

# HOUSE BILL 849

E4

(6lr2648)

## ENROLLED BILL

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

Introduced by **Delegates Sample–Hughes, Holmes, Anderton, Carr, Fennell, Ghrist, Healey, C. Howard, Jalisi, McCray, McKay, Otto, Patterson, Proctor, ~~and Sanchez~~ Sanchez, and Queen**

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.

\_\_\_\_\_  
Speaker.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

### 2 **Public Safety – Rental Dwelling Units – Carbon Monoxide Alarms**

3 FOR the purpose of altering certain requirements relating to carbon monoxide alarms as  
4 the requirements apply to certain rental dwelling units; requiring certain rental  
5 dwelling units, on or after a certain date, to have a certain carbon monoxide alarm  
6 installed in a certain manner, subject to a certain exception; defining ~~a certain term~~  
7 certain terms; altering a certain definition; and generally relating to carbon  
8 monoxide alarms.

9 BY repealing and reenacting, without amendments,  
10 Article – Environment  
11 Section 6–801(a) and (t)  
12 Annotated Code of Maryland

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#### 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 (2013 Replacement Volume and 2015 Supplement)

2 BY repealing and reenacting, with amendments,  
3 Article – Public Safety  
4 Section 12–1101, 12–1102, and 12–1104  
5 Annotated Code of Maryland  
6 (2011 Replacement Volume and 2015 Supplement)

7 BY repealing and reenacting, without amendments,  
8 Article – Public Safety  
9 Section 12–1103, 12–1105, and 12–1106  
10 Annotated Code of Maryland  
11 (2011 Replacement Volume and 2015 Supplement)

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

14 **Article – Environment**

15 6–801.

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

17 (t) (1) “Rental dwelling unit” means a room or group of rooms that form a  
18 single independent habitable rental unit for permanent occupation by one or more  
19 individuals that has living facilities with permanent provisions for living, sleeping, eating,  
20 cooking, and sanitation.

21 (2) “Rental dwelling unit” does not include:

22 (i) An area not used for living, sleeping, eating, cooking, or  
23 sanitation, such as an unfinished basement;

24 (ii) A unit within a hotel, motel, or similar seasonal or transient  
25 facility;

26 (iii) An area which is secured and inaccessible to occupants; or

27 (iv) A unit which is not offered for rent.

28 **Article – Public Safety**

29 12–1101.

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

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

1 (1) senses carbon monoxide;

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

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

6 (4) (i) is wired into an alternating current (AC) powerline with  
7 secondary battery backup; or

8 (ii) for a hotel [or], a lodging or rooming house, **OR A RENTAL**  
9 **DWELLING UNIT:**

10 1. is wired into an alternating current (AC) powerline with  
11 secondary battery backup;

12 2. is battery-powered, sealed, tamper resistant, and using a  
13 long-life battery that has a life of not less than 10 years; or

14 3. is connected to an on-site control unit that monitors the  
15 carbon monoxide alarm remotely so that a responsible party is alerted when the device  
16 activates the alarm signal and receives its primary power from a battery or the control unit.

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

19 (2) “Dwelling” includes a one or two family dwelling, multifamily dwelling,  
20 hotel, lodging or rooming house, or dormitory.

21 (d) “Hotel” has the meaning stated in § 9–201 of this article.

22 (e) “Install” means to attach to the wall or ceiling of a dwelling in accordance with:

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

25 (2) the manufacturer’s recommendations.

26 (f) “Lodging or rooming house” has the meaning stated in § 9–201 of this article.

27 **(G) “RENTAL DWELLING UNIT” HAS THE MEANING STATED IN § 6–801 OF**  
28 **THE ENVIRONMENT ARTICLE.**

1           **(H) “SLEEPING AREA” HAS THE MEANING STATED IN § 9-101 OF THIS**  
2 **ARTICLE.**

3 12-1102.

4           This subtitle only applies to:

5                   (1)    a dwelling that:

6                           (i)    relies on the combustion of a fossil fuel for heat, ventilation, hot  
7 water, or clothes dryer operation; and

8                           (ii)   is a newly constructed dwelling for which a building permit is  
9 issued on or after January 1, 2008; or

10                   (2)    a hotel [or], a lodging or rooming house, **OR A RENTAL DWELLING**  
11 **UNIT.**

12 12-1103.

