

Chapter 175

(House Bill 849)

AN ACT concerning

Public Safety – Rental Dwelling Units – Carbon Monoxide Alarms

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

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

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

BY repealing and reenacting, without amendments,
 Article – Public Safety
 Section 12–1103, 12–1105, and 12–1106
 Annotated Code of Maryland
 (2011 Replacement Volume and 2015 Supplement)

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

Article – Environment

6–801.

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

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

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

- (i) An area not used for living, sleeping, eating, cooking, or sanitation, such as an unfinished basement;
- (ii) A unit within a hotel, motel, or similar seasonal or transient facility;
- (iii) An area which is secured and inaccessible to occupants; or
- (iv) A unit which is not offered for rent.

Article – Public Safety

12–1101.

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

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

- (1) senses carbon monoxide;
- (2) when sensing carbon monoxide, is capable of emitting a distinct and audible sound;
- (3) is listed and carries the listing of a nationally recognized testing laboratory approved by the Office of the State Fire Marshal; and
- (4) (i) is wired into an alternating current (AC) powerline with secondary battery backup; or
 - (ii) for a hotel [or], a lodging or rooming house, **OR A RENTAL DWELLING UNIT:**
 - 1. is wired into an alternating current (AC) powerline with secondary battery backup;
 - 2. is battery–powered, sealed, tamper resistant, and using a long–life battery that has a life of not less than 10 years; or
 - 3. is connected to an on–site control unit that monitors the carbon monoxide alarm remotely so that a responsible party is alerted when the device activates the alarm signal and receives its primary power from a battery or the control unit.

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

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

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

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

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

(2) the manufacturer’s recommendations.

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

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

(H) “SLEEPING AREA” HAS THE MEANING STATED IN § 9–101 OF THIS ARTICLE.

12–1102.

This subtitle only applies to:

(1) a dwelling that:

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

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

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

12–1103.

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

(1) this subtitle;

(2) Title 9 of this article; and

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

12-1104.

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

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

- (1) on the wall inside each guest room that:
 - (i) contains a device that emits carbon monoxide;
 - (ii) is adjacent to a room or area that contains a device that emits carbon monoxide;
 - (iii) is adjacent to an enclosed unventilated attached garage; or
 - (iv) is connected by ductwork to an enclosed unventilated attached garage or room or area that contains a device that emits carbon monoxide; and
- (2) on a wall in each room or area that:
 - (i) contains a device that emits carbon monoxide;
 - (ii) is adjacent to a room or area that contains a device that emits carbon monoxide; or
 - (iii) is adjacent to an enclosed unventilated attached garage.

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

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

~~**(i) CONTAINS A DEVICE THAT EMITS CARBON MONOXIDE;**~~

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

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

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

~~(HH) IS ADJACENT TO AN ENCLOSED UNVENTILATED ATTACHED GARAGE; OR~~

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

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

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

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

~~(HH) IS ADJACENT TO AN ENCLOSED UNVENTILATED ATTACHED GARAGE.~~

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

12-1105.

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

12-1106.

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

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

Approved by the Governor, April 26, 2016.