

Department of Legislative Services
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FISCAL AND POLICY NOTE
Revised

Senate Bill 107

(Senator Conway)

Education, Health, and Environmental Affairs

Environment and Transportation

Public Safety - Hotels and Lodging or Rooming Houses - Carbon Monoxide Alarms

This emergency bill requires a “hotel” or a “lodging or rooming house” to install a “carbon monoxide alarm” in specified rooms and areas within the hotel or lodging or rooming house by April 1, 2017. Alternatively, if there is a centralized alarm system that is capable of emitting a distinct and audible sound to warn all occupants, the owner may install a carbon monoxide alarm within 25 feet of any carbon monoxide-producing fixture and equipment. Except as part of routine maintenance, a person may not render a carbon monoxide alarm inoperable.

Fiscal Summary

State Effect: The bill does not materially affect State operations or finances.

Local Effect: Local government expenditures may increase minimally for outreach efforts and determinations of initial compliance with the bill’s requirements. Ongoing local expenditures may increase minimally as a result of potential increased fire and rescue service calls. Local government revenues may increase minimally in the short term from noncompliant hotels and lodging or rooming houses paying for fees associated with permits and building inspections. Overall, the bill is not anticipated to have a significant impact on local finances.

Small Business Effect: Potential minimal. The bill may result in increased expenditures for any small business hotels or lodging or rooming houses that are not already in compliance with the bill’s requirements.

Analysis

Bill Summary: Under the bill, a “hotel” is a building or group of buildings that (1) is under the same management; (2) contains more than 16 sleeping accommodations for hire; and (3) is used primarily by transients who are lodged with or without meals. The term “hotel” includes an inn, motel, club, and apartment hotel.

A “lodging or rooming house” is a building in which separate sleeping rooms are rented and that provides sleep accommodations (1) for 16 or fewer individuals; (2) on either a transient or permanent basis; and (3) with or without meals, but without individual cooking facilities. The term “lodging or rooming house” includes an inn, club, and bed and breakfast establishment.

The bill modifies the definition of “carbon monoxide alarm” so that, for a hotel or lodging or rooming house, the device (1) is wired into an alternating current (AC) powerline with secondary battery backup; (2) is battery powered, sealed, tamper resistant, and uses a long life battery that has a life of not less than 10 years; or (3) is connected to an on-site control unit that monitors the carbon monoxide alarm remotely so that a responsible party is alerted when the device activates the alarm signal and receives its primary power from a battery or the control unit. The bill also modifies the definition of “dwelling” to include a “lodging or rooming house,” in addition to a one- or two-family dwelling, multifamily dwelling, hotel, or dormitory.

By April 1, 2017, a hotel or a lodging or rooming house is required to install a carbon monoxide alarm on the wall in each room, guest room, or area that (1) contains a device that emits carbon monoxide; (2) is adjacent to a room or area that contains a device that emits carbon monoxide; or (3) is adjacent to an enclosed unventilated attached garage. In addition, a hotel or a lodging or rooming house must install a carbon monoxide alarm on the wall of each guest room that is connected by ductwork to an enclosed unventilated attached garage or room or area that contains a device that emits carbon monoxide.

A carbon monoxide alarm may be combined with a smoke alarm if the combined device complies with, among other things, the American National Standards Institute (ANSI)/Underwriters Laboratories (UL) standards 217 and 2034 or ANSI/UL 268 and 2075. If there is a centralized alarm system capable of emitting a distinct and audible sound to warn all occupants, the owner of a dwelling (which, under the bill, includes a lodging or rooming house) may install a carbon monoxide alarm within 25 feet of any carbon monoxide-producing fixture and equipment.

Current Law: Chapter 401 of 2007 requires a carbon monoxide alarm to be installed in a central location outside of each sleeping area within a “dwelling” newly constructed on or after January 1, 2008. If there is a centralized alarm system that is capable of emitting a

distinct and audible sound to warn all occupants, the owner of the dwelling may install a carbon monoxide alarm within 25 feet of any carbon monoxide-producing fixture and equipment. Except as part of routine maintenance, a person may not render a carbon monoxide alarm in operable.

A “dwelling” means a building or part of a building that provides living or sleeping facilities, and includes a one- or two-family dwelling, multifamily dwelling, hotel, motel, or dormitory. A “carbon monoxide alarm” is a device that (1) senses carbon monoxide; (2) when sensing carbon monoxide, is capable of emitting a distinct and audible sound; (3) is listed and carries the listing of a nationally recognized testing laboratory approved by the Office of the State Fire Marshal; and (4) is wired into an AC powerline with secondary backup.

The requirement to install a of carbon monoxide alarm only applies to a dwelling that relies on the combustion of a fossil fuel for heat, ventilation, hot water, or clothes dryer operation.

Real estate sale disclosure forms for covered dwellings must disclose whether carbon monoxide alarms have been installed.

Background: Carbon monoxide is an odorless, tasteless, invisible gas. Carbon monoxide results from the incomplete combustion of fossil fuels, such as wood, kerosene, gasoline, charcoal, propane, natural gas, and oil. In the home, carbon monoxide is formed from incomplete combustion from any flame-fueled (*i.e.*, not electric) device, including ranges, ovens, clothes dryers, furnaces, fireplaces, grills, space heaters, vehicles, and water heaters. Furnaces and water heaters may be sources of carbon monoxide, but if they are vented properly, the carbon monoxide escapes to the outside air. Open flames, such as from ovens and ranges, are the most common source of carbon monoxide in the home.

Carbon monoxide detectors trigger an alarm based on an accumulation of carbon monoxide over time. Carbon monoxide can do harm with high levels of exposure in a short period of time, or with lower levels over a long period of time. Detectors require a continuous power supply. Models are available that offer back-up battery power.

Additional Information

Prior Introductions: SB 1075 of 2014, a similar bill, passed the Senate as amended and received an unfavorable report from the House Environmental Matters Committee.

Cross File: None.

Information Source(s): Caroline, Howard, Montgomery, and Prince George's counties; the cities of Baltimore and Bowie; Department of Housing and Community Development; Department of State Police; Maryland Association of Counties; Maryland Municipal League; Department of Legislative Services

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