

SENATE BILL 728

E4

8lr2258
CF HB 810

By: **Senators King, Benson, Feldman, Guzzone, Peters, Robinson, Young, and Zucker**

Introduced and read first time: February 2, 2018

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 16, 2018

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Battery Operated Smoke Alarms**

3 FOR the purpose of prohibiting a person from selling a battery operated smoke alarm in
4 the State or transporting a battery operated smoke alarm into the State for a certain
5 use on or after a certain date unless the smoke alarm meets certain requirements;
6 exempting certain alarms and detectors from a certain prohibition; defining a certain
7 term; and generally relating to smoke alarms.

8 BY repealing and reenacting, with amendments,
9 Article – Public Safety
10 Section 9–101
11 Annotated Code of Maryland
12 (2011 Replacement Volume and 2017 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article – Public Safety
15 Section 9–104(d) and 9–106(f)
16 Annotated Code of Maryland
17 (2011 Replacement Volume and 2017 Supplement)

18 BY adding to
19 Article – Public Safety
20 Section 9–106.1
21 Annotated Code of Maryland

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.



(2011 Replacement Volume and 2017 Supplement)

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

Article – Public Safety

9–101.

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

(B) “LONG–LIFE BATTERY” MEANS A NONRECHARGEABLE, NONREPLACEABLE PRIMARY BATTERY THAT IS CAPABLE OF OPERATING A SMOKE ALARM FOR AT LEAST 10 YEARS IN THE NORMAL CONDITION.

[(b)] (C) “Sleeping area” means a space that includes one or more sleeping rooms and a hall or common area immediately adjacent to any sleeping room.

[(c)] (D) “Sleeping room” means an enclosed room with a bed arranged to be used as a bedroom.

[(d)] (E) “Smoke alarm” means a single or multiple station device that detects visible or invisible products of combustion and includes a built–in internal alarm signal.

[(e)] (F) “Smoke detector” means a system–connected smoke sensing device tied to a fire alarm control panel or a household fire warning panel.

9–104.

(d) (1) Subject to paragraph (2) of this subsection, smoke alarm placement in a one– or two–family dwelling shall be upgraded to comply with paragraph (3) of this subsection in existing residential occupancies when any one of the following occurs:

(i) the existing smoke alarms exceed 10 years from the date of manufacture;

(ii) the existing smoke alarms fail to respond to operability tests or otherwise malfunction;

(iii) there is a change of tenant in a residential unit and the residential unit has not previously been equipped in accordance with this subtitle with sealed long–life battery smoke alarms with silence/hush button features within the 10 years preceding the change of tenant; or

(iv) a building permit is issued for an additional residential unit or alteration to a residential unit.

1 (2) Smoke alarm placement shall be upgraded to comply with paragraph
2 (3) of this subsection in all existing residential occupancies on or before January 1, 2018.

3 (3) Upgraded smoke alarm placement shall include the following:

4 (i) a minimum of one smoke alarm on each level of the residential
5 unit, including basements and excluding unoccupied attics, garages, and crawl spaces;

6 (ii) smoke alarms shall be alternating current (AC) primary powered
7 units with battery backup, except as follows:

8 1. smoke alarms in one- and two-family dwellings
9 constructed before July 1, 1975, may be battery operated; and

10 2. smoke alarms required in new locations by this section, if
11 smoke alarms did not previously exist, may be battery operated; and

12 (iii) if battery operated smoke alarms are permitted, only sealed,
13 tamper resistant units incorporating a silence/hush button and using long-life batteries
14 may be used.

15 9-106.

16 (f) (1) If a residential unit does not contain alternating current (AC) primary
17 electric power, battery operated smoke alarms or smoke alarm operation on an approved
18 alternate source of power may be permitted.

19 (2) Battery operated smoke alarms shall be sealed, tamper resistant units
20 incorporating a silence/hush button and using long-life batteries.

21 **9-106.1.**

22 **(A) THIS SECTION DOES NOT APPLY TO:**

23 **(1) A FIRE ALARM, A SMOKE DETECTOR, A SMOKE ALARM, OR AN**
24 **ANCILLARY COMPONENT THAT IS:**

25 **(I) ELECTRONICALLY CONNECTED AS A PART OF A LISTED**
26 **CENTRALLY MONITORED OR SUPERVISED ALARM SYSTEM; OR**

27 **(II) CAPABLE OF SENDING AND RECEIVING NOTIFICATIONS BY:**

28 **1. A LOW-POWER RADIO FREQUENCY WIRELESS**
29 **COMMUNICATION SIGNAL; OR**

