

Department of Legislative Services  
Maryland General Assembly  
2001 Session

FISCAL NOTE

House Bill 1114 (Delegate Moe, *et al.*)  
Economic Matters

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Public Safety - Carbon Monoxide Detectors

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This bill requires any new “residential unit” to have carbon monoxide detectors installed and maintained in accordance with specified standards if the unit: (1) is issued an initial building permit on or after January 1, 2002; and (2) has a gas heating system, fuel burning appliances, or an attached garage. The requirements of this bill may be enforced by the State Fire Marshal or a local or State authority with jurisdiction over fire and building codes. The fine for knowingly violating any regulations promulgated by the State Fire Prevention Commission or the requirements of this bill can be between \$300 and \$1,000, with each day during which a violation continues after knowledge or official notice being deemed a separate offense.

This bill is effective January 1, 2002.

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Fiscal Summary

**State Effect:** Potential minimal increase in general fund revenues due to the bill’s penalty provision. Potential indeterminate increase in expenditures for State construction of residential occupancies (e.g., college dormitories and prisons). Enforcement could be handled with existing resources.

**Local Effect:** Potential indeterminate increase in expenditures for construction of residential occupancies. This may impose a mandate on a unit of local government. Enforcement could be handled with existing resources. No effect on revenues.

**Small Business Effect:** Potential minimal.

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## Analysis

**State Revenues:** General fund revenues could increase under the bill's monetary penalty provision for those cases heard in the District Court. Nearly all fines collected by the Fire Marshal are collected as civil fines and go to the general fund.

**State Expenditures:** Any increase in workload for the State Fire Prevention Commission associated with promulgating regulations could be handled with existing resources.

To the extent that this bill applies to State constructed residential occupancies, such as college or correctional dormitories, State expenditures would increase. The fiscal 2002 Capital Improvement Program does not contain any proposed construction of new college dormitories. However, the Department of Public Safety and Correctional Services plans to begin construction on the second phase of a 512-bed maximum security housing unit at the Western Correctional Institution in fiscal 2004. The number of carbon monoxide detectors that would be necessary cannot be reliably determined at this time. One detector currently costs about \$30 - \$50.

Assuming enforcement is based primarily on responding to complaints, enforcement by the State Fire Marshal could be handled with existing resources.

**Local Expenditures:** To the extent that this bill applies to any residential units constructed by localities, expenditures would increase. The number of carbon monoxide detectors that would be necessary cannot be reliably determined at this time. One detector currently costs about \$30 - \$50.

With regard to local building permits and inspections, the requirements of this bill could be handled with existing resources. The carbon monoxide detector requirement would be one more item for review and inspection. The additional cost would be minuscule on a per dwelling basis; however, Caroline County advises that it will create another duty for its overburdened planning and codes administration department. To the extent that certain localities have jurisdiction over fire codes, assuming that the enforcement is based primarily on responding to complaints, enforcement could be handled with existing resources.

**Small Business Effect:** The required installation of carbon monoxide detectors in new residential units may increase the cost of construction. To the extent that the property owners affected by this bill are small businesses, any impact is expected to be minimal as carbon monoxide detectors currently range in price from \$30 - \$50 (and that price can be expected to decrease over time). It is noted that detectors for use by deaf or hearing-

impaired individuals, if they are even available on the market, may cost significantly more than the standard models.

Small businesses that sell carbon monoxide detectors may be positively affected due to increased sales.

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### **Additional Information**

**Prior Introductions:** A substantially similar bill was introduced as HB 108 in the 1999 session. It passed the House but failed to pass the Senate.

**Cross File:** None.

**Information Source(s):** Department of State Police, Prince George's County, Caroline County, Baltimore City, Department of Legislative Services

**Fiscal Note History:** First Reader – February 28, 2001  
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