

Mobile on demand fueling proposal for 2018 Washington State Fire Code – Section 5707 and 105.6 [Green text is proposed changes from Booster]

SECTION 5707 ON-DEMAND MOBILE FUELING OPERATIONS

[W]5707.1 **General.** On-demand mobile fueling operations that dispense Class I, II and III liquids into the fuel tanks of motor vehicles shall comply with Sections 5707.1 through 5707.6.((3)) 6.

Exception: Fueling from an *approved* portable container in cases of an emergency or for personal use.

[W]5707.1.1 **Approval required.** Mobile fueling operations shall not be conducted without first obtaining a *permit* and approval from the *fire code official*. Mobile fueling operations shall occur only at *approved* locations. The *fire code official* is authorized to approve individual locations or geographic areas where mobile fueling is allowed.

[W]5707.1.2 **Coordination of permitting allowed. Jurisdictions that do not issue operator permits.** A conforming operator or vehicle permit issued by one local authority having jurisdiction shall be recognized and accepted by all local authorities having jurisdiction in Washington State, if those local authority having jurisdictions allow mobile on demand fueling and do not offer such operator or truck certification. Under no circumstances will an issuing local authority having jurisdiction be expected to perform permissive inspections beyond their jurisdiction. Local authorities having jurisdictions that allow mobile on demand fueling trucks may accept conforming permits issued and/or inspections performed by any other local authorities authority having jurisdiction in Washington State. Local authority having jurisdictions that choose to accept conforming permits issued by other local authority having jurisdictions in Washington State retain the right to inspect and enforce. Issuing local authority having jurisdictions shall maintain a publicly available list of current permits or other information source to enable all parties to have information about whether permits are in good standing. When a local authority having jurisdiction that has previously authorized mobile fueling operations but not issued their own permits commences permit issuance for mobile fueling operations or vehicles, that local authority having jurisdiction shall continue to accept permits previously issued by another local authority having jurisdiction in Washington State for three months or until their expiration date, whichever is sooner.

5707.1.3 Jurisdictions that issue operator permits. A conforming operator or vehicle permit issued by one local authority having jurisdiction shall be recognized and accepted by all local authorities having jurisdiction in Washington state for a minimum three months or until the expiration date, whichever is sooner, while the local authority having jurisdiction commences its own permit issuance.

[W]5707.2 **Mobile fueling vehicle.** An on-demand mobile fueling vehicle shall be ((one of the following:)) utilized in on-demand fueling operations for the dispensing of Class I, II or III liquids into the fuel tanks of motor vehicles.

[W]5707.2.1 Mobile fueling vehicle classifications. An on-demand mobile fueling vehicle shall be characterized by one of the following:

1. Tier 1 Mobile Fueling Vehicle- A tank vehicle that complies with NFPA 385 and that has chassis-mounted tanks ~~((or containers))~~ where the aggregate ~~((cargo))~~ capacity does not exceed ~~((1200))~~ 1600 gallons ~~((4592))~~ 6057 L.

2. Tier 2 Mobile Fueling Vehicle- A ~~((mobile fueling))~~ vehicle with ~~((a mounted tank in excess of))~~ one or more chassis-mounted tanks or chassis-mounted containers, not to exceed 110 gallons (415 L) capacity and having an aggregate capacity that does not exceed 800 gallons (3028 L) ~~((shall comply with the requirements of Section 5706.6, Section 5707 and NFPA 385))~~ or the weight capacity of the vehicle in accordance with DOTn.

~~((2))~~3. Tier 3 Mobile Fueling Vehicle- A vehicle that carries a maximum aggregate capacity of 60 gallons (227 L) of motor fuel in metal safety cans *listed* in accordance with UL 30 or other *approved* metal containers, each not to exceed 5 gallons (19 L) in capacity. ~~((Containers shall be secured to the mobile fueling vehicle except when in use.))~~

[W]5707.2.2 Mobile fueling vehicle requirements. Each ~~((The))~~ mobile fueling vehicle shall comply with all local, state and federal requirements~~((,-))~~, and the following:

1. Mobile fueling vehicles with a chassis-mounted tank in excess of 110 gallons (415 L) shall also comply with the requirements of Section 5706.6 and NFPA 385.

