

HOUSE BILL 401

E4

71r0997
CF SB 535

By: **Delegates Barnes, Malone, Ali, Conway, Costa, DeBoy, Frush, Glassman, Hubbard, Jennings, Kipke, Levi, Mathias, Morhaim, Niemann, Pena-Melnyk, Ross, Stein, Stull, Weir, and Weldon**

Introduced and read first time: February 2, 2007

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 16, 2007

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Carbon Monoxide Alarms**

3 FOR the purpose of requiring the installation of certain carbon monoxide alarms
4 ~~within a certain distance from~~ in a central location outside of each sleeping area
5 within certain dwellings or, under certain circumstances, within a certain
6 distance from carbon monoxide-producing fixtures and equipment within
7 certain dwellings; establishing certain standards for the required carbon
8 monoxide alarm; ~~establishing certain duties related to the replacement, repair,~~
9 ~~and maintenance of carbon monoxide alarms;~~ prohibiting a person from
10 rendering a carbon monoxide alarm inoperable with a certain exception;
11 clarifying that this Act does not prevent a county or municipal corporation from
12 enacting more stringent requirements relating to carbon monoxide alarms;
13 providing for the application of this Act; defining certain terms; and generally
14 relating to carbon monoxide alarms.

15 BY adding to

16 Article – Public Safety

17 Section 12-1101 through 12-1106 to be under the new subtitle “Subtitle 11.

18 Carbon Monoxide Alarms”

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.



1 Annotated Code of Maryland
2 (2003 Volume and 2006 Supplement)

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

5 **Article – Public Safety**

6 **SUBTITLE 11. CARBON MONOXIDE ALARMS.**

7 **12-1101.**

8 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
9 INDICATED.

10 (B) “CARBON MONOXIDE ALARM” MEANS A DEVICE THAT:

11 (1) SENSES CARBON MONOXIDE;

12 (2) WHEN SENSING CARBON MONOXIDE, IS CAPABLE OF EMITTING
13 A DISTINCT AND AUDIBLE SOUND;

14 (3) IS ~~CERTIFIED BY A TESTING LABORATORY THAT IS:~~

15 ~~(I) NATIONALLY RECOGNIZED;~~

16 ~~(II) INDEPENDENT; AND~~

17 ~~(III) NOT FOR PROFIT;~~

18 ~~(4) CONFORMS TO THE MOST RECENT UNDERWRITERS~~
19 ~~LABORATORIES STANDARDS OR CANADIAN STANDARD ASSOCIATION~~
20 ~~STANDARDS FOR CARBON MONOXIDE DEVICES LISTED AND CARRIES THE~~
21 ~~LISTING OF A NATIONALLY RECOGNIZED TESTING LABORATORY APPROVED BY~~
22 ~~THE OFFICE OF THE STATE FIRE MARSHAL; AND~~

23 ~~(5) (4) IS BATTERY POWERED, A PLUG-IN TYPE WITH BATTERY~~
24 ~~BACKUP, OR WIRED INTO AN ALTERNATING CURRENT (AC) POWERLINE WITH~~
25 ~~SECONDARY BATTERY BACKUP.~~

1 (C) (1) “DWELLING” MEANS A BUILDING OR PART OF A BUILDING
2 THAT PROVIDES LIVING OR SLEEPING FACILITIES FOR ONE OR MORE
3 INDIVIDUALS.

4 (2) “DWELLING” INCLUDES A ONE OR TWO FAMILY DWELLING,
5 MULTIFAMILY DWELLING, HOTEL, MOTEL, OR DORMITORY.

6 (D) “INSTALL” MEANS:

7 ~~(1) IF BATTERY POWERED, TO ATTACH TO THE WALL OR CEILING~~
8 ~~OF A DWELLING IN ACCORDANCE WITH THE MOST RECENT STANDARDS OF:~~

9 (1) ~~THE NATIONAL FIRE PROTECTION ASSOCIATION RELATED TO~~
10 (NFPA) 720 STANDARD FOR THE INSTALLATION OF CARBON MONOXIDE
11 WARNING EQUIPMENT IN DWELLING UNITS; AND

12 ~~(2) TO PLUG DIRECTLY INTO AN ELECTRICAL OUTLET THAT IS~~
13 ~~NOT CONTROLLED BY A SWITCH; OR~~

14 ~~(3) TO HARDWIRE INTO AN ALTERNATING CURRENT (AC)~~
15 ~~ELECTRICAL SERVICE~~ THE MANUFACTURER’S RECOMMENDATIONS.

