitter - Required for all individuals who install or perform LPG work on HVAC equipment, including hearth products; does not include piping up to the final shut off valve upstream of the equipment (see Master Fitter);¶

(b) IC Fitter (Internal Combustion) - Required for all individuals who work on LPG fuel systems of LPG powered internal combustion engines;¶

(c) Master Fitter - Required for all individuals who perform LPG fuel gas plumbing work including but not limited to, fitting or venting work, install or replace LP-Gas containers and container appurtenances, install, replace, repair or remodel any LP-Gas container, appliance, piping or venting. This license covers all areas of LPG work.¶
NOTE: Individuals licensed as a fitter prior to May 16, 2005, are considered a Master Fitter.¶

(9) Individual means one distinct, individual human being. It does not mean person.¶

(10) Installation means an LP-Gas container or containers set on a specific customer property with the intent of supplying fuel gas to utilization equipment. ~~(See ORS 480.450(1)).~~¶

(11) Installer means, a licensed company who provides a licensed individual making the connection from an installation to a LP-Gas fuel gas system and who conducts required leak testing and ensures the installation and piping system are in compliance to applicable codes and standards.¶

(12) Installation License means a license issued to a company or business (hereinafter referred to as a Company License) that engages in or works at the business of installing LP-Gas containers and container appurtenances, installing extending, altering or repairing any liquefied petroleum fuel gas systems including but not limited to, gas appliances or piping, vent or flue connection pertaining to or in connection with liquefied petroleum gas installations. This includes the operation of delivery equipment on motorized vehicles.¶

(13) License means the official written permission granted by the State Fire Marshal for the purpose of working in the liquefied petroleum gas business.¶

(14) Liquefied Petroleum Gas means any liquid composed predominately of any of the following hydrocarbons or mixtures of the same: Propane, propylene, butanes (normal butane or isobutene) and butylenes.¶

(15) NFPA means the National Fire Protection Association.¶

(16) NFPA 54 means National Fire Protection Association Standards (NFPA) 54 National Fuel Gas Code 2021 Edition unless otherwise specified. ¶

(17) NFPA 58 means National Fire Protection Association Standards (NFPA) 58 Liquefied Petroleum Gas Code 2020 Edition, unless otherwise specified.¶

(18) NFPA 1192 means National Fire Protection Association Standards (NFPA) 1192 Standard on Recreational Vehicles 2021 Edition, unless otherwise specified.¶

(19) Oregon Electrical Specialty Code (OESC) means the 2023 edition of the Oregon Electrical Specialty Code, unless otherwise specified.¶

(20) Oregon Fire Code (OFC) means the 2022 edition of the Oregon Fire Code as adopted by the Oregon State Fire Marshal, unless otherwise specified. ¶

(21) Oregon Mechanical Specialty Code (OMSC) means the 2022 edition of the Oregon Mechanical Specialty Code, unless otherwise specified.¶

(22) Oregon Residential Specialty Code (ORSC) means the 2021 edition of the Oregon Residential Specialty Code, unless otherwise specified.¶

(23) Person means one or more individuals, legal representatives, partnerships, joint ventures, associations, corporations (whether or not organized for profit), business trusts, or any organized group of persons and includes the state, state agencies, counties, municipal corporations, school districts and other public corporations or subdivisions.¶

~~(1624)~~ Truck Equipment Operator License means a license issued to an individual who operates liquefied petroleum gas delivery equipment installed on a motorized vehicle.

Statutory/Other Authority: ORS 476, ORS 480

Statutes/Other Implemented: ORS 480.410

AMEND: 837-030-0130

RULE SUMMARY: 837-030-0130 (1)(a) Removed: 2021 Edition

837-030-0130 (1)(b) Removed: 2020 Edition

837-030-0130 (1)(c) Removed (1)(c)

837-030-0130 (3) Removed: Oregon Fire Code, 2022 Edition Added: OFC

CHANGES TO RULE:

837-030-0130

Fire and Life Safety Standards ¶

(1) The following National Fire Protection Association Standards (NFPA) are hereby adopted by reference and are the Standards on which the examinations referenced in these rules will be primarily based:¶

(a) NFPA 54 - National Fuel Gas Code;~~(2021 Edition); and~~¶

(b) NFPA 58 - Liquefied Petroleum Gas Code~~(2020 Edition)~~.¶

(2) Whenever the following phrases or abbreviations appear in the above referenced standards, they mean the following:¶

