

HOUSE BILL 1413

E4

3lr2907
CF 3lr2906

By: **Delegate Malone**

Introduced and read first time: February 15, 2013

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Fire Protection and Prevention – Residential Smoke Alarms**

3 FOR the purpose of repealing and recodifying certain provisions of law dealing with
4 smoke detection systems; clarifying that the installation of certain smoke
5 alarms is required in certain areas of certain buildings; providing that this Act
6 is applicable statewide; authorizing a local jurisdiction to adopt certain
7 regulations; requiring a minimum number of smoke alarms be installed in
8 certain areas of certain residential occupancies; requiring a certain smoke
9 alarm to activate other smoke alarms in certain circumstances; requiring
10 certain power sources for certain smoke alarms; requiring a certain upgrading
11 of certain smoke alarm placement under certain circumstances; requiring
12 certain existing residential occupancies to be upgraded on or before a certain
13 date; requiring a certain smoke alarm for a sleeping room occupied by a deaf or
14 hard of hearing individual; requiring a landlord to respond to a certain notice in
15 a certain manner; requiring hotels and motels to make a certain minimum
16 number of smoke alarm notification appliances available under certain
17 circumstances and to post a certain notice; authorizing a hotel or motel to
18 charge a certain deposit; providing for enforcement of and responsibility for
19 installation and maintenance of smoke alarms; authorizing a smoke alarm to be
20 combined with a carbon monoxide alarm in certain circumstances; authorizing
21 certain authorities to issue a certain order; requiring a certain person to
22 respond within a certain period of time; defining certain terms; and generally
23 relating to residential smoke alarms.

24 BY repealing

25 Article – Public Safety

26 Section 9–101 through 9–106

27 Annotated Code of Maryland

28 (2011 Replacement Volume and 2012 Supplement)

29 BY adding to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Public Safety
2 Section 9–101 through 9–106
3 Annotated Code of Maryland
4 (2011 Replacement Volume and 2012 Supplement)

5 BY repealing and reenacting, without amendments,
6 Article – Public Safety
7 Section 9–107 and 9–109
8 Annotated Code of Maryland
9 (2011 Replacement Volume and 2012 Supplement)

10 BY repealing and reenacting, with amendments,
11 Article – Public Safety
12 Section 9–108
13 Annotated Code of Maryland
14 (2011 Replacement Volume and 2012 Supplement)

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

17 **Article – Public Safety**

18 [9–101.

19 (a) (1) Notwithstanding any other provision of this article, this subtitle
20 applies in Baltimore City.

21 (2) In Baltimore City, the Baltimore City fire department shall enforce
22 this subtitle.

23 (3) In Baltimore City, appeals concerning this subtitle shall be made
24 to the Baltimore City fire board.

25 (b) This subtitle does not affect a public local law or regulation that existed
26 on July 1, 1982, that required smoke detectors in occupancies with less than ten
27 dwelling units.]

28 [9–102.

29 (a) (1) Each sleeping area within each occupancy classified residential, as
30 defined in the most recent edition of the National Fire Protection Association Life
31 Safety Code adopted by the State Fire Prevention Commission, shall be equipped with
32 at least one approved smoke detector that:

33 (i) senses visible or invisible particles of combustion; and

1 (ii) is installed in a manner and location approved by the State
2 Fire Prevention Commission.

3 (2) When activated, the smoke detector shall provide an alarm
4 suitable to warn the occupants.

5 (b) (1) The landlord shall install smoke detectors as required under
6 subsection (a) of this section.

7 (2) On written notification by certified mail by the tenant or on
8 notification in person by the tenant, the landlord shall repair or replace the smoke
9 detector.

10 (3) If the tenant personally notifies the landlord of the failure of a
11 smoke detector, the landlord shall provide a written receipt acknowledging the
12 notification.

13 (4) A tenant may not remove a smoke detector or render a smoke
14 detector inoperative.