2. The mobile fueling vehicle and its equipment shall be maintained in good repair.

3. Safety cans and approved metal containers shall be secured to the mobile fueling vehicle except when in use.

4. Fueling a motor vehicle from tanks or containers mounted in a trailer connected to a mobile fueling vehicle shall be prohibited [unless the trailer is NFPA or DOT certified.](#)

5707.3 Required documents. Documents developed to comply with Sections 5707.3.1 through 5707.3.3 shall be updated as necessary by the *owner* of the mobile fueling operation and shall be maintained in compliance with Section 108.3.

5707.3.1 Safety and emergency response plan. Mobile fueling operators shall have an *approved* written safety and emergency response plan that establishes policies and procedures for fire safety, spill prevention and control, personnel training and compliance with other applicable requirements of this code. [The safety and emergency response plan shall specifically address and require that all operators assess surroundings prior to fueling to consider the presence of items listed in 5707.3.3](#)

5707.3.2 Training records. Mobile fueling vehicles shall be operated only by designated personnel who are trained on proper fueling procedures and the safety and emergency response plan. Training records of operators shall be maintained.

[W]5707.3.3 Site-specific safety and emergency response plan. Where a site permitting process is required by the local jurisdiction, the jurisdictions shall create a process that contains a two tiered system. required by the *fire code official*, a site plan shall be developed for each location or area at which mobile fueling occurs. The site plan shall be in sufficient detail to indicate the following:

5707.3.3.1 Tier 1 Sites. Tier 1 sites are those that do not fall into the category of Tier 2 sites. Fueling shall be permitted on Tier 1 sites 3 business days after written notification is provided to the fire code official. The fire code official may impose additional conditions at a future date if warranted.

5707.3.3.2 Tier 2 Sites. Tier 2 sites are those that contain above ground storage tanks containing a flammable gas or Class 1 or Class 2 liquid or where underground injections or groundwater wells are within 100 feet downgradient from the fueling site. Tier 2 sites may require site inspection prior to permit issuance and the development of a site-specific safety and emergency response plan for each location at which mobile fueling occurs. The plan shall be sufficient detail to ensure that mobile fueling operators are aware of the presence of the unique hazards and site characteristics that impact the safety of fueling operations. Site specific safety and emergency response plans shall be maintained. Where required by the fire code official, a site plan shall be developed for each location or area at which mobile fueling occurs. The site plan shall be in sufficient detail to indicate the following:

1. ~~((a))~~ All buildings, structures,
2. ~~((h))~~ Lot lines or, property lines ~~((and))~~
3. Electric car chargers
4. Solar photovoltaic parking lot canopies
5. ~~((a))~~ Appurtenances on site and their use or function ~~((;))~~
6. ~~((a))~~ All uses adjacent to the lot lines of the site ~~((; all))~~
7. ~~((f))~~ Fueling locations ~~((, the))~~
8. ~~((h))~~ Locations of all storm drain openings and adjacent waterways or wetlands ~~((;))~~
9. ~~((i))~~ Information regarding slope, natural drainage, curbing, impounding ~~((and))~~
10. ~~((h))~~ How a spill will be kept on the site property ~~((; and the))~~
11. ~~((s))~~ Scale of the site plan.

[W]5707.4 Mobile fueling areas. ~~((Mobile fueling))~~ The mobile fueling vehicle and point of connection of the vehicle being fueled shall not occur on public streets, *public ways* or inside *buildings*. Fueling on the roof level of parking structures or other *buildings* is prohibited.

[W]5707.4.1 Separation. ~~((Mobile fueling))~~ The point of connection of the vehicle being fueled shall not take place within 25 feet (7620 mm) of buildings, lot lines, property lines or

combustible storage. Mobile fueling vehicles shall not park within 10 feet (3048 mm) of buildings, lot lines, property lines, or combustible storage.

