

Chapter 422

(House Bill 149)

AN ACT concerning

Fire Prevention – Assistant Fire Marshals, Residential Rental High–Rise Property Fire Safety Equipment, and Fire Alarm System Technicians

FOR the purpose of authorizing a county or municipal corporation to designate certain fire marshals with the approval of the State Fire Marshal or to request that the State Fire Marshal designate certain fire marshals and requiring the State Fire Marshal to adopt certain regulations governing the qualifications, training, standards, and certification of designees; requiring installation of certain fire prevention in certain high–rise residential buildings; requiring the State Fire Prevention Commission to adopt certain regulations relating to fire alarm system technicians; and generally relating to fire safety.

BY repealing and reenacting, with amendments,
 Article – Public Safety
 Section 6–304, 9–102, 9–901, and 9–902
 Annotated Code of Maryland
 (2022 Replacement Volume and 2025 Supplement)

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

Article – Public Safety

6–304.

(a) (1) A county or municipal corporation of the State may designate **WITH THE APPROVAL OF THE STATE FIRE MARSHAL, OR MAY REQUEST THAT THE STATE FIRE MARSHAL DESIGNATE**, a fire marshal or appropriate fire official to serve as assistant State fire marshal to carry out this title, including issuing orders, in that county or municipal corporation.

(2) An assistant State fire marshal may not receive compensation from the State.

(3) The State Fire Marshal shall carry out this title in a county or municipal corporation that [has not] **DOES NOT HAVE A** designated [an] assistant State fire marshal.

(b) (1) [An assistant State fire marshal shall have at least completed National Fire Protection Association (NFPA) Standard 1031 – Fire Inspector I, or the equivalent, as

determined by the State Fire Marshal.] **THE STATE FIRE MARSHAL SHALL ADOPT REGULATIONS ESTABLISHING REQUIREMENTS FOR ALL INDIVIDUALS DESIGNATED AS AN ASSISTANT STATE FIRE MARSHAL OR A SPECIAL ASSISTANT STATE FIRE MARSHAL UNDER SUBSECTION (A)(1) OF THIS SECTION, INCLUDING:**

(I) MINIMUM TRAINING, CERTIFICATION, AND OTHER STANDARDS RELATING TO FIRE INSPECTION;

(II) MINIMUM TRAINING, CERTIFICATION, AND OTHER STANDARDS FOR FIRE PLAN REVIEW, A FIRE PLAN EXAMINER, OR FIRE PLAN ENGINEERING STAFF;

(III) MINIMUM TRAINING, CERTIFICATION, AND OTHER STANDARDS RELATING TO FIRE ~~INSPECTION~~ INVESTIGATION;

(IV) ACCEPTABLE MINIMUM STANDARDS FOR THE ELIGIBILITY OF AN INDIVIDUAL TO SERVE AS AN ASSISTANT STATE FIRE MARSHAL OR A SPECIAL ASSISTANT STATE FIRE MARSHAL; AND

(V) POLICIES FOR APPLICATION FOR, REVIEW OF, EXPIRATION OF, RENEWAL OF, AND PROBATIONARY STATUS FOR THE POSITIONS OF ASSISTANT STATE FIRE MARSHAL AND SPECIAL ASSISTANT STATE FIRE MARSHAL.

(2) The State Fire Marshal may administer an examination based on NFPA [Standard 1031] **STANDARDS AS RELEVANT FOR THE REQUIREMENTS LISTED IN PARAGRAPH (1) OF THIS SUBSECTION** before designating an individual as an assistant State fire marshal **OR SPECIAL ASSISTANT STATE FIRE MARSHAL.**

(c) (1) The State Fire Marshal may designate as a special assistant State fire marshal:

(i) a law enforcement officer involved in arson investigations;

(ii) any other suitable individual who meets the standards established under this section; or

(iii) on the advice of an assistant State fire marshal, a member of a fire department if:

1. the designee is a full-time employee of the fire department;

2. the designee performs fire inspections or fire investigations for the fire department; and

3. the fire department is organized and operates in the State.

(2) A special assistant State fire marshal serves at the pleasure of the State Fire Marshal.

(3) A special assistant State fire marshal may not receive compensation from the State.

(4) Each special assistant State fire marshal shall assist the State Fire Marshal in carrying out the duties of the State Fire Marshal under this title.