15 (5) Except for hotels or motels, a landlord may require a refundable
16 deposit for a smoke detector not exceeding the value of the smoke detector.

17 (6) On written request of a tenant who is deaf or hearing impaired, the
18 landlord shall provide a smoke detector that, when activated, provides a signal that:

19 (i) is approved by a nationally recognized testing laboratory for
20 electrical appliances; and

21 (ii) is sufficient to warn the deaf or hearing impaired tenant.

22 (c) (1) Regardless of the number of units, each hotel or motel shall have
23 available at least one smoke detector for the deaf or hearing impaired for each 50 units
24 or fraction of 50 units.

25 (2) The hotel or motel may require a refundable deposit for a portable
26 smoke detector not exceeding the value of the smoke detector.

27 (3) The hotel or motel shall post in a conspicuous place at the
28 registration desk a permanent sign that states the availability of smoke detectors for
29 the deaf or hearing impaired.

30 (d) On or before July 1, 1982, an occupant of a one, two, or three family
31 residential dwelling constructed before July 1, 1975, shall:

32 (1) equip each occupant's living unit with at least one approved
33 battery or alternating current (AC) primary electric powered smoke detector; and

1 (2) maintain the smoke detector.]

2 [9-103.

3 (a) At least one smoke detector shall be installed on each level, including a
4 basement but excluding an attic, of each new residential dwelling unit:

5 (1) that contains alternating current (AC) electrical service;

6 (2) that is classified residential, as defined in the most recent edition
7 of the National Fire Protection Association Life Safety Code adopted by the State Fire
8 Prevention Commission; and

9 (3) for which a building permit is issued for new construction on or
10 after January 1, 1989.

11 (b) If two or more smoke detectors are required under subsection (a) of this
12 section, the smoke detectors shall be of a type and installed in a manner so that
13 activation of one smoke detector causes activation of all other required smoke
14 detectors in the residential dwelling unit.

15 (c) A smoke detector required under this subtitle shall operate both by
16 battery and on an alternating current (AC) primary source of electric power if the
17 smoke detector is installed in a new residential dwelling unit:

18 (1) that contains alternating current (AC) electrical service;

19 (2) that is designed to be occupied by one or more families; and

20 (3) for which a building permit is issued for new construction on or
21 after July 1, 1990.

22 (d) This section:

23 (1) may be enforced by a county fire chief, fire administrator, or
24 municipal fire chief; and

25 (2) does not prevent a county from enacting more stringent laws that
26 relate to smoke detectors.]

27 [9-104.

28 (a) (1) Except as provided in paragraph (2) of this subsection and §
29 9-102(d) of this subtitle, smoke detection systems shall operate on an alternating
30 current (AC) primary source of electric power.

1 (2) Smoke detection systems may operate on approved power supplies
2 other than an alternating current (AC) primary source of electric power if:

3 (i) the power supply is approved by the State Fire Prevention
4 Commission; and

5 (ii) it is clearly evident that reasonable safety is secured.

6 (b) Each approved smoke detector shall be installed so as not to exceed the
7 lineal or square footage allowances specified for the smoke detector, based on the
8 generally accepted test standards under which the smoke detector was tested and
9 approved.

10 (c) Smoke detection systems, including specialized smoke detectors for the
11 deaf and hearing impaired, shall be approved for the particular system and shall only
12 be used for detection and signaling in the event of fire.

13 (d) Each lease for an existing residential dwelling unit that contains
14 alternating current (AC) electric service shall contain a disclosure in 10–point bold
15 type that states:

16 “**This residential dwelling unit contains alternating current (AC) electric**
17 **service. In the event of a power outage, an alternating current (AC) powered smoke**
18 **detector will not provide an alarm. Therefore, the occupant should obtain a dual**
19 **powered smoke detector or a battery powered smoke detector.”]**

20 **[9–105.**

21 A person may sell or install a smoke detection system, smoke detector, smoke
22 alarm, or specialized smoke detectors or smoke alarms for the deaf and hard of
23 hearing only in accordance with the State Fire Prevention Code.]

