

TWENTY-FOURTH NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

Regular Session, 2026

H. B. 24-102

A BILL FOR AN ACT

To amend the Fire Safety Code to apply the International Fire Code as the guiding standard in the Commonwealth.

**BE IT ENACTED BY THE 24TH NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 **Section 1. Findings and Purpose.** Internationally, the Legislature finds that
2 the Uniform Fire Code has been phased out and replaced by the International Fire
3 Code (IFC), and that fire codes are updated on a national basis in three (3) year
4 cycles. The purpose of this Act is to amend the references of the Uniform Fire Code
5 in the Commonwealth Fire Safety Code and replace them with references to the
6 International Fire Code to reflect this national transition.

7 For purposes of current application, the Legislature finds that the
8 Commonwealth of the Northern Mariana Islands is using a version of the
9 International Fire Code that is based on the 2012 edition, as adopted by regulation.
10 The Legislature further finds it critical for the proper development of local
11 infrastructure to ensure that the fire code applied in the Commonwealth remains
12 aligned with current national standards.

1 Consequently, it is the intent of the Legislature to adopt the International
2 Fire Code as the official fire code of the Commonwealth of the Northern Mariana
3 Islands, to make the 2018 edition the current version applied in the Commonwealth,
4 and to direct the Commissioner or the Commissioner’s designee to adopt relevant
5 appendices, and updates to, or new editions of this Code, and to exclude non-
6 applicable sections, as needed.

7 **Section 2. Repeal and Re-Enactment.** Title 2, Division 7, Chapter 3 of the
8 Commonwealth Code is hereby repealed and re-enacted as follows:

9 **“Article 1. General Provisions.**

10 **Section 7311. Purpose.**

11 The purpose of this Act is to establish a fire safety code designed to
12 safeguard, to a reasonable degree, life and property from the hazards of fire
13 and explosions arising from the storage, handling, and use of hazardous
14 substances, materials, and devices, and from any conditions hazardous to
15 life and property in the use or occupancy of any buildings and premises.

16 **Section 7312. Definitions.**

17 All definitions pertaining to the Commonwealth Fire Safety Code
18 not listed below are set forth in the International Fire Code (IFC) published
19 by the International Code Council (ICC):

- 20 (a) “Code” refers to this Commonwealth Fire Safety Code;

1 (b) “Department” means the Department of Fire and Emergency
2 Medical Services (DFEMS);

3 (c) “Commissioner” means the Commissioner of Fire and
4 Emergency Medical Services;

5 (d) “Fire” is defined as a rapid, self-sustaining oxidation process
6 accompanied by the evolution of heat and light in varying intensities;

7 (e) “Fire hazard” is anything or act that increases or may cause an
8 increase of the hazard or menace of fire to a greater degree than that
9 customarily recognized as normal by persons in the public service regularly
10 engaged in preventing, suppressing, or extinguishing fire or anything or act
11 which may obstruct, delay, hinder, or interfere with the operations of the
12 fire department or the egress of occupants in the event of fire;

13 (f) “Fireworks” are devices designed primarily to produce visible or
14 audible effects by combustion, deflagration, or detonation, including but not
15 limited to, firecrackers containing more than 2 grains (130 milligrams) of
16 explosive composition, aerial shells containing more than 40 grams of
17 pyrotechnic composition, and other display pieces which are classified as
18 Division 1.3G or Division 1.4G Explosive by the labeling requirements of
19 the United States Department of Transportation;

1 (g) "Hazardous Materials" are those chemicals or substances which
2 are physical hazards or health hazards whether the materials are in usable
3 or waste condition;

4 (h) "International Fire Code" means the fire code adopted and
5 published by the International Code Council or its successor entity;

6 (i) "DFPAI" means Division of Fire Prevention and Arson
7 Investigation;

8 (j) "NFPA" means National Fire Protection Association;

9 (k) "1.3G Explosives" formerly known as Class B special fireworks,
10 are display fireworks as determined by the United States Department of
11 Transportation;

12 (l) "1.4G Explosives" formerly known as Class C common
13 fireworks, means consumer fireworks intended for use by the general
14 public.

15 **Section 7313. Applicability of the Code.**

16 (a) This Chapter shall apply to all persons in the Commonwealth
17 without restrictions unless specifically exempted.

18 (b) This Chapter shall apply to existing conditions as well as
19 conditions arising after the adoption thereof, except that conditions legally
20 in existence at the time of the adoption of the Commonwealth Fire Safety
21 Code and not in strict compliance therewith shall be permitted to continue

1 only if, in the opinion of the Commissioner of Fire and Emergency Medical
2 Services or the Commissioner’s authorized representative, they do not
3 constitute a serious hazard to life and property.

