

# HOUSE BILL 849

E4

6lr2648  
CF SB 182

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By: ~~Delegates Sample–Hughes, Holmes, Anderton, Carr, Fennell, Ghrist, Healey, C. Howard, Jalisi, McCray, McKay, Otto, Patterson, Proctor, and Sanchez~~  
Sanchez, and Queen

Introduced and read first time: February 8, 2016  
Assigned to: Environment and Transportation

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 8, 2016

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Public Safety – Rental Dwelling Units – Carbon Monoxide Alarms**

3 FOR the purpose of altering certain requirements relating to carbon monoxide alarms as  
4 the requirements apply to certain rental dwelling units; requiring certain rental  
5 dwelling units, on or after a certain date, to have a certain carbon monoxide alarm  
6 installed in a certain manner, subject to a certain exception; defining a certain term;  
7 altering a certain definition; and generally relating to carbon monoxide alarms.

8 BY repealing and reenacting, without amendments,  
9 Article – Environment  
10 Section 6–801(a) and (t)  
11 Annotated Code of Maryland  
12 (2013 Replacement Volume and 2015 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article – Public Safety  
15 Section 12–1101, 12–1102, and 12–1104  
16 Annotated Code of Maryland  
17 (2011 Replacement Volume and 2015 Supplement)

18 BY repealing and reenacting, without amendments,  
19 Article – Public Safety  
20 Section 12–1103, 12–1105, and 12–1106

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### 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 (2011 Replacement Volume and 2015 Supplement)

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

5 **Article – Environment**

6 6–801.

7 (a) In this subtitle the following words have the meanings indicated.

8 (t) (1) “Rental dwelling unit” means a room or group of rooms that form a  
9 single independent habitable rental unit for permanent occupation by one or more  
10 individuals that has living facilities with permanent provisions for living, sleeping, eating,  
11 cooking, and sanitation.

12 (2) “Rental dwelling unit” does not include:

13 (i) An area not used for living, sleeping, eating, cooking, or  
14 sanitation, such as an unfinished basement;

15 (ii) A unit within a hotel, motel, or similar seasonal or transient  
16 facility;

17 (iii) An area which is secured and inaccessible to occupants; or

18 (iv) A unit which is not offered for rent.

19 **Article – Public Safety**

20 12–1101.

21 (a) In this subtitle the following words have the meanings indicated.

22 (b) “Carbon monoxide alarm” means a device that:

23 (1) senses carbon monoxide;

24 (2) when sensing carbon monoxide, is capable of emitting a distinct and  
25 audible sound;

26 (3) is listed and carries the listing of a nationally recognized testing  
27 laboratory approved by the Office of the State Fire Marshal; and

28 (4) (i) is wired into an alternating current (AC) powerline with  
29 secondary battery backup; or

1 (ii) for a hotel [or], a lodging or rooming house, **OR A RENTAL**  
2 **DWELLING UNIT:**

3 1. is wired into an alternating current (AC) powerline with  
4 secondary battery backup;

5 2. is battery-powered, sealed, tamper resistant, and using a  
6 long-life battery that has a life of not less than 10 years; or

7 3. is connected to an on-site control unit that monitors the  
8 carbon monoxide alarm remotely so that a responsible party is alerted when the device  
9 activates the alarm signal and receives its primary power from a battery or the control unit.

10 (c) (1) “Dwelling” means a building or part of a building that provides living  
11 or sleeping facilities for one or more individuals.

12 (2) “Dwelling” includes a one or two family dwelling, multifamily dwelling,  
13 hotel, lodging or rooming house, or dormitory.

14 (d) “Hotel” has the meaning stated in § 9–201 of this article.

15 (e) “Install” means to attach to the wall or ceiling of a dwelling in accordance with:

16 (1) the National Fire Protection Association (NFPA) 720 standard for the  
17 installation of carbon monoxide warning equipment in dwelling units; and

18 (2) the manufacturer’s recommendations.

19 (f) “Lodging or rooming house” has the meaning stated in § 9–201 of this article.

20 **(G) “RENTAL DWELLING UNIT” HAS THE MEANING STATED IN § 6–801 OF**  
21 **THE ENVIRONMENT ARTICLE.**

22 12–1102.

23 This subtitle only applies to:

24 (1) a dwelling that:

25 (i) relies on the combustion of a fossil fuel for heat, ventilation, hot  
26 water, or clothes dryer operation; and

27 (ii) is a newly constructed dwelling for which a building permit is  
28 issued on or after January 1, 2008; or

1           (2)     a hotel [or], a lodging or rooming house, **OR A RENTAL DWELLING**  
2 **UNIT.**

3 12–1103.