(a) Authority Having Jurisdiction means the State Fire Marshal;¶

(b) National Electrical Code means the Oregon Electrical Specialty Code; and¶

~~(c) NFPA means the National Fire Protection Association.~~¶

(3) The State Fire Marshal has adopted the Oregon Fire Code, 2022 Edition FC for inspection and enforcement of liquefied petroleum gas installations pursuant to ORS 476.030(1) and 480.420(1). (Refer to OAR 837, division 40.)¶

(4) The State Fire Marshal recognizes the Oregon Building Codes Division inspection and enforcement authority on those portions of liquefied petroleum gas installations downstream of the first stage regulator. Depending on occupancy classification, these portions may be regulated under the Oregon Mechanical Specialty Code as adopted by OAR 918-440-0010 or the Oregon Residential Specialty Code as adopted by OAR 918-480-0005.¶

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 476.030, 480.420

Statutes/Other Implemented: ORS 480.420

AMEND: 837-030-0230

RULE SUMMARY: 837-030-0230 (12) Corrected: "Notice" To: "Notice of Installation of Liquefied Petroleum Gas Tank for Motor Fuel"

CHANGES TO RULE:

837-030-0230

Motor Fuel Installations (Conversions)/Plan Approval ¶

(1) Any company converting or manufacturing any vehicle or machinery to use liquefied petroleum gas for motor fuel must obtain the company and fitter licenses as required in OAR 837-030-0140.¶

(2) Any manufacture of vehicle or machinery, or any conversion of existing vehicle or machinery to use liquefied petroleum gas as motor fuel, must be in compliance with all applicable liquefied petroleum gas laws, rules and regulations.¶

(3) All equipment must be installed in accordance with these regulations and the applicable safety standards as adopted, unless written approval is otherwise granted by the State Fire Marshal.¶

(4) The State Fire Marshal or a State Fire Marshal assistant may make on-site inspections of manufacturing plants where liquefied petroleum gas motor fuel systems are being installed to ensure compliance with applicable safety standards.¶

(5) Any company manufacturing or converting vehicles or machinery to use liquefied petroleum gas as motor fuel may make application for plan approval of a model or prototype to the State Fire Marshal. The application and plans must include two complete sets of plans which show in detail:¶

(a) The location of all liquefied petroleum gas equipment including containers, fuel lines, carburetion system, vaporizers, and all pertinent equipment; and¶

(b) The name of the equipment manufacturer and model numbers when available;¶

(c) Sufficient information to permit the State Fire Marshal to determine compliance or noncompliance with fire and life safety regulations relating to the use of liquefied petroleum gas as motor fuel.¶

(6) Upon approval, one copy of the plans will be returned to the applicant with the written approval and an assigned permit number. One copy of the plans will be retained by the State Fire Marshal;¶

(7) If the plans are disapproved, the applicant will be notified in writing the reason the plans were disapproved and provided information on how to meet the applicable fire and life safety regulations so the plans may be approved.¶

(8) All vehicles or machinery manufactured or converted to use liquefied petroleum gas as motor fuel and installing liquefied petroleum gas motor fuel tanks must be reported to the State Fire Marshal.¶

(9) The State Fire Marshal must be notified by the last day of each month by the installation company of all new liquefied petroleum motor fuel installations made during the preceding month.¶

(10) United States Post Office postmark date will be used to determine the reporting date. If the last day of a month falls on a day when a postmark cannot be obtained, notification must be postmarked on the preceding business day when a postmark can be obtained.¶

(11) Notification must be made on a form (Notice of Installation of Liquefied Petroleum Gas Tank for Motor Fuel) and must include the following information:¶

(a) Customer name for whom the conversion was made;¶

(b) Address where the vehicle or machinery may be inspected;¶

(c) Date conversion was completed;¶

(d) Water capacity of tank;¶

(e) Signature of fitter who installed tank and their fitter license number;¶

(f) Tank serial number;¶

(g) Name of company installing tank and their company license number;¶

(h) Any other information that may be helpful in locating the tank.¶

(12) The company representative must sign the Notice of Installation of Liquefied Petroleum Gas Tank for Motor Fuel verifying the information is correct; and¶