24 **[9–106.**

25 (a) If approved by the State Fire Prevention Commission, an approved
26 automatic fire sprinkler system may be installed instead of a smoke detection system.

27 (b) Installing an approved automatic fire sprinkler system does not nullify
28 the other requirements of the State Fire Prevention Code or exempt an occupancy
29 from other requirements that are clearly applicable under the State Fire Prevention
30 Code.]

31 **9–101.**

32 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
33 **INDICATED.**

1 **(B) “SMOKE ALARM” MEANS A SINGLE OR MULTIPLE STATION DEVICE**
2 **THAT DETECTS VISIBLE OR INVISIBLE PRODUCTS OF COMBUSTION AND**
3 **INCLUDES A BUILT-IN INTERNAL ALARM SIGNAL.**

4 **(C) “SMOKE DETECTOR” MEANS A SYSTEM-CONNECTED SMOKE**
5 **SENSING DEVICE TIED TO A FIRE ALARM CONTROL PANEL OR A HOUSEHOLD**
6 **FIRE WARNING PANEL.**

7 **9-102.**

8 **(A) THIS SUBTITLE APPLIES THROUGHOUT THE STATE, INCLUDING**
9 **BALTIMORE CITY.**

10 **(B) AN AUTOMATIC SMOKE ALARM SHALL BE PROVIDED IN EACH**
11 **SLEEPING AREA WITHIN EACH RESIDENTIAL OCCUPANCY, INCLUDING ONE- AND**
12 **TWO-FAMILY DWELLINGS, LODGING OR ROOMING HOUSES, HOTELS,**
13 **DORMITORIES, AND APARTMENT BUILDINGS, AS DEFINED IN NFPA 101: LIFE**
14 **SAFETY CODE AS ADOPTED BY THE STATE FIRE PREVENTION COMMISSION.**

15 **(C) SMOKE ALARMS SHALL:**

16 **(1) BE INSTALLED IN ACCORDANCE WITH NFPA 72: NATIONAL**
17 **FIRE ALARM CODE AS REFERENCED BY THE STATE FIRE PREVENTION CODE;**

18 **(2) BE LISTED AND LABELED BY A NATIONALLY RECOGNIZED**
19 **TESTING LABORATORY TO COMPLY WITH UNDERWRITERS LABORATORIES (UL)**
20 **217, “STANDARD FOR SAFETY FOR SINGLE AND MULTIPLE STATION SMOKE**
21 **ALARMS”;**

22 **(3) BE SUITABLE FOR SENSING VISIBLE OR INVISIBLE PRODUCTS**
23 **OF COMBUSTION; AND**

24 **(4) SOUND AN ALARM SUITABLE TO WARN THE OCCUPANTS.**

25 **(D) LOCAL JURISDICTIONS MAY ADOPT SMOKE ALARM REGULATIONS**
26 **THAT ARE MORE STRINGENT THAN THE PROVISIONS OF THIS SUBTITLE.**

27 **9-103.**

28 **(A) AT LEAST ONE SMOKE ALARM SHALL BE INSTALLED IN EACH**
29 **SLEEPING ROOM, IN THE HALLWAY OR COMMON AREA OUTSIDE OF SLEEPING**
30 **ROOMS, AND IN THE HALLWAY OR COMMON AREA ON EACH LEVEL WITHIN A**

1 RESIDENTIAL DWELLING UNIT, INCLUDING BASEMENTS AND EXCLUDING
2 UNOCCUPIED ATTICS, GARAGES, AND CRAWL SPACES.

3 (B) IF TWO OR MORE SMOKE ALARMS ARE REQUIRED WITHIN A
4 RESIDENTIAL UNIT, THE SMOKE ALARMS SHALL BE ARRANGED SO THAT
5 ACTIVATION OF ANY ONE SMOKE ALARM CAUSES ALARM ACTIVATION OF ALL
6 OTHER REQUIRED SMOKE ALARMS WITHIN THE RESIDENTIAL UNIT.

