

LD1005

MAINE STATE FIRE MARSHAL'S OFFICE PRESENTS

LD 1005 An Act to Allow Municipal Fire Departments with Trained Personnel to Conduct Sprinkler Plan Reviews



Report to the Joint Standing Committee on
Criminal Justice and Public Safety

December 3, 2025

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Executive Summary

Pursuant to Chapter 103 of the Resolves of 2025 (HP 652 – LD 1005), the Department of Public Safety, Office of State Fire Marshal (SFMO) convened a working group to study the feasibility of authorizing municipal fire departments with trained personnel to conduct fire sprinkler system plan reviews. The Resolve directed the SFMO to evaluate current plan review processes, examine procedures for potential municipal authorization, and develop strategies to address staffing needs within the Office.

The LD 1005 Working Group was composed of a broad representation of stakeholders, including the State Fire Marshal, the Chair of the Maine Fire Protection Services Commission, representatives of statewide associations of fire chiefs and municipalities, and municipal fire departments interested in conducting their own plan reviews. This diverse membership ensured balanced input from state, local, and professional perspectives.

The Working Group conducted multiple meetings throughout 2025 to review existing practices, evaluate workload and permit data, and explore options for improving the timeliness and consistency of sprinkler system plan reviews. Discussions focused on the number of annual permits, the average time required for approvals, the potential for preliminary permit issuance, and the infrastructure required to support municipal participation in the plan review process.

Preliminary findings indicate that Maine’s centralized plan review system, administered by the Office of State Fire Marshal, provides essential consistency, technical accuracy, and statewide accountability in the application of fire and life safety standards. The Working Group recognizes that this centralized approach remains critical to ensuring uniform enforcement of NFPA and State Fire Marshal standards across all jurisdictions. While a small number of larger municipal fire departments may possess the trained personnel and resources necessary to conduct sprinkler plan reviews, the vast majority do not have the capacity or infrastructure to assume this responsibility, and may not have the requisite reviews to justify building a separate local program.

Accordingly, the Working Group supports maintaining and strengthening the SFMO’s core role in plan review while allowing limited, clearly defined pathways for municipal participation—subject to state oversight, standardized procedures, and ongoing training requirements.

The Working Group also reviewed staffing models to strengthen the Office’s overall capacity, recognizing that plan review timeliness is directly linked to available personnel. Scenarios evaluating the addition of two or four plan reviewers demonstrated measurable improvements in review turnaround times, workload balance, and customer service outcomes.

In accordance with the Resolve, the Working Group submits its final report and unanimously supported recommendations — including proposed procedures for municipal authorization and potential legislative language — to the Joint Standing Committees on Criminal Justice and Public Safety, and Housing and Economic Development, herein.

Legislative Resolve

H.P. 652 - L.D. 1005 Resolve, to Study Authorization for Municipal Fire Departments with Trained Personnel to Conduct Fire Sprinkler System Plan Reviews CHAPTER 103 RESOLVES

Sec. 1. Office of State Fire Marshal to convene working group. Resolved: That the Department of Public Safety, Office of the State Fire Marshal, referred to in this resolve as "the office," shall convene a working group, referred to in this resolve as "the working group," to study allowing the office to authorize municipal fire departments with trained personnel to conduct fire sprinkler system plan reviews.

Sec. 2. Membership. Resolved: That the working group must consist of a broad representation of stakeholders, including, but not limited to, the following members:

1. The State Fire Marshal, or the fire marshal's designee;
2. The chair of the Maine Fire Protection Services Commission established in the Maine Revised Statutes, Title 5, section 12004-J, subsection 12, or the chair's designee;
3. A representative from a statewide association of fire chiefs;
4. A representative from a statewide association of municipalities; and
5. A representative from a municipal fire department seeking to conduct the fire department's own fire sprinkler system plan reviews.

Sec. 3. Duties of working group. Resolved: That the working group shall examine:

1. The status of fire sprinkler system plan reviews in the State, including, but not limited to, data regarding the number of fire sprinkler system permits issued annually, the amount of time taken to issue the permits and the number of preliminary fire sprinkler system permits issued;
2. The best procedures to allow the office to grant authority to a municipal fire department to conduct the municipality's fire sprinkler system plan reviews; and
3. Strategies to address the office's staffing needs.

Sec. 4. Report. Resolved: That, by December 3, 2025, the office shall submit a report that includes the findings and recommendations of the working group, including Page 1 - 132LR1983(03) suggested legislation, to the Joint Standing Committee on Criminal Justice and Public Safety and the Joint Standing Committee on Housing and Economic Development. The Joint Standing Committee on Criminal Justice and Public Safety may submit legislation based on the report to the Second Regular Session of the 132nd Legislature.

Key Recommendations

1. **Strengthen and Sustain the Centralized Plan Review Function**
 - a. Develop and implement technology accessible to stakeholders.
2. **Expand Plan Review Capacity through Staffing and Efficiency Initiatives**
 - a. Create new positions to fill defined need.
3. **Establish a Framework for Municipal Participation under SFMO Oversight**
 - a. Develop and implement clear guidelines & MOUs for consistency statewide.
4. **Develop a Statewide Training, Certification, and Quality Assurance Program**
 - a. Create dedicated staff position for oversight in furtherance of #3 above.
5. **Pursue Statutory and Administrative Updates to Enable Modernization**
 - a. Only minor adjustments to existing statutes required.
6. **Strengthen Collaboration and Public Access to Status of Plan Reviews**
 - a. Increase accessibility to existing systems and provide annual public reporting.

Key Recommendations (Expanded)

1. Strengthen and Sustain the Centralized Plan Review Function

The Office of State Fire Marshal (SFMO) should remain the central authority for fire sprinkler system plan review to preserve consistency, technical accuracy, and statewide code uniformity. Data presented to the working group shows the SFMO reviews more than 1,600 projects annually, with a current backlog of roughly six weeks due to high workload and limited staffing. Maintaining central oversight ensures statewide compliance with **NFPA 13 Standard for the Installation of Sprinkler Systems**, **NFPA 1 Fire Code**, and **NFPA 101 Life Safety Code**, while reducing liability for municipalities with limited technical capacity.

To improve performance within this centralized model, the SFMO should:

- Continue modernizing workflows through the **Agency Licensing Management System (ALMS) online permitting platform**, providing a single statewide portal for plan submission, payment, and tracking.
- Implement automated communication tools to update applicants on review status, reducing calls and communication delays.
- Retain centralized plan storage for audit and consistency review purposes.

2. Expand Plan Review Capacity through Staffing and Efficiency Initiatives

The Plan Review Efficiency Analysis demonstrated that:

- **Adding two reviewers** would reduce workload per reviewer by 33% and backlog from six weeks to 3–4 weeks.
- **Adding four reviewers** would reduce workload by 50% and backlog to 1–2 weeks, achieving long-term sustainability.

Accordingly, the working group recommends authorizing up to four new plan reviewer positions, two funded through dedicated revenue from permit fees and two funded through the general fund to ensure timely reviews, accommodate continued construction growth, and maintain safety standards.

Additional measures include:

- Revising budget structures to non-lapsing funds that would be collected and retained for the purposes of self-sustaining applicant revenue directed toward staffing, training and process improvement.
- Integrating cross-training for inspectors who hold plan-review certification to provide surge capacity.
- Maintaining transparent workload reporting to legislative committees on Criminal Justice and Public Safety and Housing.

3. Establish a Framework for Municipal Participation under SFMO Oversight

While only a limited number of municipalities currently have certified plan reviewers (approximately 27 – 30 identified statewide), a few have expressed interest in participating. The working group determined that delegated plan review should be optional, limited in scope, and administered through formal Memoranda of Understanding (MOUs) between SFMO and participating municipalities.

