

HOUSE BILL 401

E4

71r0997
CF 71r0686

By: **Delegates Barnes, Malone, Ali, Conway, Costa, DeBoy, Frush, Glassman, Hubbard, Jennings, Kipke, Levi, Mathias, Morhaim, Niemann, Pena-Melnyk, Ross, Stein, Stull, Weir, and Weldon**

Introduced and read first time: February 2, 2007

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Carbon Monoxide Alarms**

3 FOR the purpose of requiring the installation of certain carbon monoxide alarms
4 within a certain distance from each sleeping area within certain dwellings or,
5 under certain circumstances, within a certain distance from carbon
6 monoxide-producing fixtures and equipment within certain dwellings;
7 establishing certain standards for the required carbon monoxide alarm;
8 establishing certain duties related to the replacement, repair, and maintenance
9 of carbon monoxide alarms; prohibiting a person from rendering a carbon
10 monoxide alarm inoperable with a certain exception; clarifying that this Act
11 does not prevent a county or municipal corporation from enacting more
12 stringent requirements relating to carbon monoxide alarms; defining certain
13 terms; and generally relating to carbon monoxide alarms.

14 BY adding to

15 Article – Public Safety

16 Section 12-1101 through 12-1106 to be under the new subtitle “Subtitle 11.
17 Carbon Monoxide Alarms”

18 Annotated Code of Maryland

19 (2003 Volume and 2006 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Public Safety**SUBTITLE 11. CARBON MONOXIDE ALARMS.****12-1101.**

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

(B) “CARBON MONOXIDE ALARM” MEANS A DEVICE THAT:

(1) SENSES CARBON MONOXIDE;

(2) WHEN SENSING CARBON MONOXIDE, IS CAPABLE OF EMITTING A DISTINCT AND AUDIBLE SOUND;

(3) IS CERTIFIED BY A TESTING LABORATORY THAT IS:

(I) NATIONALLY RECOGNIZED;

(II) INDEPENDENT; AND

(III) NOT-FOR-PROFIT;

(4) CONFORMS TO THE MOST RECENT UNDERWRITERS LABORATORIES STANDARDS OR CANADIAN STANDARD ASSOCIATION STANDARDS FOR CARBON MONOXIDE DEVICES; AND

(5) IS BATTERY-POWERED, A PLUG-IN TYPE WITH BATTERY BACKUP, OR WIRED INTO AN ALTERNATING CURRENT (AC) POWERLINE WITH SECONDARY BATTERY BACKUP.

(C) “INSTALL” MEANS:

(1) IF BATTERY-POWERED, TO ATTACH TO THE WALL OR CEILING OF A DWELLING IN ACCORDANCE WITH THE MOST RECENT STANDARDS OF THE NATIONAL FIRE PROTECTION ASSOCIATION RELATED TO THE INSTALLATION OF CARBON MONOXIDE WARNING EQUIPMENT IN DWELLING UNITS;

1 **(2) TO PLUG DIRECTLY INTO AN ELECTRICAL OUTLET THAT IS**
2 **NOT CONTROLLED BY A SWITCH; OR**

3 **(3) TO HARDWIRE INTO AN ALTERNATING CURRENT (AC)**
4 **ELECTRICAL SERVICE.**

5 **12-1102.**

6 **THIS SUBTITLE ONLY APPLIES TO A SINGLE-FAMILY OR MULTIFAMILY**
7 **DWELLING THAT:**

8 **(1) RELIES ON THE COMBUSTION OF A FOSSIL FUEL FOR HEAT,**
9 **VENTILATION, OR HOT WATER; OR**

10 **(2) IS CONNECTED TO A GARAGE.**

11 **12-1103.**

12 **A CARBON MONOXIDE ALARM MAY BE COMBINED WITH A SMOKE**
13 **DETECTOR IF:**

14 **(1) THE COMBINED DEVICE COMPLIES WITH THIS SUBTITLE AND**
15 **TITLE 9 OF THIS ARTICLE; AND**

16 **(2) THE COMBINED UNIT EMITS AN ALARM AND VOICE WARNING**
17 **IN A MANNER THAT CLEARLY DIFFERENTIATES BETWEEN SMOKE DETECTION**
18 **AND CARBON MONOXIDE DETECTION.**

19 **12-1104.**

20 **(A) THERE MUST BE A CARBON MONOXIDE ALARM INSTALLED WITHIN**
21 **15 FEET OF EACH SLEEPING AREA WITHIN A:**

22 **(1) SINGLE-FAMILY DWELLING SUBJECT TO THIS SUBTITLE; OR**

23 **(2) MULTIFAMILY DWELLING SUBJECT TO THIS SUBTITLE.**

24 **(B) (1) BEFORE THE COMMENCEMENT OF A LEASEHOLD, A**
25 **LANDLORD SHALL:**

1 (I) INSTALL A CARBON MONOXIDE ALARM AS REQUIRED BY
2 SUBSECTION (A) OF THIS SECTION; AND

3 (II) REPLACE ANY CARBON MONOXIDE ALARM THAT WAS
4 STOLEN, REMOVED, OR RENDERED INOPERABLE DURING A PRIOR LEASEHOLD.

5 (2) DURING A LEASEHOLD, A LANDLORD IS NOT RESPONSIBLE
6 FOR THE MAINTENANCE, REPAIR, OR REPLACEMENT OF A CARBON MONOXIDE
7 ALARM.

8 (3) A TENANT SHALL:

9 (I) TEST AND MAINTAIN A CARBON MONOXIDE ALARM;

10 (II) REPLACE ANY CARBON MONOXIDE ALARM THAT IS
11 STOLEN, REMOVED, OR RENDERED INOPERABLE DURING THE TENANCY; AND

12 (III) NOTIFY THE LANDLORD, OR THE LANDLORD'S
13 AUTHORIZED AGENT, IN WRITING OF ANY DEFICIENCIES RELATED TO A CARBON
14 MONOXIDE ALARM THAT THE TENANT IS UNABLE TO CORRECT.

15 (C) NOTWITHSTANDING SUBSECTIONS (A) AND (B) OF THIS SECTION, IF
16 THERE IS A CENTRALIZED ALARM SYSTEM THAT IS CAPABLE OF EMITTING A
17 DISTINCT AND AUDIBLE SOUND TO WARN ALL OCCUPANTS, THE OWNER OF A
18 MULTIFAMILY DWELLING MAY INSTALL A CARBON MONOXIDE ALARM WITHIN 25
19 FEET OF ANY CARBON MONOXIDE-PRODUCING FIXTURE AND EQUIPMENT.

20 **12-1105.**

21 EXCEPT AS PART OF ROUTINE MAINTENANCE, A PERSON MAY NOT
22 RENDER A CARBON MONOXIDE ALARM INOPERABLE.

23 **12-1106.**

24 THIS SUBTITLE DOES NOT PREVENT A COUNTY OR MUNICIPAL
25 CORPORATION FROM ENACTING MORE STRINGENT LAWS THAT RELATE TO
26 CARBON MONOXIDE ALARMS.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2007.