7 (C) EACH SMOKE ALARM REQUIRED BY THIS SECTION SHALL OPERATE
8 ON AN ALTERNATING CURRENT (AC) PRIMARY SOURCE OF ELECTRIC POWER
9 WITH A BATTERY BACKUP OR AN APPROVED ALTERNATE SECONDARY POWER
10 SOURCE.

11 (D) IN ONE- AND TWO-FAMILY DWELLINGS, A SMOKE DETECTOR
12 INSTALLED AS A PART OF AN APPROVED HOUSEHOLD FIRE ALARM SYSTEM IS AN
13 ACCEPTABLE ALTERNATIVE TO THE AC POWERED-BATTERY BACKUP SMOKE
14 ALARM REQUIRED BY THIS SECTION, IF THE SMOKE DETECTOR IS INSTALLED
15 AND LOCATED AS SPECIFIED IN SUBSECTION (A) OF THIS SECTION.

16 (E) A SMOKE DETECTOR INSTALLED AS A PART OF AN APPROVED FIRE
17 ALARM SYSTEM IS AN ACCEPTABLE ALTERNATIVE TO THE AC
18 POWERED-BATTERY BACKUP SMOKE ALARM REQUIRED BY THIS SECTION, IF
19 THE SMOKE DETECTOR IS INSTALLED AND LOCATED AS SPECIFIED IN
20 SUBSECTION (A) OF THIS SECTION.

21 9-104.

22 (A) (1) AT LEAST ONE SMOKE ALARM SHALL BE PROVIDED IN EACH
23 RESIDENTIAL SLEEPING AREA.

24 (2) SMOKE ALARMS REQUIRED IN ONE- AND TWO-FAMILY
25 DWELLINGS CONSTRUCTED BEFORE JULY 1, 1975, SHALL BE BATTERY
26 POWERED OR ALTERNATING CURRENT (AC) PRIMARY ELECTRIC POWERED
27 UNITS.

28 (3) SMOKE ALARMS REQUIRED IN ONE- AND TWO-FAMILY
29 DWELLINGS CONSTRUCTED BETWEEN JULY 1, 1975, AND JUNE 30, 1990, SHALL
30 BE ALTERNATING CURRENT (AC) PRIMARY ELECTRIC POWERED UNITS.

31 (4) SMOKE ALARMS REQUIRED IN MULTIFAMILY RESIDENTIAL
32 OCCUPANCIES INCLUDING APARTMENTS, LODGING OR ROOMING HOUSES,
33 DORMITORIES, AND HOTELS SHALL BE ALTERNATING CURRENT (AC) PRIMARY
34 ELECTRIC POWERED UNITS.

1 **(5) SMOKE ALARMS REQUIRED IN A RESIDENTIAL OCCUPANCY**
2 **CONSTRUCTED ON OR AFTER JULY 1, 1990, SHALL BE ALTERNATING CURRENT**
3 **(AC) PRIMARY ELECTRIC POWERED UNITS WITH BATTERY BACKUP OR AN**
4 **APPROVED ALTERNATE SECONDARY POWER SOURCE.**

5 **(B) AT LEAST ONE SMOKE ALARM SHALL BE INSTALLED IN EACH LEVEL**
6 **OF A RESIDENTIAL OCCUPANCY CONSTRUCTED ON OR AFTER JANUARY 1, 1989,**
7 **INCLUDING BASEMENTS AND EXCLUDING UNOCCUPIED ATTICS, GARAGES, AND**
8 **CRAWL SPACES.**