(d) The Commission may remove an assistant or special assistant State fire marshal for just cause by a majority decision:

(1) on the recommendation of the State Fire Marshal; and

(2) after an administrative hearing.

9–102.

(a) (1) In this section, “high–rise building” means a building [for human occupancy that is:

(i) seven or more stories above grade level; or

(ii) over 75 feet in height] **WHERE THE FLOOR OF AN OCCUPIABLE STORY IS GREATER THAN 75 FEET ABOVE THE LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE ACCESS.**

(2) “High–rise building” does not include:

(i) a structure or building used exclusively for open–air parking; or

(ii) a building used exclusively for agricultural purposes.

(b) This subtitle applies throughout the State, including Baltimore City.

(c) (1) An automatic smoke alarm shall be provided in each sleeping area within each residential occupancy, including one– and two–family dwellings, lodging or rooming houses, hotels, dormitories, and apartment buildings, as defined in NFPA 101: Life Safety Code as adopted by the State Fire Prevention Commission.

(2) (i) Beginning July 31, 2025, smoke detectors shall be installed in accordance with location and spacing requirements established by the National Fire

Protection Association in each interior public corridor in a residential rental high-rise building.

(ii) A county may not require upgrades to fire safety systems not specified in subparagraph (i) of this paragraph as a condition of issuing a permit for the installation of smoke detectors required under subparagraph (i) of this paragraph.

(3) (I) IN THIS PARAGRAPH, “SUBSTANTIAL RENOVATION” MEANS PERMANENT ALTERATIONS THAT:

1. ARE INTENDED TO ENHANCE THE VALUE OF A BUILDING; ~~AND~~

2. COST AN AMOUNT EQUAL TO OR GREATER THAN 40% OF THE VALUE OF THE BUILDING AS ASSESSED BY THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION; AND

3. MEET THE CRITERIA FOR SUBSTANTIAL RENOVATION UNDER ANY APPLICABLE LOCAL LAW.

(II) BEGINNING OCTOBER 1, 2026, AUTOMATIC FIRE SPRINKLERS SHALL BE INSTALLED IN ACCORDANCE WITH NFPA LIFE SAFETY CODE AND NFPA STANDARDS IN EACH RESIDENTIAL RENTAL HIGH-RISE BUILDING THAT IS UNDERGOING A SUBSTANTIAL RENOVATION THAT RECEIVES BUILDING PERMITS ON OR AFTER OCTOBER 1, 2026.

(III) IN DETERMINING WHETHER A PROPOSED SUBSTANTIAL RENOVATION IS INTENDED TO ENHANCE THE VALUE OF A BUILDING EXCLUSIVE OF LAND VALUE, A COUNTY MAY CONSIDER BUILDING IMPROVEMENTS COMPLETED OVER A 4-YEAR TIME PERIOD FROM THE DATE OF THE INITIAL BUILDING PERMIT.

~~**1. THE EXISTING PHYSICAL CONDITION OF THE RENTAL HOUSING;**~~

~~**2. WHETHER THE EXISTING PHYSICAL CONDITION IMPAIRS OR TENDS TO IMPAIR THE HEALTH, SAFETY, AND SECURITY OF ANY TENANT;**~~

~~**3. WHETHER THE DEFICIENCIES IN THE EXISTING PHYSICAL CONDITIONS COULD INSTEAD BE CORRECTED BY IMPROVED MAINTENANCE OR REPAIR; AND**~~

~~4. WHETHER THE PROPOSED RENOVATIONS ARE OPTIONAL OR COSMETIC CHANGES.~~

(IV) A SUBSTANTIALLY RENOVATED RESIDENTIAL RENTAL HIGH-RISE BUILDING SHALL ALSO HAVE THE FOLLOWING FIRE PROTECTION AND LIFE SAFETY FEATURES:

1. SMOKE ALARMS ~~OR HEAT DETECTORS~~ IN EVERY SLEEPING AREA;

2. STAIRWELLS ENCLOSED WITH AT LEAST 2-HOUR FIRE RESISTANCE RATED CONSTRUCTION WITH AT LEAST 90-MINUTE FIRE RESISTANCE ~~RELATED~~ RATED, SELF-CLOSING, AND SELF-LATCHING DOORS;

3. AT LEAST 20-MINUTE FIRE RESISTANCE RATED CORRIDOR DOORS ~~UNLESS PARTIAL SPRINKLER PROTECTION IS PROVIDED WITH~~ APPROPRIATELY RATED CORRIDOR WALLS;

4. SMOKEPROOF EXIT ENCLOSURES VIA NATURAL VENTILATION, MECHANICAL VENTILATION INCORPORATING A VESTIBULE, OR PRESSURIZING THE STAIR ENCLOSURE;

5. AT LEAST TWO SMOKE COMPARTMENTS ON EACH FLOOR; AND

6. ~~DECREASED MAXIMUM EXIT ACCESS TRAVEL DISTANCES~~ INADEQUATE FIRE PUMPS REPLACED WHEN NECESSARY.

