

HOUSE BILL 1038

E4

9lr1957

By: **Delegates Robinson, Anderson, Branch, Burns, Carter, Glenn, Gutierrez, Harrison, Haynes, Hecht, Howard, Jones, Kirk, Krysiak, Lee, McIntosh, Montgomery, Nathan-Pulliam, Oaks, Proctor, Stukes, Tarrant, and V. Turner**

Introduced and read first time: February 13, 2009

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – New Construction – Carbon Monoxide Alarms and Radon**
3 **Detectors**

4 FOR the purpose of requiring the installation of carbon monoxide alarms and radon
5 detectors in certain dwellings that are to be constructed on or after a certain
6 date; establishing certain minimum technical standards for the radon detectors;
7 requiring the radon detectors to be installed and maintained in accordance with
8 certain standards; prohibiting a person from rendering a radon detector
9 inoperable with a certain exception; clarifying that this Act does not prevent a
10 county or municipal corporation from enacting more stringent laws relating to
11 radon detectors; defining certain terms; and generally relating to carbon
12 monoxide and radon detectors installed in new construction.

13 BY repealing and reenacting, with amendments,
14 Article – Public Safety
15 Section 12–1104
16 Annotated Code of Maryland
17 (2003 Volume and 2008 Supplement)

18 BY adding to
19 Article – Public Safety
20 Section 12–1201 through 12–1206 to be under the new subtitle “Subtitle 12.
21 Radon Detectors”
22 Annotated Code of Maryland
23 (2003 Volume and 2008 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Public Safety**

2 12–1104.

3 (a) There must be a carbon monoxide alarm installed in a central location
4 outside of each sleeping area within a dwelling subject to this subtitle.

5 (b) Notwithstanding subsection (a) of this section, if there is a centralized
6 alarm system that is capable of emitting a distinct and audible sound to warn all
7 occupants, the owner of a dwelling may install a carbon monoxide alarm within 25 feet
8 of any carbon monoxide–producing fixture and equipment.

9 (C) **IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (A) OF THIS**
10 **SECTION, AT LEAST ONE CARBON MONOXIDE ALARM SHALL BE INSTALLED ON**
11 **EACH LEVEL, INCLUDING A BASEMENT BUT EXCLUDING AN ATTIC, OF EACH**
12 **NEWLY CONSTRUCTED RESIDENTIAL DWELLING, FOR WHICH A BUILDING**
13 **PERMIT IS ISSUED FOR NEW CONSTRUCTION ON OR AFTER JANUARY 1, 2010.**

14 **SUBTITLE 12. RADON DETECTORS.**

15 **12–1201.**

16 (A) **IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
17 **INDICATED.**

18 (B) (1) **“DWELLING” MEANS A BUILDING OR PART OF A BUILDING**
19 **THAT PROVIDES LIVING OR SLEEPING FACILITIES FOR ONE OR MORE**
20 **INDIVIDUALS.**

21 (2) **“DWELLING” INCLUDES A ONE OR TWO FAMILY DWELLING OR**
22 **A MULTIFAMILY DWELLING.**

23 (C) **“INSTALL” MEANS TO ATTACH TO THE WALL OR CEILING OF A**
24 **DWELLING IN ACCORDANCE WITH THE MANUFACTURER’S RECOMMENDATIONS.**

25 (D) **“RADON DETECTOR” MEANS A DEVICE THAT:**

26 (1) **SENSES RADON;**

27 (2) **WHEN SENSING RADON, IS CAPABLE OF EMITTING A DISTINCT**
28 **AND AUDIBLE SOUND;**

1 **(3) IS LISTED AND CARRIES THE LISTING OF A NATIONALLY**
2 **RECOGNIZED TESTING LABORATORY APPROVED BY THE OFFICE OF THE STATE**
3 **FIRE MARSHAL; AND**

4 **(4) IS WIRED INTO AN ALTERNATING CURRENT (AC) POWERLINE**
5 **WITH SECONDARY BATTERY BACKUP.**

6 **12-1202.**

7 **THIS SUBTITLE APPLIES ONLY TO A NEWLY CONSTRUCTED DWELLING FOR**
8 **WHICH A BUILDING PERMIT IS ISSUED ON OR AFTER JANUARY 1, 2010.**

9 **12-1203.**

10 **A RADON DETECTOR MAY BE COMBINED WITH A SMOKE ALARM OR**
11 **CARBON MONOXIDE ALARM IF THE COMBINED DEVICE COMPLIES WITH:**

12 **(1) THIS SUBTITLE;**

13 **(2) SUBTITLE 11 OF THIS TITLE**

14 **(3) TITLE 9 OF THIS ARTICLE; AND**

15 **(3) UNDERWRITERS LABORATORIES (UL) STANDARDS 217 AND**
16 **2034.**

17 **12-1204.**

18 **AT LEAST ONE RADON DETECTOR SHALL BE INSTALLED ON EACH LEVEL,**
19 **INCLUDING A BASEMENT BUT EXCLUDING AN ATTIC, OF EACH NEWLY**
20 **CONSTRUCTED RESIDENTIAL DWELLING:**

21 **(1) THAT CONTAINS ALTERNATING CURRENT (AC) ELECTRICAL**
22 **SERVICE; AND**

23 **(2) THAT IS CLASSIFIED RESIDENTIAL, AS DEFINED IN THE MOST**
24 **RECENT EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION LIFE**
25 **SAFETY CODE ADOPTED BY THE STATE FIRE PREVENTION COMMISSION.**

26 **12-1205.**

27 **EXCEPT AS PART OF ROUTINE MAINTENANCE, A PERSON MAY NOT**
28 **RENDER A RADON DETECTOR INOPERABLE.**

1 **12-1206.**

2 **THIS SUBTITLE DOES NOT PREVENT A COUNTY OR MUNICIPAL**
3 **CORPORATION FROM ENACTING MORE STRINGENT LAWS THAT RELATE TO**
4 **RADON DETECTORS.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2009.