9 **(C) IF TWO OR MORE SMOKE ALARMS ARE REQUIRED WITHIN A**
10 **RESIDENTIAL UNIT CONSTRUCTED ON OR AFTER JANUARY 1, 1989, THE SMOKE**
11 **ALARMS SHALL BE ARRANGED SO THAT ACTIVATION OF ANY ONE SMOKE ALARM**
12 **CAUSES ALARM ACTIVATION OF ALL OTHER REQUIRED SMOKE ALARMS WITHIN**
13 **THE RESIDENTIAL UNIT.**

14 **(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, SMOKE**
15 **ALARM PLACEMENT SHALL BE UPGRADED TO COMPLY WITH PARAGRAPH (3) OF**
16 **THIS SUBSECTION IN EXISTING RESIDENTIAL OCCUPANCIES WHEN ANY ONE OF**
17 **THE FOLLOWING OCCURS:**

18 **(I) THE EXISTING SMOKE ALARMS EXCEED 10 YEARS FROM**
19 **THE DATE OF MANUFACTURE;**

20 **(II) THE EXISTING SMOKE ALARMS FAIL TO RESPOND TO**
21 **OPERABILITY TESTS OR OTHERWISE MALFUNCTION;**

22 **(III) THERE IS A CHANGE OF OWNERSHIP OR A CHANGE OF**
23 **TENANT IN THE RESIDENTIAL UNIT; OR**

24 **(IV) A BUILDING PERMIT IS ISSUED FOR AN ADDITIONAL**
25 **RESIDENTIAL UNIT OR ALTERATION TO A RESIDENTIAL UNIT.**

26 **(2) SMOKE ALARM PLACEMENT SHALL BE UPGRADED TO COMPLY**
27 **WITH PARAGRAPH (3) OF THIS SUBSECTION IN ALL EXISTING RESIDENTIAL**
28 **OCCUPANCIES ON OR BEFORE JANUARY 1, 2018.**

29 **(3) UPGRADED SMOKE ALARM PLACEMENT SHALL INCLUDE THE**
30 **FOLLOWING:**

1 **(I) A MINIMUM OF ONE SMOKE ALARM ON EACH LEVEL OF**
2 **THE RESIDENTIAL UNIT, INCLUDING BASEMENTS AND EXCLUDING UNOCCUPIED**
3 **ATTICS, GARAGES, AND CRAWL SPACES;**

4 **(II) SMOKE ALARMS SHALL BE ALTERNATING CURRENT**
5 **(AC) PRIMARY POWERED UNITS WITH BATTERY BACKUP, EXCEPT AS FOLLOWS:**

6 **1. SMOKE ALARMS IN ONE- AND TWO-FAMILY**
7 **DWELLINGS CONSTRUCTED BEFORE JULY 1, 1975, MAY BE BATTERY OPERATED;**
8 **AND**

9 **2. SMOKE ALARMS REQUIRED IN NEW LOCATIONS BY**
10 **THIS SECTION, IF SMOKE ALARMS DID NOT PREVIOUSLY EXIST, MAY BE BATTERY**
11 **OPERATED; AND**

12 **(III) IF BATTERY OPERATED SMOKE ALARMS ARE**
13 **PERMITTED, ONLY SEALED, TAMPER RESISTANT UNITS INCORPORATING A**
14 **SILENCE/HUSH BUTTON AND USING LONG-LIFE BATTERIES MAY BE USED.**

15 **(E) IN ONE- AND TWO-FAMILY DWELLINGS, A SMOKE DETECTOR**
16 **INSTALLED AS A PART OF AN APPROVED HOUSEHOLD FIRE ALARM SYSTEM IS AN**
17 **ACCEPTABLE ALTERNATIVE TO THE AC POWERED-BATTERY BACKUP SMOKE**
18 **ALARMS REQUIRED BY THIS SECTION, IF THE SMOKE DETECTORS ARE**
19 **INSTALLED AND LOCATED AS SPECIFIED IN SUBSECTION (A) OF THIS SECTION.**

