

Chapter 596

(House Bill 621)

AN ACT concerning

Fire Safety – High–Rise Buildings – Mobility Impaired Individuals

FOR the purpose of requiring the owner of a residential high–rise building with rental units to provide a certain annual notice to ~~individuals who are mobility impaired~~ all residents of the residential high–rise building of the right of mobility impaired individuals to request certain rental units when certain units in the building become available; defining ~~certain terms~~ a certain term; and generally relating to fire safety in high–rise buildings.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 9–401
Annotated Code of Maryland
(2003 Volume and 2010 Supplement)

BY adding to
Article – Public Safety
Section 9–405
Annotated Code of Maryland
(2003 Volume and 2010 Supplement)

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

Article – Public Safety

9–401.

- (a) In this subtitle the following words have the meanings indicated.
- (b) (1) “High–rise building” means a building for human occupancy that is:
 - (i) four or more stories above grade level; or
 - (ii) over 45 feet in height.
- (2) “High–rise building” does not include:

(i) a structure or building used exclusively for open air parking;
or

(ii) a building used exclusively for agricultural purposes.

(c) “Local fire department” means a career or volunteer fire department.

(d) **“MOBILITY IMPAIRED” MEANS UNABLE TO CARRY OBJECTS OR TO MOVE OR TRAVEL WITHOUT THE USE OF AN ASSISTIVE DEVICE OR SERVICE ANIMAL.**

(E) “Public way” means a paved thoroughfare over 21 feet in width that:

(1) is located on privately owned and privately maintained property but is designated for public use; or

(2) is publicly owned and publicly maintained.

9-405.

~~**FOR FIRE SAFETY PURPOSES, THE OWNER OF A RESIDENTIAL HIGH-RISE BUILDING WITH RENTAL UNITS SHALL PROVIDE REASONABLE WRITTEN NOTICE TO A RESIDENT WHO IS MOBILITY IMPAIRED OF THE RESIDENT’S RIGHT TO REQUEST A RENTAL UNIT ON THE FIRST FIVE FLOORS OF THE HIGH-RISE BUILDING IF ONE SHOULD BECOME AVAILABLE.**~~

FOR FIRE SAFETY PURPOSES, THE OWNER OF A RESIDENTIAL HIGH-RISE BUILDING WITH RENTAL UNITS SHALL PROVIDE REASONABLE WRITTEN NOTICE ANNUALLY TO ALL RESIDENTS OF THE RESIDENTIAL HIGH-RISE BUILDING TO INFORM RESIDENTS WHO ARE MOBILITY IMPAIRED OF THEIR RIGHT TO REQUEST A RENTAL UNIT ON THE FIRST FIVE FLOORS OF THE HIGH-RISE BUILDING IF ONE SHOULD BECOME AVAILABLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

Approved by the Governor, May 19, 2011.