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By: **Delegates Malone and Moe**

Introduced and read first time: February 17, 2006

Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety - Carbon Monoxide Detectors**

3 FOR the purpose of requiring the State Fire Prevention Commission, on or before a  
4 certain date, to adopt certain regulations relating to carbon monoxide detectors;  
5 requiring the owner of a certain residential dwelling, building, or structure, on  
6 or before a certain date, to equip the dwelling, building, or structure with carbon  
7 monoxide detectors that conform to the requirements of the Commission;  
8 requiring the owner to replace, as necessary, certain carbon monoxide detectors  
9 or batteries in certain battery-operated carbon monoxide detectors at certain  
10 intervals to insure continued operability; requiring the local authority with  
11 authority over fire investigations to make a certain inspection on or after a  
12 certain date; authorizing the State Fire Marshal, a county fire chief, fire  
13 administrator, or municipal fire chief to enforce this Act; establishing that this  
14 Act does not prevent a county from enacting more stringent laws relating to  
15 carbon monoxide detectors; establishing a certain fine for a person who  
16 knowingly violates this Act or a regulation adopted by the Commission under  
17 this Act; establishing that each day in which a violation under this Act continues  
18 shall be considered a separate offense under certain circumstances; defining  
19 certain terms; and generally relating to carbon monoxide detectors.

20 BY adding to

21 Article - Public Safety

22 Section 12-1101 through 12-1106, inclusive, to be under the new subtitle

23 "Subtitle 11. Carbon Monoxide Detectors"

24 Annotated Code of Maryland

25 (2003 Volume and 2005 Supplement)

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

27 MARYLAND, That the Laws of Maryland read as follows:

1

**Article - Public Safety**

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## SUBTITLE 11. CARBON MONOXIDE DETECTORS.

3 12-1101.

4 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
5 INDICATED.

6 (B) "CARBON MONOXIDE DETECTOR" MEANS A DEVICE APPROVED BY THE  
7 STATE FIRE PREVENTION COMMISSION THAT:

8 (1) SENSES DANGEROUS LEVELS OF CARBON MONOXIDE;

9 (2) IS INSTALLED IN A MANNER AND LOCATION APPROVED BY THE  
10 COMMISSION; AND

11 (3) WHEN ACTIVATED, PROVIDES AN ALARM SUITABLE TO WARN THE  
12 RESIDENTS OF THE OCCUPANCY.

13 (C) "OCCUPANCY" MEANS A DWELLING, BUILDING, OR STRUCTURE OCCUPIED  
14 IN WHOLE OR IN PART FOR RESIDENTIAL PURPOSES.

15 12-1102.

16 ON OR BEFORE JANUARY 1, 2007, THE STATE FIRE PREVENTION COMMISSION  
17 SHALL ADOPT REGULATIONS TO EFFECTUATE THIS SUBTITLE, INCLUDING THE  
18 NUMBER, TYPE, INSTALLATION, LOCATION, MAINTENANCE, AND INSPECTION  
19 REQUIREMENTS OF CARBON MONOXIDE DETECTORS.

20 12-1103.

21 (A) ON OR BEFORE JANUARY 1, 2008, AN OWNER OF AN OCCUPANCY THAT  
22 CONTAINS FOSSIL-FUEL BURNING EQUIPMENT OR INCORPORATES ENCLOSED  
23 PARKING WITHIN THE OCCUPANCY SHALL EQUIP THE OCCUPANCY WITH CARBON  
24 MONOXIDE DETECTORS THAT CONFORM WITH THE REQUIREMENTS OF THE STATE  
25 FIRE PREVENTION COMMISSION.

26 (B) AFTER COMPLYING WITH SUBSECTION (A) OF THIS SECTION, THE OWNER  
27 SHALL REPLACE, AS NECESSARY, CARBON MONOXIDE DETECTORS OR BATTERIES IN  
28 BATTERY-OPERATED CARBON MONOXIDE DETECTORS ANNUALLY TO INSURE  
29 CONTINUED OPERABILITY.

30 12-1104.

31 ON OR AFTER JANUARY 1, 2008, THE LOCAL AUTHORITY WITH AUTHORITY OVER  
32 FIRE INVESTIGATIONS SHALL INSPECT EVERY OCCUPANCY ON THE SALE OR  
33 TRANSFER OF THE OCCUPANCY FOR COMPLIANCE WITH THE REQUIREMENTS OF  
34 THE STATE FIRE PREVENTION COMMISSION ADOPTED UNDER THIS SUBTITLE.

1 12-1105.

2 THIS SUBTITLE:

3 (1) MAY BE ENFORCED BY THE STATE FIRE MARSHAL, A COUNTY FIRE  
4 CHIEF, A FIRE ADMINISTRATOR, OR A MUNICIPAL FIRE CHIEF; AND

5 (2) DOES NOT PREVENT A COUNTY FROM ENACTING MORE STRINGENT  
6 LAWS THAT RELATE TO CARBON MONOXIDE DETECTORS.

7 12-1106.

8 (A) A PERSON WHO KNOWINGLY VIOLATES THIS SUBTITLE OR A REGULATION  
9 ADOPTED BY THE STATE FIRE PREVENTION COMMISSION UNDER THIS SUBTITLE  
10 SHALL BE FINED NOT LESS THAN \$300 AND NOT MORE THAN \$1,000.

11 (B) EACH DAY DURING WHICH A VIOLATION CONTINUES AFTER KNOWLEDGE  
12 OR OFFICIAL NOTICE OF VIOLATION SHALL BE CONSIDERED A SEPARATE OFFENSE.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2006.