(13) The appropriate tank installation fee for the Liquefied Petroleum Gas Program is located in Oregon Revised Statute as follows: ORS 480.450 Notice of new installations; inspection fees; inspections after original inspection; notice of changes; correction of improper installations required.¶

EXCEPTION: This section does not apply to liquefied petroleum gas installations made in manufactured dwellings or recreational vehicles performed during the construction of the manufactured dwelling or recreational vehicle, or the alteration or repair of the liquefied petroleum gas installation in a manufactured dwelling or recreational vehicle when they are made pursuant to the manufacturer's warranty. All repairs or alterations performed outside of the initial construction or the manufacturer's warranty must be completed by a licensed company and a

licensed fitter.¶¶

(14) Any vehicle or machinery manufactured or converted to use liquefied petroleum gas as motor fuel that is found to be in violation of the applicable fire and life safety standards, may be ordered by the State Fire Marshal to be taken out of service. Once out of service, it may not be placed back in service, sold or offered for sale until all necessary corrections have been made, the State Fire Marshal notified and the vehicle or machinery put back in service by the State Fire Marshal.¶¶

[ED. NOTE: Forms referenced are available from the agency.]

Statutory/Other Authority: ORS 476, 480

Statutes/Other Implemented: ORS 480.450

AMEND: 837-030-0250

RULE SUMMARY: 837-030-0250 (4) (b): Corrected: "has to" to "must" to align with ORS.

CHANGES TO RULE:

837-030-0250

Inspection of Tank Installations ¶¶

- (1) State Fire Marshal Deputies or State Fire Marshal assistants will inspect a reasonable number of reported tank installations.¶¶
- (2) Inspection records will be maintained at the State Fire Marshal.¶¶
- (3) Tank installation companies will be notified in writing by an inspection notice when a tank installation is not in compliance with State Fire Marshal requirements.¶¶
- (4) The State Fire Marshal will notify the company of:¶¶
 - (a) Necessary corrections to bring the installation into compliance;¶¶
 - (b) The number of days (not to exceed 60 days) the company ~~has to~~must bring the installation into compliance.¶¶
- (5) The installing company must notify the State Fire Marshal that the corrections have been made to bring the installation into compliance, as follows:¶¶
 - (a) The date the corrections were made must be in writing; including a signature of those making corrections, and¶¶
 - (b) Must be returned to the State Fire Marshal.¶¶
- (6) Corrections not made or not reported within the number of days allowed to bring the installation into compliance, are subject to fees for the Liquefied Petroleum Gas Program located in Oregon Revised Statute as follows: ORS 480.450 Notice of new installations; inspection fees; inspections after original inspection; notice of changes; correction of improper installations required.

Statutory/Other Authority: ORS 476, 480

Statutes/Other Implemented: ORS 480.450

AMEND: 837-030-0260

RULE SUMMARY: 837-030-0260 (4) (b): Corrected: "has to" to "must" to align with ORS.

CHANGES TO RULE:

837-030-0260

Bulk Storage Sites: Inspections/Notifications ¶

- (1) State Fire Marshal deputies or State Fire Marshal assistants may inspect bulk storage sites annually.¶
- (2) Inspection records will be maintained at the Department of the State Fire Marshal.¶
- (3) The installing company will be notified in writing by an inspection notice when a bulk site is not in compliance with State Fire Marshal requirements.¶
- (4) The State Fire Marshal will notify the company of:¶
 - (a) Necessary corrections to bring the installation into compliance;¶
 - (b) The number of days (may not exceed 60 days) the company ~~has to~~must bring the installation into compliance.¶
- (5) The installing company must notify the State Fire Marshal that the corrections have been made to bring the installation into compliance, as follows:¶
 - (a) The date the corrections were made and the signature of those making corrections must be written on the copy of the inspection notice provided to the company;¶
 - (b) The inspection notice must be returned to the State Fire Marshal.¶
- (6) Any changes to the bulk site, including but not limited to the installation of one or more additional tanks, removal of one or more tanks, and closure of the site, must be reported to the State Fire Marshal in writing within two weeks of the change.

Statutory/Other Authority: ORS 476, 480

Statutes/Other Implemented: ORS 480.440, 480.450

AMEND: 837-030-0270

RULE SUMMARY: 837-030-0270 (5) (b): Corrected: "has to" to "must" to align with ORS.

