

1 **Carbon Dioxide System Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Hoang Nguyen

Senate Sponsor: Derrin R. Owens

2
3 **LONG TITLE**

4 **General Description:**

5 This bill concerns carbon dioxide systems.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ defines terms;

9 ▶ requires the Utah Fire Prevention Board (board) to establish a licensing and certification
10 program for certain carbon dioxide systems;

11 ▶ requires a person engaging in the business of servicing carbon dioxide systems to have a
12 license from the state fire marshal;

13 ▶ requires, with exceptions, an individual who services a carbon dioxide system to have a
14 certification from the state fire marshal;

15 ▶ requires the board to establish rules, application forms, and fees for carbon dioxide
16 system licensing and certification; and

17 ▶ makes technical and conforming changes.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **53-7-204**, as last amended by Laws of Utah 2025, First Special Session, Chapter 9

25 ENACTS:

26 **53-7-601**, Utah Code Annotated 1953

27 **53-7-602**, Utah Code Annotated 1953

28
29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section **53-7-204** is amended to read:

31 **53-7-204 . Duties of Utah Fire Prevention Board -- Unified Code Analysis**32 **Council -- Local administrative duties.**

33 (1) The board shall:

34 (a) administer the state fire code as the standard in the state;

35 (b) subject to the state fire code, make rules in accordance with Title 63G, Chapter 3,
36 Utah Administrative Rulemaking Act:37 (i) establishing standards for the prevention of fire and for the protection of life and
38 property against fire and panic in any:39 (A) publicly owned building, including all public and private schools, colleges,
40 and university buildings;41 (B) building or structure used or intended for use as an asylum, a mental hospital,
42 a hospital, a sanitarium, a home for the elderly, an assisted living facility, a
43 children's home or day care center, or any building or structure used for a
44 similar purpose; or45 (C) place of assemblage where 50 or more persons may gather together in a
46 building, structure, tent, or room for the purpose of amusement, entertainment,
47 instruction, or education;48 (ii) establishing safety and other requirements for placement and discharge of display
49 fireworks on the basis of:

50 (A) the state fire code; and

51 (B) relevant publications of the National Fire Protection Association;

52 (iii) establishing safety standards for retail storage, handling, and sale of a division
53 1.4G common state approved explosive;54 (iv) defining methods to establish proof of competence to place and discharge display
55 fireworks, special effects fireworks, and flame effects;56 (v) subject to Subsection (2), creating a uniform statewide policy regarding a state,
57 county, special district, and local government entity's safe seizure, storage, and
58 repurposing, destruction, or disposal of a division 1.1G explosive, division 1.2G
59 explosive, division 1.3G explosive, or division 1.4G explosive that:

60 (A) is illegal; or

61 (B) a person uses or handles in an illegal manner;

62 (vi) deputizing qualified persons to act as deputy fire marshals, and to secure special
63 services in emergencies;

64 (vii) implementing Section 15A-1-403;

- 65 (viii) establishing criteria for the certification of firefighters, pump operators,
66 instructors, fire officers, fire investigators, and rescue personnel not certified or
67 licensed under any other section of the Utah Code;
- 68 (ix) establishing criteria for training and safety equipment grants for fire departments
69 enrolled in firefighter certification;
- 70 (x) establishing ongoing training standards for hazardous materials emergency
71 response agencies;
- 72 (xi) establishing criteria for the fire safety inspection of a food truck; and
- 73 (xii) establishing criteria for the accreditation and reaccreditation of fire service
74 training organizations;
- 75 (c) recommend to the commissioner a state fire marshal;
- 76 (d) develop policies under which the state fire marshal and the state fire marshal's
77 authorized representatives will perform;
- 78 (e) provide for the employment of field assistants and other salaried personnel as
79 required;
- 80 (f) prescribe the duties of the state fire marshal and the state fire marshal's authorized
81 representatives;
- 82 (g) provide technical expertise, advice, and support to Utah Valley University in the
83 establishment and operation of the fire and rescue training program described in
84 Section 53H-4-705;
- 85 (h) establish a statewide fire statistics program for the purpose of gathering fire data
86 from all political subdivisions of the state;
- 87 (i) coordinate the efforts of all people engaged in fire suppression in the state;
- 88 (j) work aggressively with the local political subdivisions to reduce fire losses;
- 89 (k) regulate the sale and servicing of portable fire extinguishers and automatic fire
90 suppression systems in the interest of safeguarding lives and property;
- 91 (l) establish a certification program for persons who inspect and test automatic fire
92 sprinkler systems;
- 93 (m) establish a certification program for persons who inspect and test fire alarm systems;
- 94 (n) establish a certification for persons who provide response services regarding
95 hazardous materials emergencies;
- 96 (o) in accordance with Section 53-7-602, establish a licensing and certification program
97 for carbon dioxide systems;
- 98 [(⊕)] (p) in accordance with Sections 15A-1-403 and 68-3-14, submit a written report to

99 the Business and Labor Interim Committee; and
 100 ~~[(p)]~~ (q) jointly create the Unified Code Analysis Council with the Uniform Building
 101 Code Commission in accordance with Section 15A-1-203.

