

Department of Legislative Services  
Maryland General Assembly  
2019 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 70 (Delegate Holmes)  
Environment and Transportation

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Public Safety - Rental Unit - Carbon Monoxide Alarms

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This bill removes the requirement for a rental dwelling unit to contain a carbon monoxide alarm, unless (1) the unit contains a device emitting carbon monoxide or (2) the unit is attached to an enclosed unventilated garage.

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Fiscal Summary

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

**Local Effect:** The bill does not materially affect local finances.

**Small Business Effect:** Minimal.

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Analysis

**Current Law:** Chapters 174 and 175 of 2016 require all rental dwelling units to install carbon monoxide alarms outside and within the immediate vicinity of each separate sleeping area and on every level of each unit (including the basement).

A “rental dwelling unit” is defined as a room or group of rooms forming a single independent habitable rental unit for permanent occupation by one or more individuals that has living facilities with permanent provisions for living, sleeping, eating, cooking, and sanitation. The term does not include an area not used for living, sleeping, eating, cooking, or sanitation (such as an unfinished basement); a unit within a hotel, motel, or similar seasonal or transient facility; an area which is secured and inaccessible to occupants; or a unit which is not offered for rent.

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 alternating current (AC) powerline with secondary battery backup. For a hotel, a lodging or rooming house, or a rental dwelling unit, the alarm may instead be one that (1) is wired into an 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.

A carbon monoxide alarm may be combined with a smoke alarm if the combined device complies with specified standards.

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. Chapter 151 of 2015 requires carbon monoxide alarms be installed in hotels and lodging or rooming houses by April 1, 2017. 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 inoperable.

**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. High levels of carbon monoxide exposure can result in death. Detectors require a continuous power supply. Models are available that offer back-up battery power. Plug-in alarms are also available.

## **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of State Police; Department of Legislative Services

**Fiscal Note History:** First Reader - January 30, 2019  
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Analysis by: Thomas S. Elder

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510