



## California State Fire Marshal **CODE INTERPRETATION**

Date Issued	11/4/2009	Interpretation	09-051
Topic	Locking Fire Extinguisher Cabinets		
Code Section(s)	California Code of Regulation Title 19 Section 567.2		
Requested by	Mike Stewart Fire Marshal Sacramento Metropolitan Fire Department		

Title 19 Section 567.2 California Code of Regulation prohibits the locking of fire extinguishers in a cabinet. The exception allows the locking of fire extinguishers where they are subject to malicious use and the cabinet has a means of emergency access and is approved by the authority having jurisdiction. My questions are as follows:

### **1. What constitutes “subject to malicious use”?**

“An act done maliciously is one that is wrongful and performed willfully or intentionally, and without legal justification.” *West's Encyclopedia of American Law, edition 2. Copyright 2008 The Gale Group, Inc. All rights reserved*

### **2. What is considered an approved means of emergency access?**

It depends on the particular cabinet. It would be determined by the manufacturer's instructions, the design of the cabinet, and the approval of the Authority Having Jurisdiction.

### **3. Does the fire extinguisher cabinet require a breaker bar to be attached to the locked cabinet in order to break the glass?**

It depends on the particular cabinet. There are several different means of securing fire extinguisher cabinets;

Examples are;

A locking cabinet where the lock includes a yieldable latch on a conventional tumbler lock whereby as the door of the cabinet is pulled open the lock latch yields thereby allowing opening of the door.

A locking cabinet with tempered safety glass in the cabinet door with a non-removable handle eliminating the need for a hammer or breaker bar to open the cabinet.

A locking cabinet where you pull top of cover firmly the hinges snap off and the cover falls out of the way to provide access to the extinguisher.

A locking cabinet that has an etched plastic cover allowing easy breaking without requiring a hammer or breaker bar to get at the extinguisher.

**3. Is a person's hand, feet, etc. an approved means of access to a break glass locked fire extinguisher cabinet?**

See # 2.

**4. Does Title 19, Section 567.2 apply to buildings constructed before the operative date of this section?**

Yes, this section applies to new and existing buildings. However, locks may be permitted if the cabinet has emergency access and is approved by the authority having jurisdiction pursuant to the exception of this Section which states as follows: *"Where extinguishers are subject to malicious use, locked cabinets may be used provided they include a means of emergency access and are approved by the authority having jurisdiction."* Furthermore pursuant to Section 567 (j) fire extinguishers shall be readily accessible and immediately available in the event of a fire.