Key conditions for delegated participation:

- Municipalities must employ (not contract) an NFPA-certified plan reviewer consistent with Title 32, §1377 and Title 25, §2448-A.
- All municipal reviews shall follow standardized SFMO procedures, forms, and fee schedules, submitted through the ALMS platform for recordkeeping and transparency.
- Specialized or high-risk occupancies (health care and DHHS facilities) remain under SFMO jurisdiction.
- The SFMO through the Commissioner should have full authority to audit local reviews, revoke delegation for cause, and ensure statewide consistency.

This approach expands local participation while protecting the quality and uniformity of life-safety code enforcement.

4. Develop a Statewide Training, Certification, and Quality Assurance Program

To support both state and municipal reviewers, the SFMO should establish a structured training and certification pipeline in partnership with the Maine Fire Chiefs Association, the Maine Municipal Association, the Maine Fire Protection Services Commission, and the Maine Fire Service Institute.

With the addition of four new plan reviewers, the Working Group recommends designating a dedicated position—such as a Training and Standards Coordinator under the Plan Review Supervisor—to support statewide education, curriculum development, and coordination of ongoing professional development. This role would ensure consistent delivery of training, alignment with NFPA standards, and integration of lessons learned from plan review audits.

Key elements:

- Standardized training curriculum aligning with **NFPA 13**, **NFPA 1**, and **NFPA 101**.
- Continuing education requirements to maintain certification and proficiency.
- Periodic SFMO-led audits and peer review of plan decisions to ensure code uniformity.
- Use of ALMS analytics for tracking turnaround times, error rates, and compliance metrics.
- Central coordination of outreach, workshops, and training opportunities for contractors and municipalities through the proposed Training and Standards Coordinator.

This program and position would demonstrate the SFMO’s commitment to education and professional development, creating a sustainable path for municipal capacity building while ensuring adherence to statewide standards.

5. Pursue Statutory and Administrative Updates to Enable Modernization

The working group recommends minor legislative amendments to clarify SFMO’s **rule-making authority** for delegated plan review and to reference the use of MOUs and electronic permitting systems. Draft language modeled on **Title 32 §1377** (Plan Review) and **Title 25 §2448-A** should be incorporated to:

- Affirm SFMO’s ability to delegate plan review authority through rulemaking.
- Allow the commissioner to establish uniform application and fee procedures via ALMS.
- Require submission of post-construction verification signed by a certified responsible managing supervisor.

These statutory updates would codify best practices while maintaining SFMO oversight and ensuring that life-safety plan review remains technically sound and transparent.

6. Strengthen Collaboration and Public Access

The SFMO should continue leveraging the ALMS system to provide public access to permit records, inspection outcomes, and municipal participation lists. This transparency will build confidence in the delegated model and demonstrate accountability to contractors, designers, and local officials.

Regular reports to the Legislature should include:

- Annual plan-review statistics (volume, turnaround time, municipal participation).

- Staffing metrics and budget alignment.
- Summary of audit findings and statewide compliance trends.

Background

LD 1005 Background

LD 1005 was introduced in the 132nd Maine Legislature by Representative Grayson Lookner of Portland and referred to the Joint Standing Committee on Criminal Justice and Public Safety. The bill proposes to allow qualified municipal fire departments with appropriately trained and certified personnel to conduct fire sprinkler plan reviews that are currently performed exclusively by the Office of State Fire Marshal (SFMO).

Purpose and Legislative Context

The legislation arose in response to statewide concern over sprinkler review backlogs that appeared to delay housing and construction projects. Under current law (Title 25 §2448-A), municipalities may conduct certain development reviews but are not authorized to perform sprinkler system plan reviews, which must be handled by the SFMO. As construction activity and project valuations have increased by 50%, the SFMO's workload has expanded significantly, drawing concern for increasing delays. All the while staffing has remained flat.

Current State Fire Marshal Sprinkler Plan Review Operations

As detailed in testimony from State Fire Marshal Shawn Esler, the SFMO's Plan Review Division consists of four dedicated personnel who, in 2024, reviewed 886 construction projects valued at \$1.9 billion statewide. The division also processed 606 sprinkler projects and issued 192 licenses for sprinkler contractor, inspector, and Responsible Managing Supervisor (RMS). Since 2018, the number of sprinkler permits has increased by 60 percent, from 500 to nearly 800 annually.

The Fire Marshal's Office issues preliminary sprinkler approvals immediately upon application, allowing construction to begin without delay while a full technical review is completed. This is because sprinklers are designed by licensed individuals already vetted by the office. This process, recognized as one of the fastest in New England, helps maintain project momentum and demonstrates the office's commitment to efficiency despite limited staffing. All plan review services are funded entirely through review-generated revenue, providing statewide coverage at no direct cost to municipalities.

Issues and Considerations Raised

While LD 1005 sought to decentralize part of this workload, Fire Marshal Esler's testimony emphasized several critical considerations before authorizing municipal participation:

- Experience and Education – SFMO plan reviewers are Certified Fire Inspectors, Certified Plan Reviewers, and National Fire Academy graduates, with many possessing direct sprinkler-industry experience.

- Continuity and Uniformity – Centralized state review ensures consistent code interpretation and equitable enforcement across all Maine communities and consistent expectations providing operational clarity for the contracting community.
- Enforcement and Licensing Authority – The SFMO is the sole agency empowered to investigate sprinkler violations and administer contractor licensing, including enforcement of fraud or negligence cases.
- Efficiency and Cost – SFMO reviews are self-funded through fees; duplicating this function at the municipal level could require new local taxation or fee structures.
- Legal and Administrative Considerations – Title 25 §2450 specifies that fees for sprinkler permits must be remitted to the State Treasurer, raising questions about how municipalities could collect or retain fees if granted review authority without statutory change.

Additional Industry Testimony

Further testimony from Paul Tardif, Vice President and Pre-Construction Manager of Eastern Fire, offered a seasoned industry perspective. With over 50 years in the fire-sprinkler field, Tardif testified that Maine’s current state-run review process is among the most efficient and consistent in the nation, with plan reviews typically completed within two weeks or less, often in just a few days. He attributed any temporary delays to normal staff transitions rather than systemic issues. Tardif also noted that temporary permits are available immediately upon application, allowing projects to begin without delay. He emphasized that Maine’s state-level review system, developed in the 1980s in collaboration with the Maine Fire Sprinkler Association, has provided uniform code interpretation, quality control, and cost-effectiveness for nearly four decades, cautioning that decentralization could introduce inconsistency, duplication, and higher costs.

Broader Testimony Themes

Proponents, such as Westbrook Fire Chief Steve Sloan, testified that many municipal fire departments already employ certified, qualified personnel capable of conducting local reviews. Supporters argued that enabling such departments to perform reviews could:

- Reduce redundancy and improve turnaround times for permits;
- Relieve state workload pressure; and
- Allow local experts—familiar with community conditions and ordinances—to enhance public safety outcomes.

At the same time, testimony from the SFMO underscored that any transition must protect code consistency, ensure equal enforcement authority, and avoid duplication of services already provided efficiently at the state level.

Summary

LD 1005 represents a collaborative and cautious modernization effort—aimed at balancing local empowerment with statewide safety and uniformity. The legislation and ensuing working group will examine how Maine can leverage local capacity without compromising code integrity, fiscal neutrality, or enforcement capability.

The Joint Standing Committee on Criminal Justice and Public Safety deserves recognition for taking a measured and responsible approach to this issue. Rather than moving forward hastily with statutory changes, the Committee chose to convert the bill into a legislative resolve, directing the Office of State Fire Marshal to convene a working group to study the matter in depth. This deliberate decision allows for careful evaluation of operational realities, legal frameworks, and stakeholder input before implementing any structural changes.

By establishing this resolve, the Committee has created an opportunity to gather meaningful data, assess municipal readiness, and ensure that any future recommendations maintain the efficiency, consistency, and safety standards that Maine’s citizens and construction industry have come to rely on.

