
By: Delegates Love, Frank, and V. Mitchell

Introduced and read first time: January 24, 1997

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Public Swimming Pools and Spas - Safety**

3 FOR the purpose of requiring an owner or operator of a public swimming pool or public
4 spa to comply with certain safety requirements; requiring the Department of Health
5 and Mental Hygiene to adopt regulations establishing safety standards for public
6 swimming pools and public spas; establishing certain requirements for the
7 regulations; defining certain terms; and generally relating to public swimming pool
8 and public spa safety.

9 BY adding to

10 Article - Health - General
11 Section 20-501 through 20-503, inclusive, to be under the new subtitle "Subtitle 5.
12 Public Swimming Pool and Public Spa Safety"
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 1996 Supplement)

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

17 **Article - Health - General**

18 **SUBTITLE 5. PUBLIC SWIMMING POOL AND PUBLIC SPA SAFETY.**

19 20-501.

20 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
21 INDICATED.

22 (B) "POOL" MEANS AN ARTIFICIAL ENCLOSURE OF WATER THAT IS USED FOR
23 THE IMMERSION OF THE HUMAN BODY FOR RECREATION, THERAPY, OR EXERCISE.

24 (C) "PRIVATE POOL" MEANS A SWIMMING POOL THAT IS:

25 (1) NOT OPEN TO THE PUBLIC;

26 (2) ON A PROPERTY ON WHICH NOT MORE THAN FOUR PRIVATE
27 RESIDENCES ARE LOCATED; AND

2

1 (3) USED EXCLUSIVELY BY THE RESIDENTS OF THE PROPERTY AND
2 NONPAYING INDIVIDUALS INVITED TO USE THE POOL BY A RESIDENT.

3 (D) "PRIVATE SPA" MEANS A SPA THAT IS:

4 (1) NOT OPEN TO THE PUBLIC;

5 (2) ON A PROPERTY ON WHICH NOT MORE THAN FOUR PRIVATE
6 RESIDENCES ARE LOCATED; AND

7 (3) USED EXCLUSIVELY BY THE RESIDENTS OF THE PROPERTY AND
8 NONPAYING INDIVIDUALS INVITED TO USE THE SPA BY A RESIDENT.

9 (E) "PUBLIC POOL" MEANS A POOL THAT IS NOT A PRIVATE POOL.

10 (F) "PUBLIC SPA" MEANS A SPA THAT IS NOT A PRIVATE SPA.

11 (G) "SPA" MEANS A SWIMMING POOL, HOT TUB, OR WHIRLPOOL THAT IS:

12 (1) EQUIPPED WITH BUILT-IN SEATS OR BENCHES; AND

13 (2) EQUIPPED WITH HEATED WATER, HYDROTHERAPY JETS, AN AIR
14 INJECTION SYSTEM, OR SOME COMBINATION OF THESE FEATURES.

15 20-502.

16 (A) THE OWNER OR OPERATOR OF A PUBLIC POOL OR PUBLIC SPA SHALL
17 PROVIDE, IN CLOSE PROXIMITY TO THE POOL OR SPA, A SHUTOFF SWITCH THAT
18 WILL IMMEDIATELY DISCONNECT POWER FROM ALL WATER PUMPS FOR THE POOL
19 OR SPA.

20 (B) THE OWNER OR OPERATOR OF A PUBLIC POOL OR PUBLIC SPA SHALL
21 POST A SIGN IN CLOSE PROXIMITY TO THE POOL OR SPA INDICATING THE LOCATION
22 OF THE SHUTOFF SWITCH.

23 20-503.

24 (A) THE DEPARTMENT SHALL ADOPT REGULATIONS ESTABLISHING SAFETY
25 STANDARDS FOR PUBLIC POOLS AND PUBLIC SPAS.

26 (B) THE REGULATIONS SHALL BE FOR THE PURPOSE OF PREVENTING
27 SUCTION ENTRAPMENT HAZARDS AND SHALL INCLUDE REQUIREMENTS THAT THE
28 OWNER OR OPERATOR OF A PUBLIC POOL OR PUBLIC SPA:

29 (1) CLOSE THE POOL OR SPA IF A SUCTION OUTLET DRAIN COVER IS
30 DAMAGED OR MISSING;

31 (2) IMMEDIATELY REPLACE OR REPAIR A DAMAGED OR MISSING
32 SUCTION OUTLET DRAIN COVER;

33 (3) INSPECT SUCTION OUTLET DRAIN COVERS DAILY TO ENSURE THAT
34 THEY ARE SECURE AND IN GOOD CONDITION; AND

3

1 (4) ENSURE THAT ALL OPERATORS, LIFEGUARDS, AND OTHER PUBLIC
2 POOL OR PUBLIC SPA PERSONNEL KNOW THE LOCATION OF THE SHUTOFF SWITCH
3 FOR THE POOL'S OR SPA'S WATER PUMPS AND HAVE READY ACCESS TO IT.

4 (C) THE REGULATIONS SHALL:

5 (1) ADHERE TO U.S. CONSUMER PRODUCT SAFETY COMMISSION
6 SAFETY GUIDELINES FOR SWIMMING POOLS AND SPAS, TO THE EXTENT THEY ARE
7 CONSISTENT WITH THIS SUBTITLE; AND

8 (2) SEEK TO MINIMIZE THE ECONOMIC IMPACT ON OWNERS AND
9 OPERATORS OF EXISTING PUBLIC POOL OR PUBLIC SPA FACILITIES.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 1997.