

SENATE BILL 107

E4

EMERGENCY BILL
ENROLLED BILL

(5lr1075)

— *Education, Health, and Environmental Affairs/Environment and Transportation* —

Introduced by **Senator Conway**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Hotels and Lodging or Rooming Houses – Carbon Monoxide**
3 **Alarms**

4 FOR the purpose of altering the applicability to certain hotels and lodging or rooming
5 houses of certain provisions of law concerning carbon monoxide alarms; altering a
6 certain reference to a certain alarm device national standard; requiring certain hotels
7 and lodging or rooming houses, on or after a certain date, to install a certain carbon
8 monoxide alarm ~~inside each guest room on the ceiling wall~~ of certain rooms and areas
9 within the hotel or lodging or rooming house under certain circumstances;
10 authorizing the owner of a hotel or lodging or rooming house to install a certain
11 carbon monoxide alarm within a certain distance from carbon monoxide-producing
12 fixtures and equipment within the hotel or lodging or rooming house under certain
13 circumstances; altering a certain definition; defining ~~a~~ certain ~~term~~ terms; making
14 this Act an emergency measure; and generally relating to carbon monoxide alarms.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 BY repealing and reenacting, with amendments,
 2 Article – Public Safety
 3 Section 12–1101, 12–1102, 12–1103, and 12–1104
 4 Annotated Code of Maryland
 5 (2011 Replacement Volume and 2014 Supplement)

6 BY repealing and reenacting, without amendments,
 7 Article – Public Safety
 8 Section ~~12–1103~~ 9–201(d) and (e), 12–1105, and 12–1106
 9 Annotated Code of Maryland
 10 (2011 Replacement Volume and 2014 Supplement)

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

13 **Article – Public Safety**

14 9–201.

15 (d) (1) “Hotel” means a building or group of buildings that:

16 (i) is under the same management;

17 (ii) contains more than 16 sleeping accommodations for hire; and

18 (iii) is used primarily by transients who are lodged with or without
 19 meals.

20 (2) “Hotel” includes an inn, motel, club, and apartment hotel.

21 (e) (1) “Lodging or rooming house” means a building:

22 (i) in which separate sleeping rooms are rented; and

23 (ii) that provides sleeping accommodations:

24 1. for 16 or fewer individuals;

25 2. on either a transient or permanent basis; and

26 3. with or without meals, but without individual cooking
 27 facilities.

28 (2) “Lodging or rooming house” includes an inn, club, and bed and
 29 breakfast establishment.

30 12–1101.

1 (a) In this subtitle the following words have the meanings indicated.

2 (b) “Carbon monoxide alarm” means a device that:

3 (1) senses carbon monoxide;

4 (2) when sensing carbon monoxide, is capable of emitting a distinct and
5 audible sound;

6 (3) is listed and carries the listing of a nationally recognized testing
7 laboratory approved by the Office of the State Fire Marshal; and

8 (4) **(I)** is wired into an alternating current (AC) powerline with
9 secondary battery backup; **OR**

10 **(II) FOR A HOTEL OR A LODGING OR ROOMING HOUSE:**

11 **1. IS WIRED INTO AN ALTERNATING CURRENT (AC)**
12 **POWERLINE WITH SECONDARY BATTERY BACKUP;**

13 **2. ~~IS PLUGGED INTO AN ELECTRICAL OUTLET, NOT~~**
14 **~~CONTROLLED BY A SWITCH, WITH BATTERY BACKUP; OR~~**

15 **3. IS BATTERY-POWERED, SEALED, TAMPER RESISTANT,**
16 **AND USING A LONG-LIFE BATTERY THAT HAS A LIFE OF NOT LESS THAN 10 YEARS;**
17 **OR**

18 **~~4. 3. IS BATTERY-POWERED, SEALED, TAMPER RESISTANT,~~**
19 **~~AND CONNECTED TO AN ON-SITE OR OFF-SITE CONTROL UNIT THAT MONITORS THE~~**
20 **~~CARBON MONOXIDE ALARM REMOTELY SO THAT A RESPONSIBLE PARTY IS ALERTED~~**
21 **~~WHEN THE DEVICE ACTIVATES THE ALARM SIGNAL AND RECEIVES ITS PRIMARY~~**
22 **~~POWER FROM A BATTERY OR THE CONTROL UNIT.~~**

23 (c) (1) “Dwelling” means a building or part of a building that provides living
24 or sleeping facilities for one or more individuals.

25 (2) “Dwelling” includes a one or two family dwelling, multifamily dwelling,
26 hotel, ~~motel~~, **LODGING OR ROOMING HOUSE**, or dormitory.