Supporters view this process as an opportunity to enhance responsiveness and support economic growth through more efficient plan review capacity. Likewise, the Fire Marshal’s Office views it as a chance to thoroughly evaluate systemic efficiencies, maintain accountability, and safeguard the quality and uniformity that have defined Maine’s fire protection system for decades.

Office of State Fire Marshal Agency Overview

The Office of State Fire Marshal (SFMO) serves as one of Maine's cornerstone public safety agencies, dedicated to protecting lives, property, and communities through prevention, education, and enforcement. Originally established in 1937 as the *Division of State Fire Prevention* to address an increase in fraudulent insurance claims resulting from intentionally set fires, the agency's role quickly grew in both scope and complexity. In 1972, it was reorganized and renamed the *Office of State Fire Marshal* to reflect an expanded mission and broader statutory authority encompassing fire prevention, life safety, and fire-related law enforcement.

Organizational Structure

Today, the Office operates under the leadership of the State Fire Marshal and two Assistant State Fire Marshals, each responsible for a major division within the agency. The Investigations Division is charged with determining the origin and cause of fires and explosions, conducting arson investigations, gathering evidence, and preparing cases for potential prosecution. The Prevention Division enforces Maine's life safety and fire prevention codes, reviews building plans for compliance with fire protection and accessibility standards and conducts inspections across a variety of public buildings and facilities.

The agency is supported by approximately 43 personnel statewide, including sworn fire investigators, fire inspectors, plan reviewers, administrative specialists, a planning and research analyst, and paralegal. The Investigations Division is organized into three regional sections, each led by a Fire Investigations Sergeant and staffed with five Fire Investigators who provide statewide coverage for fire and explosion investigations. The Prevention Division includes two regional inspection sections and a statewide plan review section, each led by a supervisor and supported by administrative staff. Collectively, these teams ensure consistent, coordinated delivery of the Office's prevention, inspection, and enforcement responsibilities throughout Maine. The Office also includes a Planning and Research function that manages grants, oversees the state's fire reporting systems, and performs data analysis to identify trends and guide prevention strategies.

Programs and Services

The programs of the State Fire Marshal's Office cover a wide range of responsibilities that collectively contributes to reducing Maine's fire burden and improve public safety. The Office investigates the origin and cause of fires and explosions, regulates the use and storage of explosives, fireworks, and flammable materials, and reviews plans for construction and renovation of public buildings. It issues permits for the installation of sprinkler systems, aboveground fuel tanks, and self-service gas stations.

A particularly important function of the Office is the inspection and permitting of amusement rides and mechanical attractions at fairs, festivals, fixed amusement parks and traveling shows throughout Maine. These inspections ensure that rides are properly maintained, operated safely, and compliant with manufacturer and national safety standards. The program is critical in

preventing injury, maintaining public confidence, and supporting Maine's tourism and agricultural fair industries which form an essential part of the state's economy and culture.

In addition to regulatory oversight, the Office provides specialized training to fire and law enforcement professionals, construction trades, and caregivers, fostering technical competence and awareness in fire safety practices. Through public education programs, the Office reaches Maine's most vulnerable populations, promoting prevention and preparedness as a shared community responsibility. The agency also maintains data collection and analysis systems that support statewide policy development, risk reduction initiatives, and public reporting on fire incidents and outcomes.

Building Codes and Standards

The Office supports the Technical Building Codes and Standards Board, established under 5 M.R.S.A. §12004-G(5-A), which is responsible for adopting and maintaining the Maine Uniform Building and Energy Code (MUBEC). The Board also resolves conflicts between building codes and the fire and life safety standards set forth in 25 M.R.S.A. §§2452 and 2465, and provides training for municipal building officials, local code enforcement officers, and third-party inspectors.

As of September 24, 2025, the Building Codes and Standards program was transferred from the Office of State Fire Marshal to the Maine Office of Community Affairs (MOCA). Under MOCA's administration, the program continues to play a vital role in promoting uniform, safe, and efficient construction practices statewide while maintaining close coordination with the State Fire Marshal's Office on matters involving fire and life safety.

Commitment to Public Safety

From complex fire investigations to community risk-reduction initiatives, the Office of State Fire Marshal remains steadfast in its commitment to protecting the people and property of Maine. Its work reflects a unified mission. One that values prevention over reaction, education over enforcement, and community partnership in all aspects of our work. Through collaboration with local fire departments, law enforcement agencies, and state and federal partners, the Office continues to strengthen Maine's culture of safety and preparedness.

What is a Plan Review?

A plan review is a review of construction and development plan sets to ensure they comply with the minimum applicable codes, standards, statutes, laws, and rules. This review often occurs utilizing sophisticated software to enhance computed aid design (CAD) drawings produced by architects and engineers.

Plan Reviewer Responsibilities

A plan reviewer is responsible for examining construction and development plan sets to ensure they comply with the minimum applicable codes, standards, statutes, laws, and rules. Their job involves reviewing architectural, structural, civil, electrical, and mechanical drawings submitted for permits to verify that all aspects of a project meet State adopted codes and standards. Plan reviewers collaborate with licensed design professionals, architects, engineers, contractors, and other stakeholders to identify any discrepancies or code violations, providing guidance on necessary revisions through detailed statement of deficiencies and point of correction responses.

Plan reviewers also have direct oversight of licensing and enforcement for fire sprinkler system designers, contractors, and inspectors. They ensure that those licensed within the fire sprinkler industry meet specific industry prerequisites while maintaining compliance with Title 32 §1375.

Plan reviewers play a critical role in the permitting process, helping to ensure that buildings are safe and meet the minimum requirements. In addition to reviewing construction plans, plan reviewers are also responsible for reviewing and evaluating through permitting: performance base designs, sprinkler systems, sprinkler system removals, fire alarm systems, commercial hood installations and above ground storage tanks to ensure compliance with all applicable codes and standards.

What Projects Require Office of State Fire Marshal Review?

Title 25 §2448. Construction permit; when required

A property owner, agent or representative of the owner may not construct, alter or change the use of any structure to become a public building without first obtaining a permit from the Commissioner of Public Safety or from a municipality designated pursuant to section 2448-A. A request for a permit must be accompanied by a true copy of the plans and specifications for that construction, reconstruction or change of use. The commissioner shall issue a permit only if the plans comply with statutes and lawful rules adopted to reduce fire hazards.

The term "public building" includes any building or structure constructed, operated or maintained for use by the general public, which includes, but is not limited to, all buildings or portions of buildings used for a schoolhouse, hospital, convalescent, nursing or boarding home to be licensed by the Department of Health and Human Services, Division of Licensing and Regulatory Services; theater or other place of public assembly, mercantile occupancy over 3,000 square feet, hotel, motel or business occupancy of 2 or more stories; or any building to be state-owned or state-operated. The term "true copy" means an accurate representation by dimensioned plans and specifications of the final construction documents.

Collateral Duties of a State Fire Marshal Plan Reviewer

Although plan reviewers within the Office of State Fire Marshal (SFMO) dedicate approximately 60% of their time to formal plan review and permitting activities, their responsibilities extend far beyond the review of drawings and specifications. The remaining 40% of their work supports a wide range of collateral duties that advance the agency's mission of prevention, education, and public safety.

1. Public Education

Plan reviewers play a central role in SFMO's statewide public education and outreach efforts. They regularly participate in fire-prevention events, live sprinkler demonstrations, and community safety presentations, helping the public understand the life-saving value of fire protection systems.

2. Technical Guidance

Plan Reviewers are the "go to" people for technical code, standards, and statute related questions from architects, engineers, code officials, fire officials, building owners, and elected officials. Additionally, Plan Reviewers provide technical instruction and outreach through partnerships with the Maine Fire Chiefs Association, Maine Municipal Association, SafetyWorks!, the Maine Fire Service Institute, The National Fire Protection Association® (NFPA) and other organizations. These sessions train professionals, municipal officials, state officials, design professionals, contractors, and building owners on code compliance, fire protection standards, and safe construction practices. Through these initiatives, plan reviewers strengthen Maine's culture of fire prevention and risk reduction.