4 (c) Where there exists a conflict between a general requirement or a
5 specific requirement for occupancy in the Commonwealth Fire Safety Code
6 and the International Fire Code, the provisions of the Commonwealth Fire
7 Safety Code shall apply.

8 (d) The fire division of the Commonwealth Ports Authority (“CPA”)
9 shall have the same authority and obligation as the Department to comply
10 with and enforce this Code within the CPA premises, jurisdiction, and
11 activities.

12 **Section 7314. Authority to Modify the Code.**

13 The Commissioner of Fire and Emergency Medical Services or the
14 Commissioner’s designated representative shall have the sole authority to
15 modify any provisions of the Commonwealth Fire Safety Code upon
16 application in writing by the owner or authorized representative provided
17 that “Authority Having Jurisdiction” shall first find that a special reason
18 makes the strict letter of the Code impractical and that the modification will
19 not lessen the fire protection requirements intended to be achieved by this
20 Code or of any regulation adopted under the authority of this Code. All
21 actions granting such modifications shall be recorded, disseminated to

1 concerned signatory agencies, and officially filed in the Department of Fire
2 and Emergency Medical Services, Division of Fire Prevention and Arson
3 Investigation (DFPAI).

4 **Article 2. Enforcement Authority.**

5 **Section 7321. Powers of the Department of Fire and Emergency**
6 **Medical Services.**

7 (a) The Department of Fire and Emergency Medical Services shall
8 have the power and duty to control and extinguish injurious or dangerous
9 fires and remove that which is liable to cause such fires and enforce all laws
10 relating to preventing and spreading of fires and all laws pertaining to fire
11 control, fire hazards, and enforcement of all ordinances of the jurisdiction
12 as set forth in the International Fire Code Chapter 1.

13 (b) The officer of Department of Fire and Emergency Medical
14 Services in charge at the scene of any fire shall have the full power and
15 authority to direct the operation of extinguishment and to take the necessary
16 precautions to prevent the spread of fires. In the course of such operations,
17 the officer may prohibit approach to such fire or incident by any person,
18 vehicle, vessel, or thing and may remove or cause to be removed and kept
19 away from such fire or incident any vehicle or thing and all persons not
20 actually or usefully employed in the judgment of said officer in the

1 extinguishing and control of such fire incident, or the preservation of
2 property in the vicinity.

3 (c) Nothing in this Chapter shall be construed to limit the authority
4 of the master or officer of any vessel on fire or in danger of fire subject to
5 the general authority granted herein to Department of Fire and Emergency
6 Medical Services to control the operations in the protection of public
7 interest within the Commonwealth.

8 (d) The Department of Fire and Emergency Medical Services shall
9 have the power and responsibility of maintaining an emergency medical and
10 rescue service system. The Department of Fire and Emergency Medical
11 Services shall employ emergency medical services personnel who have
12 been certified to provide such services. The Department of Fire and
13 Emergency Medical Services shall maintain and operate equipment
14 necessary to convey on land and sea individuals who are actually ill, injured,
15 incapacitated, or helpless and require emergency care. The Department of
16 Fire and Emergency Medical Services personnel shall provide emergency
17 medical (pre-hospital) care on the scene and enroute to any emergency care
18 facility to the full extent of their certification by the state emergency
19 medical services office.

20 **Article 3. Fire Prevention.**

21 **Section 7331. Prohibition.**

1 It shall be unlawful for any person to remove the gasoline tank cover
2 of any vehicle in the vicinity of a gasoline pump while the motor of such
3 vehicle is running.

4 **Section 7332. Fire Hydrant Inspection.**

5 The Commissioner or the Commissioner's designated representative
6 shall have fire hydrants inspected on a quarterly basis to ensure that they
7 are maintained in good working order; upon discovery of any discrepancies,
8 said representative shall immediately report same to authority having
9 jurisdiction for corrective measures.

10 **Section 7333. Fireworks.**

11 Fireworks are prohibited in the Commonwealth of the Northern
12 Mariana Islands unless approved by the Governor and regulated in
13 accordance with Chapter-56 Explosives and Fireworks of the International
14 Fire Code. The Commissioner of Fire and Emergency Medical Services
15 shall regulate the use of fireworks as defined and pursuant to regulations
16 promulgated under this Chapter.

17 **Section 7334. Violations of the Code.**

18 It shall be unlawful for any person, firm, or corporation to construct,
19 enlarge, move, equip, use, occupy, or maintain any building or structure or
20 cause to permit the same to be done, in violation of any provision of this
21 Code. When a violation of the Code has occurred, the Commissioner or the

1 Commissioner's authorized representative shall cause the violation to be
2 corrected before the issuance of an occupancy certificate.