102 (2)(a) In the rules that the board makes under Subsection (1)(b)(v), the board shall
 103 include a provision prohibiting a state, county, special district, or local government
 104 entity from disposing of an item described in Subsection (1)(b)(v) by means of open
 105 burning, except under circumstances described in the rule.

106 (b) When making a rule under Subsection (1)(b)(v), the board shall:

107 (i) review and include applicable references to:

108 (A) requirements described in Title 15A, Chapter 5, State Fire Code Act; and

109 (B) provisions of the International Fire Code; and

110 (ii) consider the appropriate role of the following in relation to the rule:

111 (A) the federal Bureau of Alcohol, Tobacco, Firearms, and Explosives; and

112 (B) a firework wholesaler or distributor.

113 (3) The board may incorporate in its rules by reference, in whole or in part:

114 (a) the state fire code; or

115 (b) subject to the state fire code, a nationally recognized and readily available standard
 116 pertaining to the protection of life and property from fire, explosion, or panic.

117 (4) The following functions shall be administered locally by a city, county, or fire
 118 protection district:

119 (a) issuing permits, including open burning permits pursuant to Sections 11-7-1 and
 120 19-2-114;

121 (b) creating a local board of appeals in accordance with the state fire code; and

122 (c) subject to the state fire code and the other provisions of this chapter, establishing,
 123 modifying, or deleting fire flow and water supply requirements.

124 Section 2. Section **53-7-601** is enacted to read:

125 **Part 6. Carbon Dioxide System Licensing and Certification**

126 **53-7-601 . Definitions.**

127 As used in this part:

128 (1)(a) "Carbon dioxide system" means a system that:

129 (i) stores, uses, or dispenses carbon dioxide; and

130 (ii) has a capacity of 100 pounds or more of carbon dioxide.

131 (b) "Carbon dioxide system" includes:

132 (i) an appliance used with a carbon dioxide system; and

133 (ii) pipes, tubing, fittings, required signage, and gas detection, that are part of, or
 134 connect to, a carbon dioxide system.

135 (2) "Service" means the inspection, installation, maintenance, repair, or modification of a
 136 carbon dioxide system.

137 Section 3. Section **53-7-602** is enacted to read:

138 **53-7-602 . Carbon dioxide system licensing and certification required for certain**
 139 **activities -- Licensing and certification procedures.**

140 (1) Ĥ→ [A] On or after January 1, 2027, a ←Ĥ person may not engage in the business
 140a of servicing a carbon dioxide system unless
 141 the person is currently licensed by the state fire marshal.

142 (2)(a) Ĥ→ [E] On or after January 1, 2027, e ←Ĥ xcept as provided by Subsection
 142a (2)(b), an individual may not service a carbon
 143 dioxide system unless the individual is currently certified by the state fire marshal.

144 (b) Subsection (2)(a) does not apply to:

145 (i) a fire officer; or

146 (ii) an individual in training who:

147 (A) has not worked for more than 45 business days as a trainee; and

148 (B) is supervised by an individual who holds a current certification under
 149 Subsection (2)(a).

150 (3) The board shall:

151 (a) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative
 152 Rulemaking Act, establishing requirements and standards for:

153 (i) licensing under Subsection (1), including for initial licensing qualification,
 154 renewal, and revocation; and

155 (ii) certification under Subsection (2), including for initial certification qualification,
 156 renewal, and revocation;

157 (b) create application forms for licensing and certification; and

158 (c) establish fees for licensing and certification under Section 63J-1-504.

159 (4) An applicant for licensing under Subsection (1) or certification under Subsection (2)
 160 shall:

161 (a) submit a written application on the form prescribed by the board;

162 (b) provide evidence of competency as required by the board; and

163 (c) submit the fee established under Subsection (3)(c).

164 Section 4. **Effective Date.**

165 This bill takes effect on May 6, 2026.