3. Field Inspections, Construction Oversight, and System Commissioning

In addition to office-based reviews, plan reviewers conduct field inspections and acceptance testing of fire alarm, sprinkler, and suppression systems to ensure compliance with approved plans and NFPA standards. They assist inspectors on complex projects, verify construction conditions, and provide technical consultations to municipalities, contractors, and engineers during design or construction phases.

4. Amusement Ride and Seasonal Safety Inspections

Plan reviewers also assist in the inspection and permitting of pyrotechnic shows, fireworks shows, motor vehicle racing, amusement rides, and mechanical attractions at fairs, fixed parks, festivals, and traveling shows across Maine. These inspections confirm compliance with manufacturer specifications and national safety standards, ensuring safe operation for the public. Their participation supports one of SFMO's most visible programs and plays a vital role in protecting families and visitors during Maine's busy fair season.

5. Support to Fire Investigations and Emergency Operations

Plan reviewers frequently collaborate with the Fire Investigations Division by providing expertise on building construction, fire protection systems, and code compliance at fire scenes. Their

technical input assists investigators in understanding fire behavior, system performance, and potential code deficiencies. During major incidents, plan reviewers may also respond to provide on-site analysis, documentation, or technical assistance in support of investigative operations.

6. Training and Professional Development

Plan reviewers serve as instructors, mentors, and subject-matter experts within Maine's fire-safety community. They teach courses on NFPA 1, NFPA 101, and plan-review methodology to municipal fire officials, code enforcement officers, and design professionals. In partnership with the Maine Fire Service Institute, Maine Fire Chiefs Association, Maine Municipal Association, and SafetyWorks!, while teaching accredited courses through The National Fire Protection Association® (NFPA®), The 2010 Standards for Accessible Design (ADA), they help deliver continuing education that builds municipal capacity and promotes uniform statewide application of fire and life-safety codes. They also contribute to the development of SFMO's internal training curriculum for new inspectors and reviewers.

7. Data, Analysis, and Quality Assurance

Plan reviewers assist with the SFMO's data and performance tracking systems within the ALMS permitting platform. They monitor review timelines, identify process improvements, and participate in peer review to ensure accuracy and consistency in plan review decisions.

8. Administrative and Interagency Coordination

Plan reviewers routinely support broader agency functions, including policy and rule development, legislative analysis, and interagency consultation for state and municipal construction projects. They respond to stakeholder inquiries, prepare reports, and provide technical input on projects impacting fire and life-safety standards.

Summary Statement

Plan reviewers within the Office of State Fire Marshal serve as educators, inspectors, investigators, and public safety advocates whose work reaches far beyond plan review. While approximately 60% of their time is devoted to formal review and permitting, the remaining 40% supports critical activities through public education, training, amusement-ride inspections, field and investigative support, and data quality which collectively uphold Maine's fire-prevention system and strengthen community safety statewide.

Plan Review Division Efficiency Analysis

This report provides an analysis of the current workload in the Fire Marshal's Office Plan Review Division and evaluates the projected improvements in efficiency if additional plan reviewers are hired. The analysis is based on 2024 data, which shows significant backlogs and high workload per reviewer.

****Important note: Delays are specific to construction permits not sprinkler permits. This efficiency analysis includes all projects; both construction and sprinkler permits. ****

Current Baseline (2025 Estimates)

- Staffing: 4 plan reviewers + 1 supervisor
- Workload: 886 construction projects + 786 sprinkler projects = 1,672 projects annually
- Average per reviewer: ~ 418 projects per year
- Current backlog: ~ 6 weeks for construction project reviews

Staffing Scenarios

Scenario 1: Hire 2 Additional Reviewers (Total 6)

- Workload distribution: ~ 279 projects per reviewer/year
- Efficiency improvement: ~ 33% workload reduction per reviewer
- Backlog reduction: from ~ 6 weeks to ~3–4 weeks
- Impact: Noticeable improvement in review timelines and reduced risk of delays

Scenario 2: Hire 4 Additional Reviewers (Total 8)

- Workload distribution: ~ 209 projects per reviewer/year
- Efficiency improvement: ~ 50% workload reduction per reviewer
- Backlog reduction: from ~ 6 weeks to ~1–2 weeks
- Impact: Sustainable long-term capacity, ability to absorb continued growth, and deliver reviews with minimal delay

Visualizations

The following charts illustrate the impact of hiring additional plan reviewers:

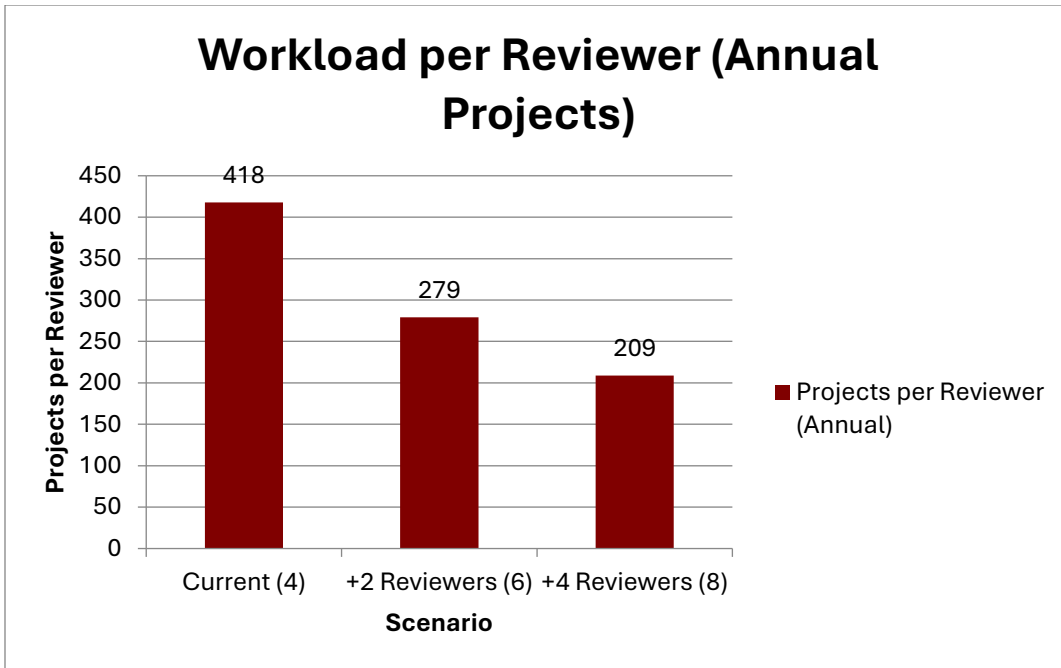


Figure 1: Workload per Reviewer (Annual Projects)