20 **(F) A SMOKE DETECTOR INSTALLED AS A PART OF AN APPROVED FIRE**
21 **ALARM SYSTEM IS AN ACCEPTABLE ALTERNATIVE TO THE AC**
22 **POWERED-BATTERY BACKUP SMOKE ALARMS REQUIRED BY THIS SECTION, IF**
23 **THE SMOKE DETECTORS ARE INSTALLED AND LOCATED AS SPECIFIED IN**
24 **SUBSECTION (A) OF THIS SECTION.**

25 **9-105.**

26 **(A) EACH SLEEPING ROOM OCCUPIED BY A DEAF OR HARD OF HEARING**
27 **INDIVIDUAL SHALL BE PROVIDED WITH A SMOKE ALARM SUITABLE TO ALERT**
28 **THE DEAF OR HARD OF HEARING INDIVIDUAL.**

29 **(B) (1) ON WRITTEN REQUEST ON BEHALF OF A TENANT WHO IS DEAF**
30 **OR HARD OF HEARING, A SLEEPING ROOM OCCUPIED BY A DEAF OR HARD OF**
31 **HEARING INDIVIDUAL SHALL BE PROVIDED WITH AN APPROVED NOTIFICATION**
32 **APPLIANCE DESIGNED TO ALERT DEAF OR HARD OF HEARING INDIVIDUALS.**

1 **(2) THE LANDLORD SHALL PROVIDE A NOTIFICATION APPLIANCE**
2 **THAT, WHEN ACTIVATED, PROVIDES A SIGNAL THAT IS SUFFICIENT TO WARN**
3 **THE DEAF OR HARD OF HEARING TENANT IN THOSE SLEEPING ROOMS.**

4 **(C) HOTELS AND MOTELS SHALL HAVE AVAILABLE AT LEAST ONE**
5 **APPROVED NOTIFICATION APPLIANCE FOR THE DEAF OR HARD OF HEARING**
6 **INDIVIDUAL FOR EACH 50 UNITS OR FRACTION OF 50 UNITS.**

7 **(D) HOTELS AND MOTELS SHALL POST IN A CONSPICUOUS PLACE AT**
8 **THE REGISTRATION DESK A PERMANENT SIGN THAT STATES THE AVAILABILITY**
9 **OF SMOKE ALARM NOTIFICATION APPLIANCES FOR THE DEAF OR HARD OF**
10 **HEARING INDIVIDUAL.**

11 **(E) (1) HOTELS, MOTELS, AND LANDLORDS MAY REQUIRE A**
12 **REFUNDABLE DEPOSIT FOR NOTIFICATION APPLIANCES FOR THE DEAF OR**
13 **HARD OF HEARING INDIVIDUAL.**

14 **(2) THE AMOUNT OF THE DEPOSIT MAY NOT EXCEED THE VALUE**
15 **OF THE NOTIFICATION APPLIANCE.**

16 **9-106.**

17 **(A) SMOKE ALARM REQUIREMENTS SHALL BE ENFORCED BY THE STATE**
18 **FIRE MARSHAL, A COUNTY OR MUNICIPAL FIRE MARSHAL, A FIRE CHIEF, THE**
19 **BALTIMORE CITY FIRE DEPARTMENT, OR ANY OTHER DESIGNATED AUTHORITY**
20 **HAVING JURISDICTION.**

21 **(B) (1) THE BUILDING PERMIT APPLICANT IS RESPONSIBLE FOR THE**
22 **PROPER INSTALLATION OF REQUIRED SMOKE ALARMS IN RESIDENTIAL**
23 **OCCUPANCIES CONSTRUCTED ON OR AFTER JULY 1, 2013.**

24 **(2) IF A BUILDING PERMIT IS NOT REQUIRED, THE GENERAL**
25 **CONTRACTOR SHALL BEAR THE RESPONSIBILITY DESCRIBED IN PARAGRAPH (1)**
26 **OF THIS SUBSECTION.**