27 **(D) “HOTEL” HAS THE MEANING STATED IN § 9-201 OF THIS ARTICLE.**

28 **[(d)] (E)** “Install” means to attach to the wall or ceiling of a dwelling in
29 accordance with:

1 (1) the National Fire Protection Association (NFPA) 720 standard for the
2 installation of carbon monoxide warning equipment in dwelling units; and

3 (2) the manufacturer's recommendations.

4 **(F) "LODGING OR ROOMING HOUSE" HAS THE MEANING STATED IN § 9-201**
5 **OF THIS ARTICLE.**

6 12-1102.

7 This subtitle only applies to:

8 **(1)** a dwelling that:

9 **[(1)] (I)** relies on the combustion of a fossil fuel for heat, ventilation, hot
10 water, or clothes dryer operation; and

11 **[(2)] (II)** is a newly constructed dwelling for which a building permit is
12 issued on or after January 1, 2008; **OR**

13 **(2) A HOTEL OR A LODGING OR ROOMING HOUSE.**

14 12-1103.

15 A carbon monoxide alarm may be combined with a smoke alarm if the combined
16 device complies with:

17 (1) this subtitle;

18 (2) Title 9 of this article; and

19 (3) ~~Underwriters~~ **AMERICAN NATIONAL STANDARDS INSTITUTE**
20 **(ANSI)/UNDERWRITERS** Laboratories (UL) standards 217 and 2034 **OR ANSI/UL 268**
21 **AND 2075.**

22 12-1104.

23 (a) ~~[There]~~ **SUBJECT TO EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS**
24 **SECTION, FOR A DWELLING DESCRIBED IN § 12-1102(1) OF THIS SUBTITLE,** THERE
25 must be a carbon monoxide alarm installed in a central location outside of each sleeping
26 area within ~~the~~ **the** dwelling ~~subject to this subtitle~~.

27 **(B) ~~ON~~ FOR A DWELLING DESCRIBED IN § 12-1102(2) OF THIS SUBTITLE, ON**
28 **OR AFTER APRIL 1, ~~2016,~~ 2017, THERE MUST BE A CARBON MONOXIDE ALARM**

1 ~~INSTALLED INSIDE EACH GUEST ROOM~~ WITHIN A HOTEL OR A LODGING OR ROOMING
 2 HOUSE, AS FOLLOWS:

3 **(1) ON THE ~~CEILING~~ WALL INSIDE EACH GUEST ROOM THAT:**

4 **(I) CONTAINS A DEVICE THAT EMITS CARBON MONOXIDE;**

5 **(II) IS ADJACENT TO A ROOM OR AREA THAT CONTAINS A DEVICE**
 6 **THAT EMITS CARBON MONOXIDE;**

7 **(III) IS ADJACENT TO AN *ENCLOSED* UNVENTILATED ATTACHED**
 8 **GARAGE; OR**

9 **(IV) IS CONNECTED BY DUCTWORK TO AN *ENCLOSED***
 10 **UNVENTILATED ATTACHED GARAGE OR ROOM OR AREA THAT CONTAINS A DEVICE**
 11 **THAT EMITS CARBON MONOXIDE; AND**

12 **(2) ON A ~~CEILING~~ WALL IN EACH ROOM OR AREA THAT:**

13 **(I) CONTAINS A DEVICE THAT EMITS CARBON MONOXIDE;**

14 **(II) IS ADJACENT TO A ROOM OR AREA THAT CONTAINS A DEVICE**
 15 **THAT EMITS CARBON MONOXIDE; OR**

16 **(III) IS ADJACENT TO AN *ENCLOSED* UNVENTILATED ATTACHED**
 17 **GARAGE.**

18 **[(b)](C)** Notwithstanding [subsection (a)] **SUBSECTIONS (A) AND (B)** of this
 19 section, if there is a centralized alarm system that is capable of emitting a distinct and
 20 audible sound to warn all occupants, the owner of a dwelling ~~OR HOTEL~~ may install a
 21 carbon monoxide alarm within 25 feet of any carbon monoxide-producing fixture and
 22 equipment.

23 12-1105.

24 Except as part of routine maintenance, a person may not render a carbon monoxide
 25 alarm inoperable.

26 12-1106.

27 This subtitle does not prevent a county or municipal corporation from enacting more
 28 stringent laws that relate to carbon monoxide alarms.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
 30 measure, is necessary for the immediate preservation of the public health or safety, has

1 been passed by a yea and nay vote supported by three-fifths of all the members elected to
2 each of the two Houses of the General Assembly, and shall take effect from the date it is
3 enacted.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.