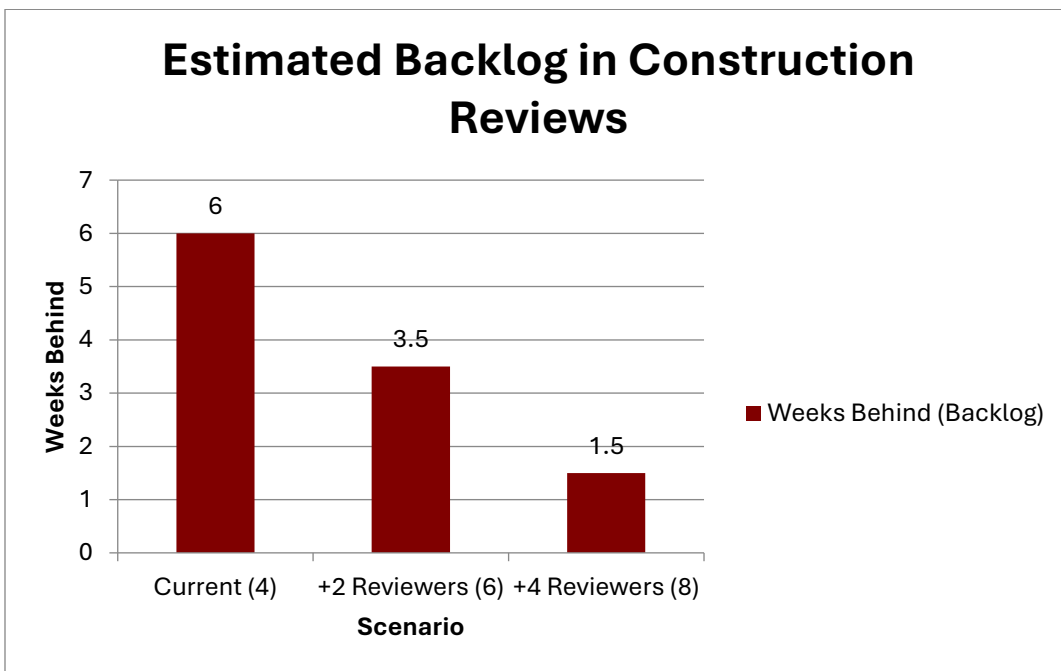


Figure 2: Estimated Backlog in Construction Reviews

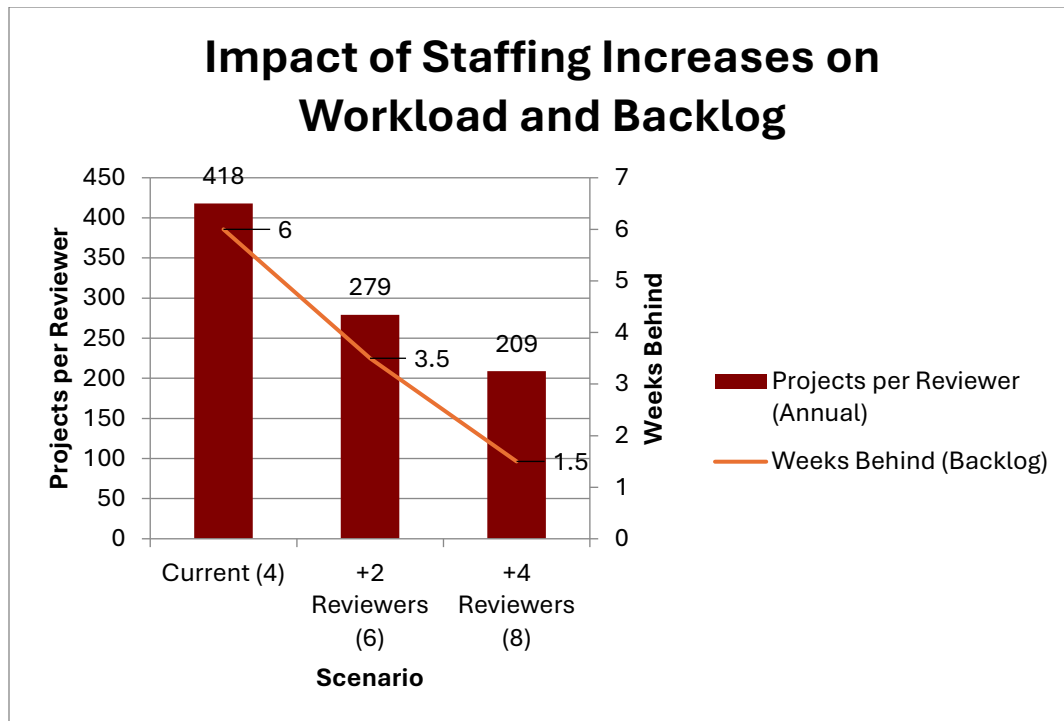


Figure 3: Combined Impact on Workload and Backlog

Conclusion

Hiring additional plan reviewers would significantly reduce both the workload per reviewer, the current backlog of construction project reviews and increase output specific to collateral duties.

While adding two reviewers would provide noticeable improvements, hiring four reviewers would position the division for long-term sustainability, absorb future growth, and ensure timely service delivery across the state.

Working Group Members

Shawn Esler	State Fire Marshal	Office of State Fire Marshal
Dan Brooks	Chief	Maine Fire Protection Commission
David Groder	Chief	Maine Fire Chiefs Association
Tanya Emery	Advocacy Manager	Maine Municipal Association
Steve Sloan	Chief	Westbrook Fire Department
Greg Day	Asst. State Fire Marshal	Office of State Fire Marshal
Marc Veilleux	Plans Review Supervisor	Office of State Fire Marshal
Robert Tripp	Chief	Durham Fire Rescue
John S Brennan	Deputy Chief	Scarborough Fire Dept
Tim Hardy	Chief	Farmington Fire Dept
Shawn Mitchell	Chief	Brownville Fire Dept
Chandler Corriveau	Asst. Chief	Bangor Fire Dept
Peter Metcalf	Chief	Veazie Fire Department
Matt Bartlett	Chief	Bar Harbor Fire Department
Bill St. Michel	Executive Director	Maine Fire Chiefs Association
Bill Gilispie	President	Maine Fire Chiefs Association
Paul Tardif	CEO	Eastern Fire Protection
Rebecca Graham	Policy Advisor	Department of Public Safety

***Bold print indicates the membership required in the resolve.**

Appendices

Appendix A:

Current Laws Surrounding Plan Review

- Title 25, §2448: Construction permits; when required
- Title 25, §2448-A: Municipal review of development
- Title 25, §2449: Penalty
- Title 25, §2450: Examinations by Department of Public Safety
- Title 25, §2452: Life Safety and Property Protection
- Title 25, §2463: Installation of sprinkler systems and smoke, heat and fire detection systems
- Title 25, §2463-A Installation of Sprinkler Systems in dormitories
- Title 25, §2464: Smoke detectors
- Title 25, §2465: Adoption of rules
- Title 25, §2469: Fuel Gas Detection
- Title 14, §174: Installation of Smoke and Carbon Monoxide Detectors by Fire Departments

Current Laws Surrounding Sprinklers

- Title 32, §1371: Definitions
- Title 32, §1372: Applicability
- Title 32, §1373: Renewal
- Title 32, §1374: Fees
- Title 32, §1375: Qualifications
- Title 32, §1376: Termination of employment or agreement
- Title 32, §1377: Plan Review
- Title 32, §1378: Employees
- Title 32, §1379: Investigation of complaints; revocation of license
- Title 32, §1380: Penalties; injunction
- Title 32, §1382: Department rules

Appendix B: Suggested Law Amendments

Title 25 §2448-A. Municipal review of development

The Commissioner of Public Safety, referred to in this section as "the commissioner," may register municipalities for authority to issue permits required by section 2448 under the following conditions. For purposes of this section, "municipal reviewing authority" has the same meaning as defined in Title 30-A, section 4366, subsection 7.

1. Projects. A municipality registered pursuant to this section may review projects of public buildings as described in section 2448.

2. Registration. The commissioner shall register municipalities to grant permits for projects under subsection 1 if the commissioner finds that the municipality meets all of the following criteria. A municipality must comply with all rules adopted by the commissioner pursuant to this section as a condition of registration. The commissioner may enter into memoranda of understanding with any entity to facilitate the purposes of this section.

A. A municipal building official has been appointed pursuant to [section 2351-A](#).

B. The municipality has an employee that is certified as a plan reviewer by the National Fire Protection Association.

C. The municipality has adopted by reference the fire codes adopted by the Office of the State Fire Marshal pursuant to [sections 2452](#) and [2465](#).

D. The municipality has adequate resources to administer and enforce the provisions of the fire codes under [paragraph C](#).

E. The procedures for public hearing and notification have been established including:

- (1) Notice to the commissioner upon receipt of an application, including a description of the project;
- (2) Notice of issuance and denial to the applicant and commissioner, including the reason for denial;
- (3) Public notification of the application and any hearings; and
- (4) Procedures for public hearing.

