



Committee: Education, Energy, and Environment

Bill: Senate Bill 970- Fire Protection and Prevention - Sprinkler Systems and Smoke Alarms - Requirements (Melanie Diaz Sprinklers Save Lives Act)

Date: March 16, 2023

Position: Unfavorable

This testimony is offered on behalf of the Maryland Multi-Housing Association (MMHA). MMHA is a professional trade association established in 1996, whose membership consists of owners and managers of more than 207,246 rental housing homes in more than 937 apartment communities. Our members house over 667,000 residents of the State of Maryland throughout the entire State of Maryland. MMHA membership also includes more than 216 associate members that supply goods and services to the multi-housing industry. More information is available at <https://www.mmhaonline.org/>

Senate Bill 970 (SB 970) requires housing providers to install automatic smoke alarms and sprinklers systems in all high-rise buildings by a specified date. MMHA has tremendous respect for the intent of the bill, but statistics do not support this sweeping and costly mandate.

The National Fire Protection Association has consistently found that fires, fire related deaths, and fire related injuries are significantly higher in non-high-rise apartment or multifamily buildings. In fact, between 2009 and 2013, fires in non-high-rise buildings accounted for 92% of total fire related deaths and 91% of injuries related injuries.¹ Additionally, most fires in high-rise buildings begin between the 1st and 6th floors and are two to four times less likely to spread beyond the floor of origin than their non- high- rise counterparts. This is largely because high-rise residential buildings are constructed with concrete, steel, and other masonry materials to avoid the spread of fires and contain them to the perimeter of the dwelling unit and between floors. The risk associated with fires in these buildings is more than adequately addressed by existing safety and construction code requirements. Thus, there is no evidence to support that installation of automatic smoke alarms or sprinkler systems will make high- rise building appreciably safer.

Moreover, the installation of additional fire safety systems is a complex and costly project, in which the cost is ultimately absorbed by the resident. Such installations may include: general contractor and subcontractor costs, material costs, permitting and related fees, temporary protection, selective demolition of existing walls and structure, cutting and patching of existing

¹ <https://www.nfpa.org/-/media/Files/News-and-Research/Fire-statistics-and-reports/Building-and-life-safety/oshighrise.pdf>

walls and structure, construction and installation of soffits when needed, plaster, drywall and masonry repair, fire stopping, final cleaning, labor costs, moving or relocation of tenants, miscellaneous painting to damaged walls, floors and ceilings, lead paint and asbestos removal, professional fees, and other unknown conditions.² Estimates for these construction projects range from \$20,000 to \$50,000 per unit, and result in an increase of \$200 to \$400 per month in additional rent for the resident.

In most cases, these upgrades will not be required for new housing stock. For instance, Md. Code Ann. Public Safety 9-403 has required all buildings since 1974 to be constructed with automatic sprinkler systems. Older housing stock has long been an affordable housing option for renters, who would likely be destabilized if required to absorb the cost of comprehensive infrastructure upgrades. Based on available data, it is difficult to justify the potential displacement of vulnerable populations given the menial safety benefits.

For the foregoing reasons, MMHA requests an unfavorable report on SB 970.

² Analysis of Proposed Amendment to State Fire Prevention Code to Mandate the Installation of Fire Suppression Systems in High Rise Residential Buildings, CMX Consulting, Stephen F. Finkleman P.E, 2007