

Department of Legislative Services
Maryland General Assembly
2011 Session

FISCAL AND POLICY NOTE
Revised

House Bill 621

(Delegate Haynes, *et al.*)

Environmental Matters

Education, Health, and Environmental Affairs

Fire Safety - High-Rise Buildings - Mobility Impaired Individuals

This bill requires, for fire safety purposes, the owner of a residential high-rise building with rental units to give reasonable written notice annually to all residents of a “mobility impaired” resident’s right to request a rental unit on the first five floors of the building if one should become available. “Mobility impaired” means unable to carry objects or to move or travel without the use of an assistive device or service animal.

Fiscal Summary

State Effect: To the extent the State owns any residential high-rise buildings covered under the bill, the bill’s requirements can be handled with existing budgeted resources.

Local Effect: To the extent a local government owns any residential high-rise buildings covered under the bill, the bill’s requirements can be handled with existing budgeted resources.

Small Business Effect: Minimal.

Analysis

Current Law: State law does not require the owner of a residential high-rise building with rental units to provide any notice about the availability of units on lower floors to residents, particularly mobility impaired occupants located on the higher floors of the building. “Mobility impaired” is not defined for purposes of State law.

A “high-rise building” is a building intended for human occupancy that is four or more stories above grade level and over 45 feet in height. A structure or building used

exclusively for open air parking or exclusively for agricultural purposes is not considered a high-rise building.

Background: State laws establish requirements for the physical safety and protection of property of occupants of high-rise buildings in case of fire. Legislative findings are as follows:

- Without adequate protection, residents of high-rise buildings are dependent on descending multiple flights of steps or jumping from windows when a fire occurs.
- For many elderly residents of high-rise buildings, this is physically impossible.
- Most firefighting and rescue operations are also conducted inside the high-rise building, where there are greater obstacles to rescuing occupants and controlling and extinguishing the fire.
- Many tragedies could be avoided by installation of automatic fire extinguishing equipment in these situations, usually at no great additional cost to builders.

Additional Information

Prior Introductions: A similar bill, HB 1396 of 2010, as amended, passed the House and received a favorable report from the Senate Education, Health, and Environmental Affairs Committee; no further action was taken.

Cross File: None.

Information Source(s): Office of the Attorney General (Consumer Protection Division), Department of Housing and Community Development, Department of Disabilities, Judiciary (Administrative Office of the Courts), Department of State Police, Maryland Department of Aging, Department of Legislative Services

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