16 **12-1102.**

17 **THIS SUBTITLE ONLY APPLIES TO A ~~SINGLE FAMILY OR MULTIFAMILY~~**
18 **DWELLING THAT:**

19 (1) **RELIES ON THE COMBUSTION OF A FOSSIL FUEL FOR HEAT,**
20 **VENTILATION, ~~OR~~ HOT WATER, OR CLOTHES DRYER OPERATION; OR**

21 (2) **IS CONNECTED TO A GARAGE.**

22 **12-1103.**

23 **A CARBON MONOXIDE ALARM MAY BE COMBINED WITH A SMOKE**
24 **~~DETECTOR~~ ALARM IF THE COMBINED DEVICE COMPLIES WITH:**

25 (1) ~~THE COMBINED DEVICE COMPLIES WITH THIS SUBTITLE AND;~~

26 (2) TITLE 9 OF THIS ARTICLE; AND

1 ~~(2) THE COMBINED UNIT EMITS AN ALARM AND VOICE WARNING~~
 2 ~~IN A MANNER THAT CLEARLY DIFFERENTIATES BETWEEN SMOKE DETECTION~~
 3 ~~AND CARBON MONOXIDE DETECTION.~~

4 **(3) UNDERWRITERS LABORATORIES (UL) STANDARDS 217 AND**
 5 **2034.**
 6 **12-1104.**

7 **(A) THERE MUST BE A CARBON MONOXIDE ALARM INSTALLED WITHIN**
 8 **15 FEET IN A CENTRAL LOCATION OUTSIDE OF EACH SLEEPING AREA WITHIN A:**

9 **~~(1) SINGLE FAMILY DWELLING SUBJECT TO THIS SUBTITLE; OR~~**

10 **~~(2) MULTIFAMILY DWELLING SUBJECT TO THIS SUBTITLE.~~**

11 **~~(B) (1) BEFORE THE COMMENCEMENT OF A LEASEHOLD, A~~**
 12 **~~LANDLORD SHALL:~~**

13 **~~(I) INSTALL A CARBON MONOXIDE ALARM AS REQUIRED BY~~**
 14 **~~SUBSECTION (A) OF THIS SECTION; AND~~**

15 **~~(II) REPLACE ANY CARBON MONOXIDE ALARM THAT WAS~~**
 16 **~~STOLEN, REMOVED, OR RENDERED INOPERABLE DURING A PRIOR LEASEHOLD.~~**

17 **~~(2) DURING A LEASEHOLD, A LANDLORD IS NOT RESPONSIBLE~~**
 18 **~~FOR THE MAINTENANCE, REPAIR, OR REPLACEMENT OF A CARBON MONOXIDE~~**
 19 **~~ALARM.~~**

20 **~~(3) A TENANT SHALL:~~**

21 **~~(I) TEST AND MAINTAIN A CARBON MONOXIDE ALARM;~~**

22 **~~(II) REPLACE ANY CARBON MONOXIDE ALARM THAT IS~~**
 23 **~~STOLEN, REMOVED, OR RENDERED INOPERABLE DURING THE TENANCY; AND~~**

24 **~~(III) NOTIFY THE LANDLORD, OR THE LANDLORD'S~~**
 25 **~~AUTHORIZED AGENT, IN WRITING OF ANY DEFICIENCIES RELATED TO A CARBON~~**
 26 **~~MONOXIDE ALARM THAT THE TENANT IS UNABLE TO CORRECT.~~**

1 ~~(c)~~ **(B)** NOTWITHSTANDING ~~SUBSECTIONS~~ **SUBSECTION (A) AND ~~(B)~~**
 2 **OF THIS SECTION, IF THERE IS A CENTRALIZED ALARM SYSTEM THAT IS**
 3 **CAPABLE OF EMITTING A DISTINCT AND AUDIBLE SOUND TO WARN ALL**
 4 **OCCUPANTS, THE OWNER OF A ~~MULTIFAMILY~~ DWELLING MAY INSTALL A**
 5 **CARBON MONOXIDE ALARM WITHIN 25 FEET OF ANY CARBON**
 6 **MONOXIDE-PRODUCING FIXTURE AND EQUIPMENT.**

7 **12-1105.**

8 **EXCEPT AS PART OF ROUTINE MAINTENANCE, A PERSON MAY NOT**
 9 **RENDER A CARBON MONOXIDE ALARM INOPERABLE.**

10 **12-1106.**

11 **THIS SUBTITLE DOES NOT PREVENT A COUNTY OR MUNICIPAL**
 12 **CORPORATION FROM ENACTING MORE STRINGENT LAWS THAT RELATE TO**
 13 **CARBON MONOXIDE ALARMS.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply only
 15 to a newly constructed dwelling, as defined in § 12-1101(c) of the Public Safety Article
 16 as enacted by this Act, for which a building permit is issued on or after January 1,
 17 2008.

18 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
 19 effect October 1, 2007.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.