
By: Delegate Fulton

Introduced and read first time: January 10, 1997

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Health - Hotels - Cleaning Commonly Used Items**

3 FOR the purpose of requiring hotels, motels, and other similar lodgings, at certain times,
4 to clean certain items in a room; requiring the Department of Health and Mental
5 Hygiene to make certain inspections to enforce this Act; providing for certain
6 penalties for violation of this Act; requiring certain persons to pay the cost of
7 certain inspections; authorizing the Department to adopt regulations to enforce this
8 Act; defining certain terms; and generally relating to health and cleanliness in
9 hotels.

10 BY adding to

11 Article - Health - General
12 Section 24-901 through 24-905 to be under the new subtitle "Subtitle 9. Hotels -
13 Sanitation"
14 Annotated Code of Maryland
15 (1996 Replacement Volume and 1996 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - Health - General**

19 SUBTITLE 9. HOTELS - SANITATION.

20 24-901.

21 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
22 INDICATED.

23 (B) "COMMONLY USED ITEMS IN A HOTEL ROOM" INCLUDE:

24 (1) BEDDING, AS DEFINED IN § 24-401 OF THIS TITLE;

25 (2) BLANKETS;

26 (3) CARPETING;

27 (4) REUSABLE DRINKING RECEPTACLES;

2

1 (5) SHEETS;

2 (6) TELEPHONES; AND

3 (7) TOWELS.

4 (C) (1) "HOTEL" MEANS AN ESTABLISHMENT THAT OFFERS SLEEPING
5 ACCOMMODATIONS FOR RENT AND IS PRIMARILY USED BY TRANSIENTS WHO ARE
6 LODGED WITH OR WITHOUT MEALS.

7 (2) "HOTEL" INCLUDES A BED AND BREAKFAST ESTABLISHMENT,
8 BOARDING HOUSE, INN, MOTEL, OR ORDINARY.

9 (D) (1) "INFECTIOUS AGENT" MEANS AN ORGANISM THAT IS CAPABLE OF
10 PRODUCING CONTAMINATION, INFECTION, OR INFECTIOUS OR COMMUNICABLE
11 DISEASE.

12 (2) "INFECTIOUS AGENT" INCLUDES A VIRUS, RICKETTSIA, BACTERIA,
13 FUNGUS, PROTOZOA, OR HELMINTH.

14 24-902.

15 THE DEPARTMENT MAY ADOPT REGULATIONS TO CARRY OUT THE
16 PROVISIONS OF THIS SUBTITLE.

17 24-903.

18 (A) TO SAFEGUARD THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE
19 PUBLIC, THE DEPARTMENT, AT LEAST ANNUALLY, SHALL INSPECT ALL HOTELS TO
20 ENSURE THAT ROOMS ARE BEING CLEANED IN ACCORDANCE WITH THIS SUBTITLE.
21 THE INSPECTION SHALL INCLUDE THE RANDOM SAMPLING OF COMMONLY USED
22 ITEMS IN A HOTEL ROOM AND MAY BE PERFORMED AT ANY REASONABLE TIME.

23 (B) THE DEPARTMENT SHALL REINSPECT EACH HOTEL FOUND TO BE IN
24 VIOLATION OF THIS SUBTITLE.

25 (C) DURING AN INSPECTION MADE UNDER THIS SECTION, THE DEPARTMENT
26 MAY OPEN, EXAMINE, OR SEIZE FOR EVIDENCE ANY OBJECT THAT THE
27 DEPARTMENT BELIEVES VIOLATES THIS SUBTITLE.

28 (D) THE OWNER OF A HOTEL SHALL REIMBURSE THE DEPARTMENT FOR THE
29 COST OF AN INSPECTION OF THE OWNER'S HOTEL.

30 (E) A PERSON MAY NOT INTERFERE WITH ANY INSPECTION UNDER THIS
31 SUBTITLE.

32 24-904.

33 (A) AFTER EACH RENTAL OF A HOTEL ROOM, A HOTEL SHALL CLEAN ALL
34 COMMONLY USED ITEMS IN THE HOTEL ROOM BY REMOVING INFECTIOUS AGENTS
35 FROM SURFACES ON WHICH AND IN WHICH INFECTIOUS AGENTS MAY FIND
36 FAVORABLE CONDITIONS FOR SURVIVING OR MULTIPLYING BY:

37 (1) SCRUBBING AND WASHING WITH HOT WATER AND SOAP OR OTHER
38 SUITABLE DETERGENT; OR

3

1 (2) VACUUM CLEANING.

2 (B) A HOTEL MAY CLEAN ALL COMMONLY USED ITEMS IN A HOTEL ROOM
3 MORE FREQUENTLY THAN REQUIRED UNDER SUBSECTION (A) OF THIS SECTION.

4 24-905.

5 (A) A PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE OR ANY
6 REGULATION ADOPTED UNDER THIS SUBTITLE IS SUBJECT TO A CIVIL PENALTY NOT
7 EXCEEDING:

8 (1) \$50 FOR A FIRST VIOLATION; AND

9 (2) \$250 FOR EACH SUBSEQUENT VIOLATION.

10 (B) A PERSON WHO, AFTER A REINSPECTION, CONTINUES TO BE IN
11 VIOLATION IS SUBJECT TO A CIVIL PENALTY OF NOT LESS THAN \$100 AND NOT
12 EXCEEDING \$250 FOR EACH CONTINUING VIOLATION.

13 (C) EACH DAY DURING WHICH A PERSON VIOLATES ANY PROVISION OF THIS
14 SUBTITLE OR THE REGULATIONS ADOPTED UNDER THIS SUBTITLE, AFTER
15 KNOWLEDGE OR OFFICIAL NOTICE OF THE VIOLATION, SHALL BE DEEMED A
16 SEPARATE VIOLATION.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 1997.