13           A carbon monoxide alarm may be combined with a smoke alarm if the combined  
14 device complies with:

15                   (1)    this subtitle;

16                   (2)    Title 9 of this article; and

17                   (3)    American National Standards Institute (ANSI)/Underwriters  
18 Laboratories (UL) standards 217 and 2034 or ANSI/UL 268 and 2075.

19 12-1104.

20           (a)    Except as provided in [subsection (b)] **SUBSECTIONS (B) AND (C)** of this  
21 section, there must be a carbon monoxide alarm installed in a central location outside of  
22 each sleeping area within a dwelling subject to this subtitle.

23           (b)    For a [dwelling described in § 12-1102(2) of this subtitle] **HOTEL OR A**  
24 **LODGING OR ROOMING HOUSE**, on or after April 1, 2017, there must be a carbon  
25 monoxide alarm installed within [a hotel or a lodging or rooming house] **THE DWELLING**,  
26 as follows:

27                   (1)    on the wall inside each guest room that:

28                           (i)    contains a device that emits carbon monoxide;

1 (ii) is adjacent to a room or area that contains a device that emits  
2 carbon monoxide;

3 (iii) is adjacent to an enclosed unventilated attached garage; or

4 (iv) is connected by ductwork to an enclosed unventilated attached  
5 garage or room or area that contains a device that emits carbon monoxide; and

6 (2) on a wall in each room or area that:

7 (i) contains a device that emits carbon monoxide;

8 (ii) is adjacent to a room or area that contains a device that emits  
9 carbon monoxide; or

10 (iii) is adjacent to an enclosed unventilated attached garage.

11 (C) FOR A RENTAL DWELLING UNIT, ON OR AFTER APRIL 1, 2018, THERE  
12 MUST BE A CARBON MONOXIDE ALARM INSTALLED WITHIN THE DWELLING AS  
13 FOLLOWS, AS FOLLOWS:

14 ~~(1) ON THE WALL INSIDE EACH GUEST ROOM THAT:~~

15 ~~(I) CONTAINS A DEVICE THAT EMITS CARBON MONOXIDE;~~

16 ~~(1) OUTSIDE AND IN THE IMMEDIATE VICINITY OF EACH SEPARATE~~  
17 ~~SLEEPING AREA, AS DEFINED IN § 9-101 OF THIS ARTICLE; AND~~

18 ~~(2) ON EVERY LEVEL OF THE UNIT, INCLUDING THE BASEMENT.~~

19 ~~(II) IS ADJACENT TO A ROOM OR AREA THAT CONTAINS A DEVICE~~  
20 ~~THAT EMITS CARBON MONOXIDE;~~

21 ~~(III) IS ADJACENT TO AN ENCLOSED UNVENTILATED ATTACHED~~  
22 ~~GARAGE; OR~~

23 ~~(IV) IS CONNECTED BY DUCTWORK TO AN ENCLOSED~~  
24 ~~UNVENTILATED ATTACHED GARAGE OR ROOM OR AREA THAT CONTAINS A DEVICE~~  
25 ~~THAT EMITS CARBON MONOXIDE; AND~~

26 ~~(2) ON A WALL IN EACH ROOM OR AREA THAT:~~

27 ~~(I) CONTAINS A DEVICE THAT EMITS CARBON MONOXIDE;~~

1 ~~(H) IS ADJACENT TO A ROOM OR AREA THAT CONTAINS A DEVICE~~  
2 ~~THAT EMITS CARBON MONOXIDE; OR~~

3 ~~(H) IS ADJACENT TO AN ENCLOSED UNVENTILATED ATTACHED~~  
4 ~~GARAGE.~~

5 [(c)] (D) Notwithstanding subsections (a) [and], (b), AND (C) of this section, if  
6 there is a centralized alarm system that is capable of emitting a distinct and audible sound  
7 to warn all occupants, the owner of a dwelling may install a carbon monoxide alarm within  
8 25 feet of any carbon monoxide-producing fixture and equipment.

9 12-1105.

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

12 12-1106.

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

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 October 1, 2016.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.