27 **(C) THE LANDLORD OR PROPERTY OWNER IS RESPONSIBLE FOR THE**
28 **INSTALLATION, REPAIR, MAINTENANCE, AND REPLACEMENT OF SMOKE ALARMS**
29 **REQUIRED BY THIS SUBTITLE.**

30 **(D) OCCUPANTS OF A RESIDENTIAL OCCUPANCY MAY NOT REMOVE OR**
31 **TAMPER WITH A REQUIRED SMOKE ALARM OR OTHERWISE RENDER THE SMOKE**
32 **ALARM INOPERATIVE.**

1 **(E) (1) TESTING OF SMOKE ALARMS IS THE RESPONSIBILITY OF THE**
2 **OCCUPANT OF THE RESIDENTIAL UNIT.**

3 **(2) A TENANT SHALL NOTIFY THE LANDLORD OF THE FAILURE OR**
4 **MALFUNCTION OF A REQUIRED SMOKE ALARM.**

5 **(3) THE LANDLORD SHALL PROVIDE WRITTEN**
6 **ACKNOWLEDGMENT OF THE NOTIFICATION AND SHALL REPAIR OR REPLACE**
7 **THE SMOKE ALARM WITHIN 5 CALENDAR DAYS AFTER THE NOTIFICATION.**

8 **(F) (1) IF A RESIDENTIAL UNIT DOES NOT CONTAIN ALTERNATING**
9 **CURRENT (AC) PRIMARY ELECTRIC POWER, BATTERY OPERATED SMOKE**
10 **ALARMS OR SMOKE ALARM OPERATION ON AN APPROVED ALTERNATE SOURCE**
11 **OF POWER MAY BE PERMITTED.**

12 **(2) BATTERY OPERATED SMOKE ALARMS SHALL BE SEALED,**
13 **TAMPER RESISTANT UNITS INCORPORATING A SILENCE/HUSH BUTTON AND**
14 **USING LONG-LIFE BATTERIES.**

15 **(G) A SMOKE ALARM MAY BE COMBINED WITH A CARBON MONOXIDE**
16 **ALARM IF THE DEVICE COMPLIES WITH:**

17 **(1) THIS SUBTITLE;**

18 **(2) TITLE 12 OF THIS ARTICLE; AND**

19 **(3) UNDERWRITERS LABORATORIES (UL) STANDARDS 217 AND**
20 **2034.**

21 9-107.

22 Failure to comply with this subtitle may not be used as a policy defense in the
23 settlement of a property insurance claim.

24 9-108.

25 (a) If [after investigating a fire in a one, two, or three family residential
26 dwelling] the State Fire Marshal or [local investigating] **OTHER DESIGNATED**
27 authority **WITH JURISDICTION** finds the absence of **OPERATING**, required smoke
28 detectors, the State Fire Marshal or [local investigating] **OTHER** authority shall issue
29 [to the occupant] a smoke [detection] **ALARM** installation order **TO THE**
30 **RESPONSIBLE LANDLORD, OWNER, OR OCCUPANT.**

1 (b) [A] **THE RESPONSIBLE** person [may not fail to] **SHALL** comply with a
2 smoke [detection] **ALARM** installation order within [15] **5 CALENDAR** days [of
3 reoccupancy].

4 [(c) (1) A person who violates subsection (b) of this section is guilty of a
5 misdemeanor and on conviction is subject to a fine not exceeding \$50.

6 (2) The penalty provision of § 9–109 of this subtitle does not apply to
7 this section.]

8 9–109.

9 (a) A person may not knowingly violate this subtitle.

10 (b) A person who violates this section is guilty of a misdemeanor and on
11 conviction is subject to imprisonment not exceeding 10 days or a fine not exceeding
12 \$1,000 or both.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 July 1, 2013.