F. The procedures for appeal of local decisions by aggrieved parties are defined.

G. A registration form, provided by the commissioner, has been completed and submitted by the municipality, demonstrating compliance with the criteria under this subsection. [PL 2009, c. 364, §2 (NEW).]

H. The municipality is currently enforcing the Maine Uniform Building and Energy Code.

The Department of Public Safety shall publish on its publicly accessible website a list of those municipalities that are registered pursuant to this subsection.

3. Current requirements. A municipality registered under this section shall ensure that its municipal regulations continue to meet the criteria listed in subsection 2.

- A. The commissioner shall immediately notify a registered municipality of new or amended rules.
- B. A municipality shall adopt amendments to its municipal regulations within one calendar year of the effective date of new or amended rules adopted by the Department of Public Safety. Within 45 days of the adoption of the amended municipal regulations, the municipality shall submit the amendments for approval by the commissioner.

4. Suspension of registration. If the commissioner finds that a municipality no longer meets the ~~criteria~~ requirements under subsection 2, or is not adequately implementing those requirements, the commissioner may, in compliance with Title 5, chapter 375, suspend the registration under subsection 2 and shall immediately notify the municipality. The notice must contain findings of fact and conclusions of law. If the registration is suspended, the commissioner shall provide the municipality with the necessary procedures to come into compliance with this section.

5. Central list of pending projects. The commissioner shall maintain and make available a list of projects that are pending municipal review under this section.

6. Technical assistance. The commissioner may provide technical assistance to municipalities upon request for projects reviewed under this section.

7. Application review process. Upon determination by the municipal reviewing authority that an application for a permit or permit amendment under this section is complete for processing, the municipal reviewing authority shall submit to the commissioner within 14 days of that determination a copy of the project application.

8. Record of review and basis for decision.

9. State jurisdiction. The Department of Public Safety shall review projects and exercise jurisdiction for a registered municipality if:

- A. The municipal reviewing authority in which the project is located petitions the commissioner in writing; or
- B. The proposed project is located in more than one municipality. [PL 2009, c. 364, §2 (NEW).]

10. Joint enforcement. A permit or permit amendment issued by a municipal reviewing authority may be enforced by either the commissioner or the municipality that issued the permit or permit amendment.

11. Rulemaking. The Commissioner of Public Safety may adopt rules to implement, administer and enforce the provisions of this section, including but not limited to procedures for registration, suspension and revocation of registrations, notice, technical assistance and appeals. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Title 32 §1377. Plan review

Prior to construction of any fire sprinkler system, or prior to an addition involving more than 20 new sprinkler heads to a fire sprinkler system, regulated by the National Fire Protection Association, Pamphlet No. 13, as amended, a fire sprinkler system contractor shall obtain a permit from the commissioner, or registered municipality as defined in Title 25, section 2448-A, who shall review the plan for construction or addition and charge a reasonable fee for the review and permitting process. All plans to be submitted by a contractor to the Department of Public Safety must be reviewed, approved and signed by the certified responsible managing supervisor retained by the contractor.

All plans for construction of or alteration to fire sprinkler systems must prominently display the fire sprinkler system contractor's license number, as well as the responsible managing supervisor's certification number and the name and address of the person to install the fire sprinkler system. Each permit issued must be displayed prominently at the site of construction. Within 30 days of the completion of a new fire sprinkler system or an addition to an existing fire sprinkler system, a fire sprinkler system contractor shall provide to the commissioner a copy of the permit signed by the certified responsible managing supervisor representing that the fire sprinkler system has been installed according to specifications of the approved plan to the best of the supervisor's knowledge, information and belief.

Appendix C: Draft Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING between the DEPARTMENT OF PUBLIC SAFETY, OFFICE OF THE STATE FIRE MARSHAL and the Delegation of Review

This document sets forth the understanding between the Department of Public Safety, Office of the State Fire Marshal (SFMO) and the Delegation of Review (Delegated Review Community) and the responsibilities of both agencies concerning the authority to review projects and issue permits, and the expectations of the SFMO in conducting the activities discussed below.

I. Department of Public Safety, Office of the State Fire Marshal Responsibilities

- A. The SFMO shall register municipalities to grant permits for projects under the conditions listed within 25 MRSA §2448-A once approved by the Commissioner of Public Safety.
- B. The SFMO will establish the rules necessary for which a municipality has been registered with municipal reviewing authority pursuant to 25 MRSA §2448-A and subsequent sections below.
- C. The SFMO will maintain a central list of projects that are pending municipal review pursuant to 25 MRSA §2448-A subsection 5 through the Online Licensing and Permitting ALMS website.
- D. The SFMO shall publish on its publicly accessible website a list of those municipalities that are registered pursuant to MRSA 25 Chapter 317 §2448-A.
- E. The SFMO will provide technical assistance and guidance upon request to municipalities with reviewing authority on the interpretation of laws and rules administered by the SFMO that apply to projects reviewed pursuant to 25 MRSA §2448-A subsection 6.
 - a) The SFMO will review any project, upon written request of the municipality.
 - b) The SFMO cannot conduct a partial review once a project has begun a review by the municipality.
- F. The SFMO will review and permit all occupancies to be licensed by the Department of Health and Human Services, Division of Licensing and Regulators Services and childcare licensed facilities.
- G. The SFMO will review, permit, license, and enforce all rules and laws for Fire Sprinklers pursuant to MRSA 32 Chapter 20 §1371 – 1382.

- H. The SFMO will collect fees on behalf of the State through the SFMO ALMS Online permitting website. This will not include fees owed to the municipality.
- I. The SFMO will provide biannual training for all approved Delegated Review Communities on the interpretation of laws and rules as well as codes and standards utilized and administered by the SFMO that apply to Fire and Life Safety.
- J. The SFMO will meet, at a minimum but not limited to, at least biannually with each approved Delegated Review Community delegate either individually or as a group to discuss the delegated review and improve the review process, and to ensure the requirements of this MOU are being met by both parties.

II. Delegated Review Community Responsibilities

- A. The delegated review community will review, and issue permits for construction, renovations, and change of use of a public building as outlined in 25 MRSA Part 6 Chapter 317 §2448
- B. The delegated review community will require the project applicant to submit for a delegated review permit through the SFMO ALMS permitting website to include:
 - a) A construction permit.
 - b) A Barrier-Free Americans with Disabilities Act (ADA) permit pursuant to 5 M.R.S.A. § 4594-G.
 - c) Building Code Surcharge
 - d) A sprinkler permit (if applicable).
- C. The delegated review community will be notified of all entries into ALMS that pertain to that community without delay. A transaction receipt and copy of applicable applications will be provided to the delegated review community.
- D. The delegated community shall maintain a generic email address for communication between the SFMO and respective agency.
- E. The delegated review community shall maintain an employee that is certified as a plan reviewer by the National Fire Protection Association.
 - a) The Certified Plan Reviewer shall be an employee of the municipality familiar with fire prevention, fire suppression, and Life Safety Code.
 - b) The delegated review community shall not contract or outsource any review with a third party.

- c) The delegated review community will maintain and provide the SFMO with a list of all qualified employees.

F. Prior to the implementation of the ALMS Online Permitting System, it is the delegated review community's responsibility to obtain a completed delegated review application, collect the associated fees outlined in 25 MRSA §2450 and 2450-A, and drawings respectively and submit them as a complete package to the SFMO prior to issuance of the permit from the delegated community.

- a) This includes the collection of all State fees, which should be remitted to the State on a quarterly basis.

III. Periodic Review of Agreement

This MOU will remain in effect for two years from the date of signing unless terminated by either agency with 30 days' written notice, determination of finding that section II paragraph F is no longer met, or until a new agreement is made and signed by both the SFMO and Delegated Review Community.

