

HOUSE BILL 149

E4

(6lr1591)

ENROLLED BILL

— *Economic Matters/Education, Energy, and the Environment* —

Introduced by **Delegate Charkoudian**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

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

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

12 BY repealing and reenacting, with amendments,
13 Article – Public Safety
14 Section 6–304, 9–102, 9–901, and 9–902

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.

Italics indicate opposite chamber/conference committee amendments.



1 Annotated Code of Maryland
2 (2022 Replacement Volume and 2025 Supplement)

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

5 **Article – Public Safety**

6 6–304.

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

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

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

17 (b) (1) [An assistant State fire marshal shall have at least completed National
18 Fire Protection Association (NFPA) Standard 1031 – Fire Inspector I, or the equivalent, as
19 determined by the State Fire Marshal.] **THE STATE FIRE MARSHAL SHALL ADOPT**
20 **REGULATIONS ESTABLISHING REQUIREMENTS FOR ALL INDIVIDUALS DESIGNATED**
21 **AS AN ASSISTANT STATE FIRE MARSHAL OR A SPECIAL ASSISTANT STATE FIRE**
22 **MARSHAL UNDER SUBSECTION (A)(1) OF THIS SECTION, INCLUDING:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

29 (2) after an administrative hearing.

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

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

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

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

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

9 (ii) a building used exclusively for agricultural purposes.

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

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

15 (2) (i) Beginning July 31, 2025, smoke detectors shall be installed in
16 accordance with location and spacing requirements established by the National Fire
17 Protection Association in each interior public corridor in a residential rental high-rise
18 building.

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

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

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

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

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

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

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

10 1. ~~THE EXISTING PHYSICAL CONDITION OF THE RENTAL~~
 11 ~~HOUSING;~~

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

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

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

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

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

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

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

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

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

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

5 (d) Smoke alarms shall:

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

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

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

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

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

15 9–901.

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

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

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

25 9–902.

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

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

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

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

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

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

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

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

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

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

16 **(I) DEFINE FIRE ALARM SYSTEM TECHNICIAN;**

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

20 **(III) DESIGNATE AND IDENTIFY EXEMPTIONS TO THE**
21 **REGULATIONS;**

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

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.