Exceptions:

1. The *fire code official* shall be authorized to decrease the separation distance for dispensing from metal safety cans or other *approved* metal containers in accordance with Section 5707.2.
2. The point of fueling shall not take place within 10 feet (3048 mm) of buildings, lot lines, property lines, or combustible storage when the mobile fueling vehicle has an approved vapor recovery system or is servicing vehicles with on board refueling vapor recovery.

Where dispensing operations occur within 15 feet (4572 mm) of a storm drain, an *approved* storm drain cover or an *approved* equivalent method that will prevent any fuel from reaching the drain shall be used.

5707.4.2 Sources of ignition. Smoking, open flames and other sources of ignition shall be prohibited within 25 feet (7620 mm) of fuel dispensing activities. Signs prohibiting smoking or open flames within 25 feet (7620 mm) of the vehicle or the point of fueling shall be prominently posted on the mobile fueling vehicle. The engines of vehicles being fueled shall be shut off during fueling.

[W]5707.4.3 Electrical equipment. Mobile fueling shall not occur within 20 feet of electrical equipment located within 18 inches of the ground unless such electrical equipment is rated for Class 1, Division 2 hazardous locations in accordance with the National Electrical Code [or if the equipment is weather protected.](#)

[W]5707.5 Equipment. Mobile fueling equipment shall comply with Sections 5707.5.1 through 5707.5.((4))5.

[W]5707.5.1 Dispensing hoses and nozzles. Where equipped, the dispensing hose shall not exceed 50 feet (15 240 mm) in length. The dispensing nozzles and hoses shall be of an *approved* and *listed* type. Where metal-to-metal contact cannot be made between the nozzle and the fuel fill opening, then a means for bonding the mobile fueling vehicle to the motor vehicle shall be provided and employed during fueling operations.

[W]5707.5.2 Break-away device. A listed break-away device shall be provided at the nozzle.

Exception: Mobile fueling vehicles equipped with an approved brake interlock tied to the nozzle holder that prohibits movement of the mobile fueling vehicle when the nozzle is removed from its holder or tied to the delivery of fuel that prevents activation of the pumping system.

[W]5707.5.((2))3 ((Fuel)) Shut off valve and fuel limit. Mobile fueling vehicles shall be equipped with a listed shutoff valve assembly and a fuel limit switch set to a maximum of 30 gallons (116 L) ~~((and a nozzle or other approved device that, when activated, immediately causes flow of fuel from the mobile fueling vehicle to cease))~~.

[W]5707.5.~~(3)~~4 Fire extinguisher. An *approved* portable fire extinguisher complying with Section 906 with a minimum rating of ~~((40))~~ 4A:80-B:C shall be provided on the mobile fueling vehicle with signage clearly indicating its location.

[W]5707.5.~~(4)~~5 Spill kit. Mobile fueling vehicles shall contain a minimum 5-gallon (19 L) spill kit of an *approved* type.

5707.6 Operations. Mobile fueling vehicles shall be constantly attended during fueling operations with brakes set and warning lights in operation. Mobile fueling vehicles shall not obstruct emergency vehicle access roads.

5707.6.1 Dispensing hose. Where equipped, mobile fueling vehicles shall be positioned in a manner to preclude traffic from driving over the dispensing hose. The dispensing hose shall be properly placed on an *approved* reel or in an *approved* compartment prior to moving the mobile fueling vehicle.

5707.6.2 Drip control. Operators shall place a drip pan or an absorbent pillow under the nozzle and each fuel fill opening prior to and during dispensing operations to catch drips.

[W]5707.6.3 Safety cones. Safety cones or other visual barriers shall be employed as warning devices to highlight the vehicle fueling area. Signs prohibiting smoking or open flames within 25 feet (7620 mm) shall be prominently posted in the vehicle fueling area.

[W]5707.6.4 Vehicle lights. The mobile fueling vehicle flasher lights shall be in operation while dispensing operations are in progress.

[W]5707.6.5 Nighttime deliveries. Nighttime deliveries shall only be made in areas adequately lighted per WAC 296-800-21005 or equivalent per the *fire code official*.

[W]5707.6.~~(3)~~6 Spill reporting. Spills shall be reported in accordance with Section 5003.3.1.

[W]105.6 Required operational permits. The *fire code official* is authorized to and may issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.50.