Agreed to this _____ day of _____, 2025:

Delegated Review Community Representative

Shawn Esler, Fire Marshal
Department of Public Safety

Appendix D: Sprinkler Application

Office of State Fire Marshal 45 Commerce Drive, Suite 1 Augusta, Maine 04330		Application for FIRE SPRINKLER PERMIT		Phone: 207-626-3880 Fax: 207-287-6251 Sprinkler.FMO@maine.gov	
--	--	--	--	---	--

Name of Project: _____

Street Location: _____ **Town Location:** _____

Fire Sprinkler Contractor Name: _____ **License Number:**

Responsible Managing Supervisor's Name: _____ **License Number:**

Designer Contact Person: _____ **Contact's email:** _____

Plans and calcs can be sent as email attachments or one hardcopy set may be mailed.

The sprinkler work to be done will be: New: ☐ Renovation: ☐ Addition to existing: ☐

The building/structure to be done is: New: ☐ Existing: ☐ Addition to existing: ☐

What is the main activity/use for this building/structure?: _____

Standard(s) Used:

NFPA 13 ☐ NFPA 13R ☐ NFPA 13D ☐ HydroPro ☐ ME Life Safety ☐ Special Hazards ☐ Other ☐

Design Method:

Area Density ☐ Room Design ☐ 2 to 5 Head Calc ☐ Head Spec ☐ Insurance Spec ☐ Pipe Schedule ☐ Other ☐

Hazard Class(es):

Light ☐ Ordinary 1 ☐ Ordinary 2 ☐ Extra Hazard 1 ☐ Extra Hazard 2 ☐ Highest Density on job:

System Type:

Wet ☐ Dry ☐ Foam ☐ Deluge ☐ Preaction Single Interlock ☐ Preaction Double Interlock ☐

Water Supply:

Date of last water test: _____ Static: _____ Residual: _____ Flow: _____

Pump name & model: _____ Rated capacity: _____ gpm at _____ psi

Smallest safety margin for the job: ☐

Calculate Permit Fee:

Quantity x Rate=	
\$1	new fire sprinkler heads.
\$0.50	relocated existing heads.

Comments:

Add this subtotal to the boxes below unless this is less than \$100 & no fire pump is indicated below, or unless this permit is for an NFPA 13D system.

\$100	fire pump installations, where pump is listed for fire service.
\$25	dwelling units of each NFPA 13D system regardless of # of heads.
\$100	\$100 minimum for permits other than NFPA 13D systems.
\$50	\$50 extra for preliminary permission to begin installation before the full submittal is received.
\$50	\$50 extra for Archive fee for each submittal after 4th nonelectronic submittal/ license year.
\$50	\$50 extra for Resubmittal fee.
= Total Fee	

Area below is for office use only:

Permit Issued By: _____

Log Number	Date Plans Received	Review Fee	Check Number	Date Fee Received	Date Permit Issued	Permit Number

Appendix E: Sprinkler Plan Review Data

Sprinkler Projects Jan 1, 2024 to December 31, 2024					
Sprinkler Type	13D ¹	13R ²	13 ³	Fire Pump ⁴	Total
Sprinkler Projects	338	79	183	6	606
AVG Review Time (days)	32.6	31.6	31.2	38.8	33.6
AVG Response Time (days)	2.1	3.2	1.6	0.0	1.7
AVG Permit Time (days)	0.1	0.0	0.0	0.0	0.0
Total Time (days)	34.7	34.8	32.9	38.8	35.3

Sprinkler Projects Jan 1, 2025 to November 6, 2025					
Sprinkler Type	13D ¹	13R ²	13 ³	Fire Pump ⁵	Total
Sprinkler Projects	387	65	246	4	702
AVG Review Time (days)	8.8	18.7	19.9	12.5	15.0
AVG Response Time (days)	2.2	10.5	1.5	0.0	3.6
AVG Permit Time (days)	0.0	2.0	0.3	0.0	0.6
Total Time (days)	11.1	31.2	21.7	12.5	19.1

Sprinkler Permit Estimates to Close 2025					
Avg Per Month	38.70	6.50	24.60	0.40	70.20
Est. Yearly Total	464.40	78.00	295.20	4.80	842.40

¹ **13D** sprinkler systems only apply to one- and two-family dwellings designed to provide life safety by preventing flashover for the first 10 minutes of the fire, allowing occupants time to escape. This standard was created to allow for cost-effective fire sprinklers to be used in residential occupancies.

² **13R** sprinkler systems are utilized in multi-family buildings and focuses on providing life safety to the occupants. NFPA 13R provides more stringent requirements than NFPA 13D because there is an increased risk in multifamily occupancies over one- and two-family dwellings due to increased occupant loads, stacked dwelling units, and longer egress times.

³ **13** sprinkler systems are designed to provide a reasonable degree of protection from fire for both life safety and property protection. Because a higher degree of property protection is achieved with the NFPA 13 sprinkler systems, there are fewer unsprinklered areas. NFPA 13 includes more robust design and installation requirements than the 13R or 13D systems.

⁴ **Fire pumps** are commonly utilized to provide additional pressure and volume to supplement the water supply of a fire sprinkler system but are also utilized where municipal public water is not available and stored water supplies are utilized in lieu of public supplied water. *it should be noted that many fire sprinkler systems are equipped with fire pumps, the totals above are indicative of new pump installations where the water supply calculations may have changed, or a fire pump is being replaced within an existing system.

⁵ **Fire pumps** are commonly utilized to provide additional pressure and volume to supplement the water supply of a fire sprinkler system but are also utilized where municipal public water is not available and stored water supplies are utilized in lieu of public supplied water. *it should be noted that many fire sprinkler systems are equipped with fire pumps, the totals above are indicative of new pump installations where the water supply calculations may have changed, or a fire pump is being replaced within an existing system.

Appendix F: Comparison in Sprinkler Code

NFPA 13, Standard for the Installation of Sprinkler Systems

NFPA 13R, Standard for the Installation of Sprinkler Systems in Low-Rise Residential Occupancies

NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes

NFPA 13, 13R, and 13D are fire sprinkler system standards that differ primarily in their application, protection goals, and installation requirements. NFPA 13 is the most comprehensive and is used for commercial and larger residential buildings, focusing on both life safety and property protection. NFPA 13R is for low-rise residential buildings (up to four stories) and focuses on life safety, allowing for some sprinkler omissions and simpler calculations. NFPA 13D is for one- and two-family dwellings and is focused solely on life safety to give occupants time to escape, often with the fewest requirements, allowing for significant sprinkler omissions like in closets, bathrooms, and garages.

Feature	NFPA 13	NFPA 13R	NFPA 13D
Primary Application	Commercial buildings and larger residential structures	Low-rise residential buildings (up to four stories)	One- and two-family homes and manufactured homes
Primary Goal	Life safety AND property protection	Life safety (with some degree of property protection)	Life safety only (to allow occupants to escape before flashover)
Sprinkler Omissions	Requires complete protection; fewer omissions allowed	Allows omissions in some areas like bathrooms, closets, and attics	Allows significant omissions in closets, bathrooms, garages, and other non-living areas
Hydraulic Calculations	Requires the greatest design density and area	Allows for calculations based on up to four sprinklers	Allows for calculations based on up to two sprinklers
Complexity & Cost	Most complex and costly due to more comprehensive	Less complex and costly than NFPA 13, with smaller pipe sizes	Least complex and costly due to fewer requirements

Appendix G: Cost of Plan Reviewers

The following chart illustrates the total cost of adding a plan reviewer to the SFMO Staff. The first year's cost is higher due to the one-time expense of a vehicle and associated startup costs.