(d) Smoke alarms shall:

(1) be installed in accordance with NFPA 72: National Fire Alarm and Signaling Code as referenced by the State Fire Prevention Code;

(2) be listed and labeled by a nationally recognized testing laboratory to comply with Underwriters Laboratories (UL) 217, "Standard for safety for single and multiple station smoke alarms";

(3) be suitable for sensing visible or invisible products of combustion; and

(4) sound an alarm suitable to warn the occupants.

(e) Local jurisdictions may adopt smoke alarm regulations that are more stringent than the provisions of this subtitle.

9-901.

(A) In this subtitle[, “fire] **THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(B) **“FIRE ALARM SYSTEM TECHNICIAN” MEANS A PERSON WHO IS ENGAGED IN THE PERFORMANCE, INSTALLATION, DOCUMENTATION, PLANNING, AND COORDINATION OF THE PERIODIC INSPECTION AND TESTING OF EXISTING FIRE ALARM SYSTEMS AND THEIR COMPONENTS, NOT INCLUDING THE COMMISSIONING OF NEW SYSTEMS.**

(C) **“FIRE sprinkler contractor”** means a person who designs, installs, inspects, tests, repairs, or modifies a fire sprinkler system.

9-902.

(a) (1) The State Fire Prevention Commission shall adopt regulations to establish a program to license and regulate fire sprinkler contractors in the State.

[(b)] (2) The State Fire Prevention Commission shall adopt regulations to:

[(1)] (I) define fire sprinkler contractor;

[(2)] (II) define fire sprinkler system[,] in a manner that does not conflict with § 12-101(l), (m), or (n) of the Business Occupations and Professions Article;

[(3)] (III) designate and identify exemptions to the regulations;

[(4)] (IV) establish requirements for licensure including professional and technical standards and requirements for liability insurance;

[(5)] (V) establish a schedule of fees for licenses that will recover but not exceed the direct and indirect costs associated with the issuance of the licenses; and

[(6)] (VI) establish procedures for the State Fire Marshal to deny, suspend, or revoke the license of a person who fails to comply with any regulation adopted by the State Fire Prevention Commission under this subtitle.

(B) (1) THE STATE FIRE PREVENTION COMMISSION SHALL ADOPT REGULATIONS TO ESTABLISH A PROGRAM TO LICENSE AND REGULATE FIRE ALARM SYSTEM TECHNICIANS AND FIRE ALARM SYSTEM COMPANIES IN THE STATE.

(2) THE STATE FIRE PREVENTION COMMISSION SHALL ADOPT REGULATIONS TO:

(I) DEFINE FIRE ALARM SYSTEM TECHNICIAN;

(II) DEFINE FIRE ALARM SYSTEM IN A MANNER THAT DOES NOT CONFLICT WITH § 12-101(L), (M), OR (N) OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;

(III) DESIGNATE AND IDENTIFY EXEMPTIONS TO THE REGULATIONS;

(IV) ESTABLISH REQUIREMENTS FOR LICENSURE, INCLUDING PROFESSIONAL AND TECHNICAL STANDARDS AND REQUIREMENTS FOR LIABILITY INSURANCE;

(V) ESTABLISH A SCHEDULE OF FEES FOR LICENSES THAT WILL RECOVER BUT NOT EXCEED THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH THE ISSUANCE OF THE LICENSES; AND

(VI) ESTABLISH PROCEDURES FOR THE STATE FIRE MARSHAL TO DENY, SUSPEND, OR REVOKE THE LICENSE OF A PERSON WHO FAILS TO COMPLY WITH ANY REGULATION ADOPTED BY THE STATE FIRE PREVENTION COMMISSION UNDER THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.

Approved by the Governor, May 12, 2026.