3 **Section 7335. Penalties.**

4 (a) *Civil Penalties.* Any person who violates any of the provisions
5 of this Code or standards hereby adopted or fails to comply therewith, or
6 who violates or fails to comply with any orders made thereunder, or shall
7 build in violation of any detailed statement of specifications or plans
8 submitted and approved thereunder; or any certificate or permit issued
9 thereunder, and from which no appeal has been taken, or who shall fail to
10 comply with such an order as affirmed or modified by the Commissioner or
11 by a court of competent jurisdiction, within the time fixed herein shall
12 severally for each and every such violation and non-compliance,
13 respectively, shall be civilly liable to a fine of not less than \$5,000 nor more
14 than \$10,000. The imposition of one penalty for any violation shall not
15 excuse the violation or permit it to continue, and all such persons shall be
16 required to correct or remedy such violations or defects within a reasonable
17 time; and when not otherwise specified, every ten days that prohibited
18 condition is maintained shall constitute a separate offense.

19 (b) *Criminal Penalties.* In addition to all other remedies or penalties
20 hereunder, any person who knowingly and willfully commits an offense
21 under subsection (a) above shall upon conviction be imprisoned for not

1 more than six months or fined not more than \$50,000 or both.

2 (c) *Enforced Removal*. The application of the penalty shall not be
3 held to prevent the enforced removal of prohibited conditions.

4 (d) *Private Liability*. Notwithstanding any other remedies available,
5 any person damaged economically, injured, or otherwise aggrieved as a
6 result of a violation of the Fire Safety Code shall have a cause of action
7 against the person who committed the violation. Violation of the Code shall
8 constitute a per se public nuisance. An award shall include damages and the
9 costs of litigation including reasonable attorney's fees.

10 **Section 7336. Permit Requirements.**

11 Except as exempted by this Code, any person, firm, or corporation
12 who plans to engage in activities, operations, practices, or functions as set
13 forth in the International Fire Code Chapter 1, Section 105, shall prior to
14 commencement of the activity, operations, practices, or function obtain a
15 permit from the DFPAL.

16 (a) *Conditions of Permits*.

17 (1) *Scope*. A permit shall constitute permission to maintain,
18 store, use or handle materials, conduct processes that produce
19 conditions hazardous to life or property, or install equipment used
20 in connection with such activities. Such permission shall not be
21 construed as authority to violate, cancel or set aside any of the

1 provisions of this Code. Such a permit shall not take the place of any
2 license required by law.

3 (2) *Expiration of Permit.* A permit issued under this Code
4 shall continue until revoked or for such a period of time as
5 designated therein at the time of issuance. It shall not be transferable
6 and any change in use, occupancy, operation or ownership shall
7 require a new permit.

8 (3) *Compliance.* All permits issued under this Code shall be
9 presumed to contain the provision that the applicant, his agents, and
10 employees shall carry out the proposed activity in compliance with
11 all the requirements of this Code and any other laws or regulations
12 applicable thereto, whether specified or not and in complete
13 accordance with the approved plans and specifications. Any permits
14 which purport to sanction a violation of this Code or any applicable
15 law or regulation shall be void and approval of plans and
16 specifications in the issuance of such permit shall likewise be void.

17 (b) *Application for Permit.* An application for a permit required by
18 this Code shall be made to the DFP AI in such form and detail as it shall
19 prescribe. Applications for permits shall be accompanied by such plans as
20 required by DFP AI.

21 (c) *Inspection Required.* Before a permit may be issued, the

1 Commissioner or the Commissioner's authorized representative shall
2 inspect and approve the receptacles, vehicles, buildings, devices, premises,
3 storage spaces or areas to be used. In instances where laws or regulations
4 are enforceable by departments other than the DFP AI, joint approval shall
5 be obtained from all departments concerned.

6 (d) *Permits for Same Location.* Whenever, under the provisions of
7 this Code, more than one permit is required for the same location, such
8 permits may be consolidated into a single permit.

9 (e) *Revocation of Permits.* Any permit issued under this Code may
10 be suspended or revoked when it is determined after a hearing by the
11 Commissioner or the Commissioner's authorized representative that:

12 (1) it is used by a person other than the person to whom the
13 permit was issued;

14 (2) it is used for a location other than that for which it was
15 issued;

16 (3) Any of the conditions or limitations set forth in the permit
17 have been violated;

18 (4) The permittee fails, refuses, or neglects to comply with
19 any order or notice duly served upon him under the provisions of
20 this Code within the time provided therein; or

21 (5) There has been a false statement or misrepresentation as

1 to a material fact in the application or plans on which the permit or
2 application was based.

