

Legislative Analysis



TENT FIRE STANDARDS

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Senate Bill 262 (S-1) as reported from House committee

Sponsor: Sen. Jeff Irwin

House Committee: Regulatory Reform

Senate Committee: Regulatory Affairs

Complete to 9-17-23

Analysis available at
<http://www.legislature.mi.gov>

(Enacted as Public Act 223 of 2023)

SUMMARY:

Senate Bill 262 would amend the Fire Prevention Code to change the fire standards for certain tents.

Currently, the following tents must meet the appropriate requirements for resistance to fire prescribed in the “Standard Methods of Fire Tests for Flame-Resistant Textiles, Films,” National Fire Protection Association No. 701-1969:

- Tents that may be occupied or furnished for public assembly by 50 or more people.
- Tents that animals are stabled in for public exhibition or sale.
- Tents located in a building used by the public.
- Tarpaulins and decorative material used in connection with a tent described above.

Under the bill, the relevant tents would need to meet one of the following fire resistance requirements:

- NFPA 701 (2023), “Standard Methods of Fire Tests for Flame Propagation of Textiles and Films.”
- Another standard that is determined, in rules promulgated by the Bureau of Fire Services, to be the equivalent of NFPA 701 (2023).

If NFPA 701 (2023) is revised after the bill’s effective date, the Bureau of Fire Services could take notice of the revision and determine whether it relates to the bill. If the revision is determined to be relevant, it could be incorporated by reference in rules promulgated by the bureau.

Safety nets and tents used for recreational camping would remain exempt from these standards.

The bill also would delete a requirement that all newly made camping tents sold in Michigan comply with the provisions for resistance to fire as prescribed in the “Specification for Flame-Resistant Materials used in Camping Tentage,” Canvas Products Association International-84, 1974, or another nationally recognized standard that is acceptable to the director of the Department of Licensing and Regulatory Affairs (LARA).

MCL 29.7b

The bill would take effect 90 days after it is enacted.

BRIEF DISCUSSION:

According to committee testimony, when these regulations were developed and last amended, camping tents were generally made of cloth or canvas. Now that these tents are made of nylon and other more technologically advanced materials, the flame retardants required under statute do not add any fire prevention benefits but do add harmful chemicals to the environment. Supporters of the bill argue that eliminating the older requirements will benefit Michigan residents both by reducing regulation and by protecting their health and environment.

FISCAL IMPACT:

Senate Bill 262 would have no fiscal impact on state or local government.

POSITIONS:

The Department of Licensing and Regulatory Affairs indicated support for the bill. (6-20-23)

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