4           A carbon monoxide alarm may be combined with a smoke alarm if the combined  
5 device complies with:

6           (1)     this subtitle;

7           (2)     Title 9 of this article; and

8           (3)     American National Standards Institute (ANSI)/Underwriters  
9 Laboratories (UL) standards 217 and 2034 or ANSI/UL 268 and 2075.

10 12–1104.

11           (a)     Except as provided in [subsection (b)] **SUBSECTIONS (B) AND (C)** of this  
12 section, there must be a carbon monoxide alarm installed in a central location outside of  
13 each sleeping area within a dwelling subject to this subtitle.

14           (b)     For a [dwelling described in § 12–1102(2) of this subtitle] **HOTEL OR A**  
15 **LODGING OR ROOMING HOUSE**, on or after April 1, 2017, there must be a carbon  
16 monoxide alarm installed within [a hotel or a lodging or rooming house] **THE DWELLING**,  
17 as follows:

18           (1)     on the wall inside each guest room that:

19                   (i)     contains a device that emits carbon monoxide;

20                   (ii)    is adjacent to a room or area that contains a device that emits  
21 carbon monoxide;

22                   (iii)   is adjacent to an enclosed unventilated attached garage; or

23                   (iv)    is connected by ductwork to an enclosed unventilated attached  
24 garage or room or area that contains a device that emits carbon monoxide; and

25           (2)     on a wall in each room or area that:

26                   (i)     contains a device that emits carbon monoxide;

27                   (ii)    is adjacent to a room or area that contains a device that emits  
28 carbon monoxide; or

29                   (iii)   is adjacent to an enclosed unventilated attached garage.

1 (C) FOR A RENTAL DWELLING UNIT, ON OR AFTER APRIL 1, 2018, THERE  
 2 MUST BE A CARBON MONOXIDE ALARM INSTALLED WITHIN THE DWELLING, ~~AS~~  
 3 ~~FOLLOWS:~~

4 ~~(1) ON THE WALL INSIDE EACH GUEST ROOM THAT:~~

5 ~~(I) CONTAINS A DEVICE THAT EMITS CARBON MONOXIDE;~~

6 (1) OUTSIDE AND IN THE IMMEDIATE VICINITY OF EACH SEPARATE  
 7 SLEEPING AREA, AS DEFINED IN § 9-101 OF THIS ARTICLE; AND

8 (2) ON EVERY LEVEL OF THE UNIT, INCLUDING THE BASEMENT.

9 ~~(II) IS ADJACENT TO A ROOM OR AREA THAT CONTAINS A DEVICE~~  
 10 ~~THAT EMITS CARBON MONOXIDE;~~

11 ~~(III) IS ADJACENT TO AN ENCLOSED UNVENTILATED ATTACHED~~  
 12 ~~GARAGE; OR~~

13 ~~(IV) IS CONNECTED BY DUCTWORK TO AN ENCLOSED~~  
 14 ~~UNVENTILATED ATTACHED GARAGE OR ROOM OR AREA THAT CONTAINS A DEVICE~~  
 15 ~~THAT EMITS CARBON MONOXIDE; AND~~

16 ~~(2) ON A WALL IN EACH ROOM OR AREA THAT:~~

17 ~~(I) CONTAINS A DEVICE THAT EMITS CARBON MONOXIDE;~~

18 ~~(II) IS ADJACENT TO A ROOM OR AREA THAT CONTAINS A DEVICE~~  
 19 ~~THAT EMITS CARBON MONOXIDE; OR~~

20 ~~(III) IS ADJACENT TO AN ENCLOSED UNVENTILATED ATTACHED~~  
 21 ~~GARAGE.~~

22 [(c)] (D) Notwithstanding subsections (a) [and], (b), AND (C) of this section, if  
 23 there is a centralized alarm system that is capable of emitting a distinct and audible sound  
 24 to warn all occupants, the owner of a dwelling may install a carbon monoxide alarm within  
 25 25 feet of any carbon monoxide-producing fixture and equipment.

26 12-1105.

27 Except as part of routine maintenance, a person may not render a carbon monoxide  
 28 alarm inoperable.

29 12-1106.

1           This subtitle does not prevent a county or municipal corporation from enacting more  
2 stringent laws that relate to carbon monoxide alarms.

3           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2016.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.