

ACTS 1987

Laws enacted by the

105th GENERAL ASSEMBLY

at the

**FIRST REGULAR SESSION
(1987)**

VOLUME II

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By the authority of
INDIANA LEGISLATIVE COUNCIL
(IC 2-6-1.5)

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insurance companies licensed to do business in Indiana.

(8) One (1) individual who is a mechanical engineer on the faculty of a recognized engineering college or who is a graduate mechanical engineer having equivalent experience.

(9) One (1) individual who represents boilermakers.

(10) One (1) individual who represents practical steam operators.

(c) At least six (6) of the voting members on the rules board must be professional engineers registered under IC 25-31.

Sec. 3. The governor may remove a member of the rules board for inefficiency or neglect of duty.

Sec. 4. If a vacancy occurs on the rules board, the governor shall appoint an individual to serve the unexpired term of the vacating member.

Sec. 5. The rules board shall annually elect a chairperson from among its members.

Sec. 6. (a) The rules board shall meet at least quarterly.

(b) Meetings of the rules board shall be called upon the request of its chairperson.

Sec. 7. The department shall provide facilities and staff to carry out the responsibilities of the rules board.

Sec. 8. Each member of the rules board is entitled to reimbursement for travel expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the department of administration and approved by the state budget agency.

Chapter 5. Fire and Building Services Department.

Sec. 1. The fire and building services department is established. The department consists of the following offices and divisions:

(1) Office of the executive director.

(2) Office of the state fire marshal.

(3) Office of the state building commissioner.

(4) Division of management information and statistics.

(5) Division of education and information.

(6) Division of technical services and research.

Sec. 2. The principal offices of the department and its

offices and divisions must be located in one (1) place.

Sec. 3. Sufficient qualified personnel shall be employed in the department to carry out its responsibilities. IC 4-15-2 applies to all personnel in the department.

Sec. 4. (a) The governor shall appoint an executive director for the department who serves at the pleasure of the governor.

(b) The executive director must:

- (1) have executive experience in the management and administration of technical operations;
- (2) be knowledgeable in the writing, use, or enforcement of building and fire codes; and
- (3) possess educational credentials in the field of fire protection, architecture, engineering, or public administration.

(c) The executive director shall administer the department and serve as secretary for the commission. However, the executive director may not exercise any powers or perform any duties specifically assigned by statute to the state fire marshal or the state building commissioner.

(d) The executive director is the appointing authority for the divisions established under sections 5 through 7 of this chapter.

Sec. 5. (a) A division of management information and statistics is established within the department.

(b) The director of the division shall be appointed by and shall serve at the pleasure of the executive director of the department. The director must possess credentials and experience in the collection and analysis of business information using automated technology.

(c) The division shall use internal and external data collection systems and automatic data processing technology and equipment to do the following:

- (1) Develop and maintain, in cooperation with the office of the state fire marshal, a statewide fire incident reporting system compatible with nationally recognized fire data collection and reporting systems.
- (2) Develop and maintain, in cooperation with the office of the state building commissioner, an inventory and data base for the subclasses of Class 1 structures

located in one (1) place.
Qualified personnel shall be
assigned to carry out its
duties to all personnel in the

shall appoint an executive
who serves at the pleasure of

must:
experience in the management and
operations;
experience in the writing, use, or
and fire codes; and
credentials in the field of fire
science, engineering, or public

Director shall administer the
Secretary for the commission.
Director may not exercise any
duties specifically assigned by
fire marshal or the state building

Director is the appointing authority
under sections 5 through 7 of

management information and
in the department.

Director shall be appointed by
Director of the executive director of
Director must possess credentials
in the management and analysis of business
and technology.

Director shall do the following:

Director, in cooperation with the
fire marshal, a statewide fire incident
compatible with nationally
reporting and reporting systems.

Director, in cooperation with the
fire commissioner, an inventory
of classes of Class 1 structures

prescribed by the executive director of the department.

(3) Maintain all files, records, and archives required
for departmental operations or required by statute.

(4) Establish the capacity to exchange information
with other information systems in the field of building
and fire safety regulation.

(5) Establish and maintain an automated system for
code development and management purposes.

(6) Perform the other duties assigned by the executive
director of the department.

(d) The director of the division may request local fire
departments and building inspectors to provide the
division with the information necessary to perform its
duties under this section.

Sec. 6. (a) A division of education and information is
established within the department.

(b) The director of the division shall be appointed by
and shall serve at the pleasure of the executive director of
the department. The director must possess experience and
credentials in the development and administration of
educational and training programs.

(c) The division shall do the following:

(1) Develop and administer continuing education
curricula and progressive courses in the administration
and technology of building safety.

(2) Develop and administer training programs for
personnel at state and local levels who are engaged in or
responsible for building safety.

(3) Establish and administer qualification and
proficiency testing programs.

(4) Provide public information on building safety
matters.

(5) Perform the other duties assigned by the executive
director of the department.

(d) This section does not prohibit the office of the state
fire marshal from conducting training programs
concerning firefighting and fire safety inspections.

Sec. 7. (a) A division of technical services and
research is established within the department.

(b) The director of the division shall be appointed by
and shall serve at the pleasure of the executive director of
the department. The director must:

- (1) be a registered architect or engineer qualified in the designing and construction of buildings; or
- (2) possess credentials and experience in the development and administration of building and fire safety codes and standards.

(c) The division shall do the following:

- (1) Perform any duties assigned by the executive director of the department.
- (2) Encourage the development and advancement of building laws for safety, sanitation, and the conservation of energy at state and local levels.
- (3) Perform research and provide technical services necessary for the commission and the department to carry out their responsibilities concerning the enforcement of building laws and equipment laws.

Chapter 6. Administration of Funds; Fire Insurance Policy Premium Tax; Fees.

Sec. 1. (a) The state fire marshal fund is established for the purpose of defraying the personal services, other operating expense, and capital outlay of the following:

- (1) The office of the state fire marshal.
- (2) The education board.
- (3) The share set by the general assembly of other expenses incurred by the commission and the department.

(b) The fund shall be administered by the department.

(c) The treasurer of state shall deposit the following collected amounts in the fund:

- (1) Fire insurance policy premium taxes assessed under section 5 of this chapter.
- (2) Fees set under section 6(a)(1), section 6(a)(2), section 7, and section 8 of this chapter.
- (3) Application fees set under section 6(a)(6) of this chapter for a variance to a fire safety law.
- (4) Any money not otherwise described in this subsection but collected by the office of the state fire marshal.
- (5) Any money not otherwise described in this subsection but collected by the department or education board and designated for distribution to the fund by statute or the executive director of the department.