

CHAPTER 299F

FIRE MARSHAL

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299F.011 UNIFORM FIRE CODE; ADOPTION.

[For text of subds 1 to 4b, see M.S.1992]

Subd. 4c. **Exit sign illumination.** For a new building on which construction is begun on or after October 1, 1993, or an existing building on which remodeling affecting 50 percent or more of the enclosed space is begun on or after October 1, 1993, the uniform fire code must prohibit the use of internally illuminated exit signs whose electrical consumption during nonemergency operation exceeds 20 watts of resistive power. All other requirements in the code for exit signs must be complied with.

[For text of subds 5 to 6, see M.S.1992]

History: 1993 c 327 s 16

299F.04 ORIGIN OF FIRES INVESTIGATED.

[For text of subds 1 to 4, see M.S.1992]

Subd. 5. **Notification.** (a) As used in this subdivision, "chief officer" means the city fire marshal or chief officer of a law enforcement agency's arson investigation unit in a city of the first class.

(b) The officer making investigation of a fire resulting in a human death shall immediately notify either the state fire marshal or a chief officer. The state fire marshal or chief officer may conduct an investigation to establish the origin and cause regarding the circumstance of the death. If the chief officer undertakes the investigation, the officer shall promptly notify the state fire marshal of the investigation and, after the investigation is completed, shall forward a copy of the investigative report to the state fire marshal. Unless the investigating officer does so, the state fire marshal or chief officer shall immediately notify the appropriate coroner or medical examiner of a human death occurring as a result of a fire. The coroner or medical examiner shall perform an autopsy in the case of a human death as provided in section 390.11, subdivision 2a, or 390.32, subdivision 2a, as appropriate.

History: 1993 c 326 art 5 s 1

299F.092 DEFINITIONS.

[For text of subds 1 to 8, see M.S.1992]

Subd. 9. [Repealed, 1993 c 337 s 20]

[For text of subds 10 to 17, see M.S.1992]

299F.093 POWERS AND DUTIES OF COMMISSIONER.

Subdivision 1. **Duties; rules.** (a) The commissioner shall:

(1) adopt rules no later than July 1, 1987, with the advice of the hazardous substance notification advisory committee, establishing the form and content of the hazardous substance notification report form, as required by section 299F.094, and

describing one or more hazard categories with specified ranges of quantities in each hazard category, representing increments of substantially increased risk;

(2) print and provide to individual fire departments the requested number of hazardous substance notification reports, which must be made available to a fire department no more than 90 days following its request, for the fire department to mail or otherwise make available to employers in the jurisdiction;

(3) report to the legislature, as needed, on the effectiveness of sections 299F.091 to 299F.099 and recommend amendments to sections 299F.091 to 299F.099 that are considered necessary;

(4) adopt rules to implement sections 299F.091 to 299F.099, compatible with the Minnesota Uniform Fire Code so as to not limit the authority of local fire officials under that code; and

(5) adopt rules that are based on the most recent standard 704, adopted by the National Fire Protection Association, and that allow a fire department to require employers within its jurisdiction to post signs conforming to standard 704, and indicating the presence of hazardous substances. If the signs are required, a fire department shall supply the signs or provide information to assist an employer to obtain them.

(b) The commissioner shall adopt criteria and guidelines, with the concurrence of the hazardous substance notification advisory committee, for the disbursement of funds pursuant to Laws 1986, First Special Session chapter 1, article 10, section 20, subdivision 1. These criteria and guidelines are exempt from the Minnesota administrative procedure act.

[For text of subd 2, see M.S.1992]

History: 1993 c 337 s 18

299F.097 [Repealed, 1993 c 337 s 20]

299F.21 FIRE INSURANCE COMPANIES PAY TAX.

[For text of subds 1 to 1e, see M.S.1992]

Subd. 2. Annual returns. (a) Every insurer required to pay a tax under this section shall make and file a statement of estimated taxes for the period covered by the installment tax payment. The statement shall be in the form prescribed by the commissioner of revenue.

(b) On or before March 1, annually every insurer subject to taxation under this section shall make an annual return for the preceding calendar year setting forth information the commissioner of revenue may reasonably require on forms prescribed by the commissioner.

(c) On March 1, the insurer shall pay any additional amount due for the preceding calendar year; if there has been an overpayment, the overpayment may be credited without interest on the estimated tax due April 15.

(d) If unpaid by this date, penalties as provided in section 289A.60, subdivision 1, as related to withholding and sales or use taxes, shall be imposed.

History: 1993 c 375 art 10 s 43

299F.23 VIOLATIONS AND PENALTIES; ASSESSMENTS.

[For text of subd 1, see M.S.1992]

Subd. 2. Failure to file; penalties. In case of any failure to make and file a return as required by this chapter within the time prescribed by law or prescribed by the commissioner of revenue in pursuance of law there shall be added to the tax penalties as provided in section 289A.60, subdivision 2, as related to withholding and sales or use taxes.

[For text of subds 3 and 4, see M.S.1992]

Subd. 5. **Penalty for repeated failures to file returns or pay taxes.** If there is a pattern by a person of repeated failures to timely file returns or timely pay taxes, and written notice is given that a penalty will be imposed if such failures continue, a penalty of 25 percent of the amount of tax not timely paid as a result of each such subsequent failure is added to the tax. The penalty can be abated under the abatement authority in section 270.07, subdivisions 1, paragraph (e), and 6.

History: 1993 c 375 art 10 s 44,45

299F.362 SMOKE DETECTION DEVICES; INSTALLATION; PENALTY.

Subdivision 1. **Definitions.** For the purposes of this section, the following definitions shall apply:

(a) "Apartment house" is any building, or portion thereof, which is designed, built, rented, leased, let, or hired out to be occupied, or which is occupied as the home or residence of three or more families living independently of each other and doing their own cooking in the building, and shall include buildings containing three or more flats or apartments.

(b) "Dwelling" is any building, or any portion thereof, which is not an apartment house, lodging house, or a hotel and which contains one or two "dwelling units" which are, or are intended or designed to be, occupied for living purposes.

(c) "Dwelling unit" is a single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation, or a single unit used by one or more persons for sleeping and sanitation pursuant to a work practice or labor agreement.

(d) "Hotel" is any building, or portion thereof, containing six or more guest rooms intended or designed to be used, or which are used, rented, or hired out to be occupied, or which are occupied for sleeping purposes by guests.

(e) "Lodging house" is any building, or portion thereof, containing not more than five guest rooms which are used or are intended to be used for sleeping purposes by guests and where rent is paid in money, goods, labor, or otherwise.

[For text of subds 2 to 9, see M.S.1992]

Subd. 11. **Insurance claims.** No insurer shall deny a claim for loss or damage by fire for failure of a person to comply with this section.

History: 1993 c 329 s 1,2

299F.811 POSSESSION OF EXPLOSIVE OR INCENDIARY DEVICE.

Whoever possesses, manufactures, or transports any explosive compound, timing or detonating device for use with any explosive compound or incendiary device and is not licensed to so possess an explosive compound or device, may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

History: 1993 c 326 art 5 s 2

299F.815 POSSESSION OF CERTAIN INCENDIARY DEVICES.

Subdivision 1. **Possession.** (a) Whoever shall possess, manufacture, transport, or store a chemical self-igniting device or a molotov cocktail may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

(b) Whoever possesses, manufactures, transports, or stores a device or compound that, when used or mixed has the potential to cause an explosion, with intent to use the device or compound to damage property or cause injury, may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

[For text of subd 2, see M.S.1992]

History: 1993 c 326 art 5 s 3