

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4460

A bill to amend 1941 PA 207, entitled
"Fire prevention code,"
by amending the title and section 19 (MCL 29.19), the title as
amended by 1984 PA 314 and section 19 as amended by 1998 PA 45.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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TITLE

An act to provide for the prevention of fires and the
protection of persons and property from exposure to the dangers of
fire or explosion; to authorize the investigation of fires and the
discovery of crime or other offenses in relation thereto; to
require the razing, repair, or alteration of buildings, and the
clearing and improvement of premises which constitute a fire hazard
or a menace to the peace, security, or safety of persons or

1 property; to control the construction, use, and occupancy of ~~these~~
 2 buildings and premises ~~for~~ **IN RELATION TO SAFETY, INCLUDING** fire
 3 safety; ~~purposes;~~ to provide for the certification of fire
 4 inspectors and the delegation of certain powers to those certified
 5 fire inspectors; to provide for the regulation of the storage and
 6 transportation of hazardous material; to provide for the issuance
 7 of certificates; to prohibit the use of certain fire extinguishers
 8 and fire extinguishing agents; to provide immunity from liability
 9 for certain persons; to provide for the administration of this act
 10 and prescribe procedure for the enforcement of its provisions; to
 11 fix penalties for violation of this act; to provide for the
 12 promulgation of rules; to provide for the assessment of fees; and
 13 to repeal ~~certain~~ acts and parts of acts.

14 Sec. 19. (1) The chief administrative officer and the teachers
 15 of all schools, including state supported schools, colleges, and
 16 universities and the owner, or owner's representative, of all
 17 school dormitories shall have a fire drill each month and ~~keep all~~
 18 ~~doors and exits unlocked~~ **ENSURE UNRESTRICTED EMERGENCY EGRESS**
 19 during school hours ~~—~~ and when the school is open to the public.
 20 Each teacher in a school, including a state supported school,
 21 college, or university and the owner or owner's representative of a
 22 dormitory shall comply with these requirements and keep a record of
 23 the drills.

24 (2) ~~A~~ **EXCEPT AS PROVIDED IN SUBSECTION (3), A** minimum of 8
 25 fire drills is required for each school year. If weather conditions
 26 do not permit fire drills to be held at least once a month, then at
 27 least 5 fire drills shall be held in the fall of each year and 3

1 fire drills shall be held during the remaining part of the school
2 year.

3 (3) A MINIMUM OF 6 FIRE DRILLS IS REQUIRED FOR EACH SCHOOL
4 YEAR FOR A SCHOOL THAT OPERATES ANY OF GRADES KINDERGARTEN TO 12.
5 FOUR OF THE FIRE DRILLS SHALL BE HELD IN THE FALL AND 2 SHALL BE
6 HELD DURING THE REMAINING PART OF THE SCHOOL YEAR.

7 (4) ~~(3)~~ A minimum of 2 tornado safety drills is required for
8 each school year at the schools and facilities described in
9 subsection (1). These drills shall be conducted for the purpose of
10 preventing fires and related hazards and injuries caused by severe
11 weather.

12 (5) A MINIMUM OF 2 DRILLS IN WHICH THE OCCUPANTS ARE
13 RESTRICTED TO THE INTERIOR OF THE BUILDING AND THE BUILDING SECURED
14 IS REQUIRED FOR EACH SCHOOL YEAR AT A SCHOOL THAT OPERATES ANY OF
15 GRADES KINDERGARTEN TO 12. A DRILL CONDUCTED UNDER THIS SUBSECTION
16 SHALL INCLUDE SECURITY MEASURES THAT ARE APPROPRIATE TO AN
17 EMERGENCY SUCH AS THE RELEASE OF A HAZARDOUS MATERIAL OR THE
18 PRESENCE OF AN ARMED INDIVIDUAL ON OR NEAR THE PREMISES. THE DRILL
19 SHALL BE CONDUCTED IN COORDINATION WITH THE LOCAL EMERGENCY
20 MANAGEMENT COORDINATOR APPOINTED UNDER SECTION 9 OF THE EMERGENCY
21 MANAGEMENT ACT, 1976 PA 390, MCL 30.409, THE COUNTY SHERIFF FOR THE
22 COUNTY OR THE CHIEF OF POLICE OR FIRE CHIEF FOR THE MUNICIPALITY
23 WHERE THE SCHOOL IS LOCATED, OR THE DESIGNEE OF THE SHERIFF, CHIEF
24 OF POLICE, OR FIRE CHIEF AND CONSISTENTLY WITH APPLICABLE FEDERAL,
25 STATE, AND LOCAL EMERGENCY OPERATIONS PLANS. THE GOVERNING BODY OF
26 A SCHOOL SHALL SEEK INPUT FROM THE ADMINISTRATION OF THE SCHOOL ON
27 THE NATURE OF THE DRILLS TO BE CONDUCTED UNDER THIS SUBSECTION.

1 (6) ~~—(4)—~~ The state fire marshal, ~~—or the chief of the fire~~
2 ~~department—~~ **A FIRE CHIEF**, or a ~~—fire fighter—~~ **FIREFIGHTER** in
3 uniform acting under orders and directions of the fire chief may
4 cause fire drills to be held in school houses, school dormitories,
5 and other public buildings as the state fire marshal considers
6 advisable. The state fire marshal may order the installation of
7 other protective apparatus or equipment that conforms to recognized
8 and approved modern practices.

9 (7) **THE DEPARTMENT OF STATE POLICE EMERGENCY MANAGEMENT**
10 **DIVISION SHALL DEVELOP A MODEL TO BE USED BY A SCHOOL IN**
11 **CONDUCTING, AND BY A LOCAL EMERGENCY MANAGEMENT COORDINATOR, COUNTY**
12 **SHERIFF, CHIEF OF POLICE, FIRE CHIEF, OR DESIGNEE OF A SHERIFF,**
13 **CHIEF OF POLICE, OR FIRE CHIEF IN COORDINATING, A DRILL UNDER**
14 **SUBSECTION (5).**