

SENATE BILL 182

E4

6lr1118
CF HB 849

By: **Senators Mathias, Benson, Conway, and Rosapepe**

Introduced and read first time: January 18, 2016

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 23, 2016

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

21 Annotated Code of Maryland

22 (2011 Replacement Volume and 2015 Supplement)

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

3 **Article – Environment**

4 6–801.

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

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

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

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

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

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

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

17 **Article – Public Safety**

18 12–1101.

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

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

21 (1) senses carbon monoxide;

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

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

26 (4) (i) is wired into an alternating current (AC) powerline with
27 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 **OR PLUGGED** into an alternating current (AC)
4 powerline with 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 OUTSIDE EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE
 7 BEDROOMS, AND ON EVERY LEVEL OF THE RENTAL DWELLING UNIT, INCLUDING
 8 BASEMENTS.

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:

Governor.

President of the Senate.

Speaker of the House of Delegates.