3 (f) *Required Fees*. The Department may charge fees for the issuance
4 of permits and review of plans and other procedures authorized under the
5 provisions of this Code. The fees shall be established by the Commissioner
6 of the Department of Fire and Emergency Medical Services and shall be set
7 forth in the regulations. The fee for permits may vary based on the proposed
8 use or occupancy and values. The Commissioner has the authority to waive
9 permit fees on Government buildings but no authority to limit or to lessen
10 life safety and fire protection requirements intended to be achieved by this
11 Code or of any regulation adopted under the authority of this Code.

12 (g) *Technical Requirements (General)*. The purpose of this Section
13 is to set forth the technical procedures, requirements, and minimum
14 standards which shall regulate and control fire protection, storage, and
15 handling of hazardous materials or any other requirements as set forth in
16 this Code, the International Fire Code and standards, or any other nationally
17 recognized standards and life safety procedures, as adopted herein.

18 (h) *Technical Requirements (Specific)*. Except as otherwise
19 provided by this Code, all fire protection procedures, requirements, and
20 minimum standards which shall regulate and control fire protection, storage
21 and handling of hazardous materials and other life safety requirements shall

1 conform to the requirements of the International Fire Code that will be
2 applied in the CNMI Appendices B, C, D & I and all other related reference
3 publications of the International Fire Code, as amended, published by the
4 International Code Council or its successor entity.

5 (i) *Fire Safety Code Revolving Fund.*

6 (1) The Department of Finance shall establish three (3)
7 accounts to be known as the “Fire Safety Code Revolving Funds”.
8 The fees collected from each senatorial district shall be deposited
9 into each respective account;

10 (2) Notwithstanding any other provision of law, the funds
11 collected and deposited pursuant to subsection (i)(1) shall be
12 expended continuously without further appropriation and solely for
13 the repair, maintenance, and upgrade of DFEMS-DFPAI vehicles,
14 office equipment, and supplies; for DFPAI personnel salaries; and
15 for DFPAI personnel continuing education and training, including
16 specialized training, department training, in-service training, and
17 public education outreach programs;

18 (3) The expenditure authority shall be the Commissioner of
19 the Department of Fire and Emergency Medical Services for Saipan,
20 the Resident Deputy Commissioner for Tinian and Rota;

21 (4) Funds deposited into the Fire Safety Code Revolving

1 Funds account shall not be reprogrammed for any other purpose or
2 to any other agency.

3 **Section 7337. Adoption of Other Codes; Modification of**
4 **Existing Codes.**

5 (a) The International Fire Code (IFC) as published by the
6 International Code Council, is hereby adopted and enacted as the fire code
7 for the Commonwealth of the Northern Mariana Islands (CNMI),
8 commencing with the 2018 Edition of the IFC, including the entirety of the
9 Appendices. The IFC shall be recognized as the standard for the furtherance
10 of the intent of Division 7, Chapter 3 of this Title, the Commonwealth Fire
11 Safety Code, regulating and governing the safeguarding of life and property
12 from fire and explosion hazards arising from the storage, handling, and use
13 of the hazardous substances, materials, and devices and from conditions
14 hazardous to life or property in the occupancy of buildings and premises in
15 the Commonwealth of Northern Mariana Islands.

16 (b) The Commissioner is hereby authorized without further
17 legislation to adopt, as appropriate for the Commonwealth, other
18 subsequent editions of the IFC, including the entirety of the Appendices,
19 national codes and standards, or amendments to previously adopted codes
20 and standards covering life safety and fire protection regulations. The codes,
21 standards, and amendments shall be listed in the regulations.”

1 **Section 3. Severability.** If any provisions of this Act or the application of
2 any such provision to any person or circumstance should be held invalid by a court
3 of competent jurisdiction, the remainder of this Act or the application of its
4 provisions to persons or circumstances other than those to which it is held invalid
5 shall not be affected thereby.

6 **Section 4. Savings Clause.** This Act and any repealer contained herein
7 shall not be construed as affecting any existing right acquired under contract or
8 acquired under statutes repealed or under any rule, regulation, or order adopted
9 under the statutes. Repealers contained in this Act shall not affect any proceeding
10 instituted under or pursuant to prior law. The enactment of the Act shall not have
11 the effect of terminating, or in any way modifying, any liability, civil or criminal,
12 which shall already be in existence on the date this Act becomes effective.

13 **Section 5. Effective Date.** This Act shall take effect upon its approval by
14 the Governor, or it becoming law without such approval.

Prefiled: 3/11/24

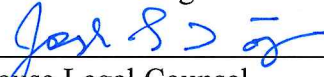
Date: 3/10/24

Introduced by:



Rep. Elias J. M. Rangamar

Reviewed for legal sufficiency by:



House Legal Counsel

Date: 3.10.24