Category	FY27	FY28	FY29
Salary***	\$ 107,400.00	\$ 110,622.00	\$ 113,940.66
IT	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00
Car	\$ 57,000.00	\$ 350.00	\$ 350.00
Fuel	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
Uniforms	\$ 2,000.00	\$ 1,000.00	\$ 1,000.00
Medical line	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
Training	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00

Reviewers	FY27	FY28	FY29
One Reviewer	\$ 177,400.00	\$ 122,972.00	\$ 126,290.66
Two Reviewers	\$ 354,800.00	\$ 245,944.00	\$ 252,581.32
Four Reviewers	\$ 709,600.00	\$ 491,888.00	\$ 505,162.64

***Please note the salary includes fringe benefits and retirement calculations.

Recommendation:

Fund two reviewer positions from the SFMO Special Revenue Account and two reviewers from the General Fund.

Account #	Reviewers	FY27	FY28	FY29
014	Two Reviewers	\$ 354,800.00	\$ 245,944.00	\$ 252,581.32
010	Two Reviewers	\$ 354,800.00	\$ 245,944.00	\$ 252,581.32

Total	\$ 709,600.00	\$ 491,888.00	\$ 505,162.64
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Appendix H: How the SFMO Is Funded

Title 25 §2399. Commissioner of Public Safety's expenses

The Commissioner of Public Safety may incur reasonable expenses in educating the public in fire prevention and protection. [PL 1973, c. 727, §1 (RPR).]

Every fire insurance company or association that does business or collects premiums or assessments in the State shall pay to the State Tax Assessor, in addition to the taxes now imposed by law to be paid by those companies or associations, 1.4% of the gross direct premiums for fire risks written in the State, less the amount of all direct return premiums thereon and all dividends paid to policyholders on direct fire premiums. Beginning in 2013 and every 5 years thereafter, by October 1st the Department of Professional and Financial Regulation, Bureau of Insurance shall determine for the subsequent 5 years the basis percentage of fire risk allocated to each line of insurance, and every fire insurance company or association shall pay the 1.4% tax based on that basis allocation. That tax must be paid as provided for insurance premium taxes as specified in [Title 36, section 2521-A](#), except that the tax prescribed by this section must be paid on an estimated basis at the end of each month, with each installment equal to at least 1/12 of the estimated total tax to be paid for the current calendar year. The State Tax Assessor shall pay over all receipts from that tax to the Treasurer of State daily. **Of these funds 75.7% must be used to defray the expenses incurred by the Commissioner of Public Safety in administering all fire preventive and investigative laws and rules and in educating the public in fire safety and is appropriated for those purposes and to carry out the administration and duties of the Office of the State Fire Marshal.** Of these funds 24.3% must be used to defray the expenses of the fire training and education program as established in [Title 20-A, chapter 319](#). [PL 2013, c. 546, §6 (AMD); PL 2013, c. 546, §17 (AFF).]

Whenever a surplus accumulates in the special fund created by this section that is sufficient to defray the expenses of administration of this section for an ensuing period of one year, then, in the discretion of the Commissioner of Public Safety, the foregoing special tax for that year may be omitted, and the Commissioner of Public Safety shall certify to the State Tax Assessor that the special tax is to be omitted. The certification must be made not later than the 31st day of January of the year in which the tax would otherwise be assessed. [PL 1997, c. 728, §22 (AMD).]

Appendix I: SFMO Revenue

	2020	2021	2022	2023	2024	2025	2026
014							
032701							
0906~FIRE PREVENTION & INV TAX	4,015,198	3,965,616	4,359,251	5,063,267	5,526,708	6,603,249	1,145,978
1241~CINEMATOGRAPHY FEE	11,766	10,600	13,144	6,996	9,640	8,904	2,332
1379~SPRINKLER REVIEW/LICENSING	145,704	134,139	153,330	123,433	164,110	140,473	24,932
1380~FIREWORKS INSPECT/PERMITS	60,472	51,287	69,883	79,055	72,753	61,352	21,981
1454~MECHANICAL RIDES LICENSE	19,400	8,000	48,034	44,300	39,300	46,700	13,025
1471~CIRCUS SHOW LICENSES	500			234	1,200	600	
1927~EXPLOSIVE OR FLAMABLE PERMIT	4,520	9,215	8,393	7,458	8,249	7,446	1,900
2015~COURT FINES CONSERVATION					92,337		
2079~SURCHARGE-PUBLIC SAFETY					(96)		
2083~FIRE RESTITUTION FINES		993					
2526~PRIV CONTR FOR OTHER PURPOSES		5,000					
2615~EXAMINATION OF PLANS	804,973	1,056,006	922,011	1,009,688	840,680	1,415,980	220,168
2619~APPLICATION FEES	58,558	73,444	65,954	65,049	71,721	84,065	18,702
2621~INSPECTION SERVICES	21,232	26,219	22,663	28,991	27,552	32,994	7,488
2637~MISC SERVICES & FEES	3,151	5,752	4,906	3,676	4,257	4,510	696
2649~FEES MOTOR VEHICLE RACEWAY	4,200	5,100	7,200	8,400	6,900	6,300	3,600
2686~MISC-INCOME						3,169	222
2691~SERV AND FEES CHG OTHER D	547,447	433,005	474,051	620,285	470,127	571,114	205,937
2735~CNTRIBUTIONS FROM RISK MGMNT					67,500		
2806~SALE OF EQUIPMENT		308					
2821~SALE OF AUTOS	616	17,929	6,189	44,194	13,846	39,066	
2832~INSURANCE SETTLEMENT OTHER		5,107			1,609		
2915~RAINY DAY FUND UNALLOCATED	100,000	200,000	200,000			115,744	
2952~ADJ TO PRIOR YEAR BAL/UNALLOCT		382					
2953~ADJ OF ALL OTHER BALANCE FWD			(5,000)				
2968~REG TRANSFER UNALLOCATED	92,796	139,648	25,138			516,485	47,163
Grand Total	5,890,533	6,147,748	6,375,147	7,105,024	7,418,393	9,658,150	1,714,123

Appendix J: More work required beyond the scope of the resolve.

Fee Structures

This report does not address the statutory amendments that would be required if municipal sprinkler plan review were to be authorized. Specifically, current law under 25 M.R.S.A. §§2450 and 2450-A, which govern construction permit fees and fee deposits, and Title 32 §1374, which requires sprinkler-related fees to be collected by the State and remitted to the State Treasurer, would need revision to establish any lawful mechanism for municipalities to assess, retain, or administer sprinkler plan-review fees. These sections, as presently written, do not permit municipalities to collect or process sprinkler permit fees, and therefore additional legislative work would be necessary before municipal plan review could be implemented.

In the same spirit, the Working Group also discussed the broader fee structures that support both State Fire Marshal plan review and municipal development review processes. State fees that fund the SFMO's permitting, inspection, and oversight functions have not been meaningfully updated in many years, and several municipalities similarly rely on outdated local fee schedules that no longer reflect the true cost of providing technical review services. While there is a recognized need to modernize and align these fee structures to ensure sustainable operations, the Working Group agreed that, given current economic conditions and the financial pressures on Maine's construction sector, a comprehensive fee review should be deferred to a future discussion.

Large Scale Residential Projects

The Working Group also identified gaps in statutory authority and statewide consistency related to residential construction. Under current law, Title 25 §2448 does not authorize either the Office of State Fire Marshal or municipalities to conduct plan reviews for residential buildings, leaving no clear review authority even for complex residential structures such as those four stories and above or containing more than 16 dwelling units. Title 25 §2448 provides authority for the Office of State Fire Marshal and registered municipalities to review construction plans only for "public buildings," as defined in statute.

At the same time, the group noted widespread inconsistencies in large scale residential reviews performed by municipal Code Enforcement Officers (CEOs), many of whom lack formal training or expertise in fire protection and life-safety systems. As a result, fire-safety considerations in residential projects are often applied unevenly, and in some cases overly conservatively, driving up construction costs, causing project delays, and producing variable levels of public safety across municipalities.

These combined issues highlight a critical need for future legislative and policy work to clarify jurisdiction, strengthen technical competency, and ensure consistent application of fire and life-safety standards in large scale residential development statewide.