CHANGES TO RULE:

837-030-0270

Delivery Units: Inspections/Notifications ¶¶

- (1) State Fire Marshal deputies or State Fire Marshal assistants may inspect delivery units annually.¶¶
- (2) Delivery units must be made readily available to the deputy or assistant for the annual inspection after notification by the State Fire Marshal that the annual inspection is due.¶¶
- (3) Inspection records will be maintained at the Department of the State Fire Marshal.¶¶
- (4) Companies will be notified in writing by an inspection notice when a delivery unit is not in compliance with State Fire Marshal requirements.¶¶
- (5) The State Fire Marshal will notify the company of:¶¶
 - (a) Necessary corrections to bring the delivery unit into compliance;¶¶
 - (b) The number of days (may not exceed 60 days) the company ~~has to~~must bring the delivery unit into compliance.¶¶
- (6) The company must notify the State Fire Marshal that the corrections have been made to bring the delivery unit into compliance, as follows:¶¶
 - (a) The date the corrections were made must be written on the copy of the inspection notice provided to the company.¶¶
 - (b) The inspection notice must be returned to the State Fire Marshal.¶¶
- (7) Any changes to the delivery units, including but not limited to the addition of one or more delivery units to the company, and transfer, sale, disposal, or taking out of service of one or more delivery units must be reported to the State Fire Marshal in writing within two weeks of the change.

Statutory/Other Authority: ORS 476, 480

Statutes/Other Implemented: ORS 480.440, 480.450

AMEND: 837-030-0280

RULE SUMMARY: 837-030-0280 (2): Add: "online or other approved Oregon State Fire Marshal methods."

CHANGES TO RULE:

837-030-0280

Fees/Penalties ¶

- (1) Fees must be paid ~~at, or mailed to,~~ the State Fire Marshal and must accompany the appropriate application.¶
- (2) Payment may be made by personal check, business check, cashier's check ~~or money order,~~ money order, online, or other approved Oregon State Fire Marshal methods, made payable to the State Fire Marshal. If the fee is paid by either personal or business check, the State Fire Marshal will not take any action on the application until the check has cleared the bank.¶
- (3) Fees for the Liquefied Petroleum Gas Program are located in Oregon Revised Statutes as follows:¶
- (a) Examination Fees - ORS 480.434 Examination of applicants for licenses; issuance of license. Examination fees are non-refundable and non-transferable.¶
- (b) Company License - ORS 480.436 License fees; term of licenses; delinquency penalty.¶
- (c) Fitter License - ORS 480.436 License fees; term of licenses; delinquency penalty.¶
- (d) Truck Equipment Operator License - ORS 480.436 License fees; term of licenses; delinquency penalty.¶
- (e) Company, Fitter, and Truck Equipment Operator License - ORS 480.436 License fees; term of licenses; delinquency penalty.¶
- (f) Plan Review Fee - ORS 480.450 Notice of new installations; inspection fees; inspections after original inspection; notice of changes; correction of improper installations required.¶
- (g) Bulk Plant Inspection Fee - ORS 480.440 Inspection of certain storage tanks. (Excludes initial inspection during plant construction).¶
- (h) Delivery Unit Inspection Fee - ORS 480.440 Inspection of certain storage tanks.¶
- (4) Tank Installation Fees for all tanks - ORS 480.450 Notice of new installations; inspection fees; inspections after original inspection; notice of changes; correction of improper installations required.¶
- (5) Tank Reinspection Fees - ORS 480.450 Notice of new installations; inspection fees; inspections after original inspection; notice of changes; correction of improper installations required. 10 year tank inspection fee - ORS 480.450 Notice of new installations; inspection fees; inspections after original inspection; notice of changes; correction of improper installations required.¶
- (6) Penalty Fees for the Liquefied Petroleum Gas Program are located in Oregon Revised Statutes as follows:¶
- (a) ORS 480.436 License fees; term of licenses; delinquency penalty.¶
- (b) ORS 480.450 Notice of new installations; inspection fees; inspections after original inspection; notice of changes; correction of improper installations required.¶
- (c) ORS 480.990 Penalties.
- Statutory/Other Authority: ORS 476, 480
- Statutes/Other Implemented: ORS 480.436, 480.440, 480.450, 480.460