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THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

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| No. | 607 | Session of  2013 |

INTRODUCED BY BROWNE, ARGALL, YUDICHAK, FARNESE, WASHINGTON, STACK, BREWSTER, SOLOBAY AND COSTA, MARCH 1, 2013

AN ACT

1Providing standards for carbon monoxide alarms; and imposing  
2penalties.

3The General Assembly of the Commonwealth of Pennsylvania  
4hereby enacts as follows:

5Section 1. Short title.

6This act shall be known and may be cited as the Carbon  
7Monoxide Alarm Standards Act.

8Section 2. Definitions.

9The following words and phrases when used in this act shall  
10have the meanings given to them in this section unless the  
11context clearly indicates otherwise:

12"Apartment." A room or suite of two or more rooms, occupied  
13or leased for occupation, or intended or designed to be  
14occupied, as a domicile.

15"Approved carbon monoxide alarm." The term includes:

16(1) A single or multiple station carbon monoxide alarm  
17listed as complying with the Approved American National  
18Standard for Multiple Station Carbon Monoxide Alarms

20130SB0607PN0577-1-

1(ANSI/UL2034) or a carbon monoxide detector listed as  
2complying with the Approved American National Standard for  
3Gas and Vapor Detectors and Sensors (ANSI/UL2075) installed  
4in accordance with this act.

5(2) A device that may be combined with a smoke alarm or  
6smoke detector if the combined smoke alarm or detector meets  
7all of the following:

8(i) Complies with either of the following:

9(A) The Approved American National Standard for  
10Multiple Station Carbon Monoxide Alarms (ANSI/UL2034)  
11for carbon monoxide alarms and the Approved American  
12National Standard for Single and Multiple Station  
13Smoke Alarms (ANSI/UL217) for smoke alarms.

14(B) The Approved American National Standard for  
15Gas and Vapor Detectors and Sensors (ANSI/UL2075) for  
16carbon monoxide detectors and the Approved American  
17National Standard for Safety for Automotive Glass-  
18Tube Fuses (ANSI/UL268) for smoke detectors.

19(ii) Emits an alarm in a manner that clearly  
20differentiates between detecting the presence of carbon  
21monoxide and the presence of smoke.

22(3) A carbon monoxide detection system that includes  
23carbon monoxide detectors and audible notification appliances  
24that are installed and maintained in accordance with the  
25National Fire Alarm and Signaling Code (NFPA 72) and the  
26Standard for the Installation of Carbon Monoxide (CO)  
27Detection and Warning Equipment (NFPA 720) and are in  
28compliance with the Approved American National Standard for  
29Gas and Vapor Detectors and Sensors (ANSI/UL2075).

30"Fossil fuel." Coal, kerosene, oil, wood, fuel gases and

20130SB0607PN0577-2-

1other petroleum or hydrocarbon products which emit carbon  
2monoxide as a by-product of combustion.

3"Installed." A carbon monoxide alarm that is hardwired into  
4the electrical wiring, directly plugged into an electrical  
5outlet without a switch, other than a circuit breaker, or, if  
6the alarm is battery-powered, attached to the wall or ceiling of  
7a residential building, an apartment or a multifamily dwelling,  
8in accordance with the Standard for the Installation of Carbon  
9Monoxide (CO) Detection and Warning Equipment (NFPA) 720.

10"Multifamily dwelling." Any house or building, or portion  
11thereof, that is intended or designed to be occupied or leased  
12for occupation, or occupied as a home or residence for three or  
13more households living in separate apartments that they are  
14cooking on the premises. The term excludes the following:

15(1) Dormitories.

16(2) Monasteries.

17"Operational." Working and in service.

18"Residential building." Detached one-family and two-family  
19dwellings and multiple single-family dwellings which are not  
20more than three stories in height with a separate means of  
21egress, which includes accessory structures.

22Section 3. Administration.

23Nothing in this act is intended to modify the authority and  
24responsibilities of the Department of Labor and Industry under  
25the act of November 10, 1999 (P.L.491, No.45), known as the  
26Pennsylvania Construction Code Act.

27Section 4. Carbon monoxide alarm requirements.

28(a) Residential building.--Upon the sale of a residential  
29building, the seller shall disclose information regarding the  
30installation of carbon monoxide detectors on the property

20130SB0607PN0577-3-

1disclosure statement required by 68 Pa.C.S. Ch. 73 (relating to  
2seller disclosures).

3(b) Multifamily dwellings.--Each apartment in a multifamily  
4dwelling, which uses a fossil fuel-burning heater or appliance,  
5fireplace or an attached garage, must have an operational,  
6centrally located and approved carbon monoxide alarm installed  
7in the vicinity of the bedrooms and the fossil fuel-burning  
8heater or fireplace within one year of the effective date of  
9this act.

10Section 5. Carbon monoxide alarm requirements in rental  
11properties.

12(a) Owner responsibilities.--The owner of a multifamily  
13dwelling having a fossil fuel-burning heater or appliance,  
14fireplace or an attached garage used for rental purposes and  
15required to be equipped with one or more approved carbon  
16monoxide alarms shall:

17(1) Provide and install an operational, centrally  
18located and approved carbon monoxide alarm in the vicinity of  
19the bedrooms and the fossil fuel-burning heater or fireplace.

20(2) Replace, in accordance with this act, any approved  
21carbon monoxide alarm that has been stolen, removed, found  
22missing or rendered inoperable during a prior occupancy of  
23the rental property and which has not been replaced by the  
24prior occupant before the commencement of a new occupancy of  
25the rental property.

26(3) Ensure that the batteries in each approved carbon  
27monoxide alarm are in operating condition at the time the new  
28occupant takes residence in the rental property.

29(b) Maintenance, repair or replacement.--Except as provided  
30in subsection (a), the owner of a multifamily dwelling used for

20130SB0607PN0577-4-

1rental purposes is not responsible for the maintenance, repair  
2or replacement of an approved carbon monoxide alarm or the care  
3and replacement of batteries while the building is occupied.  
4Responsibility for maintenance and repair of carbon monoxide  
5alarms shall revert to the owner of the building upon vacancy of  
6the rental property.

7(c) Occupant responsibilities.--The occupant of each  
8multifamily dwelling used for rental purposes in which an  
9operational and approved carbon monoxide alarm has been provided  
10must:

11(1) Keep and maintain the device in good repair.

12(2) Test the device.

13(3) Replace batteries as needed.

14(4) Replace any device that is stolen, removed, missing  
15or rendered inoperable during the occupancy of the building.

16(5) Notify the owner or the authorized agent of the  
17owner in writing of any deficiencies pertaining to the  
18approved carbon monoxide alarm.

19Section 6. Enforcement.

20Willful failure to install or maintain in operating condition  
21any approved carbon monoxide alarm required by this act is a  
22summary offense punishable by a fine of up to $50.

23Section 7. Municipal requirements.

24Nothing in this act shall be construed to prevent a  
25municipality from adopting, by resolution, equal or more  
26stringent requirements relating to carbon monoxide alarms.

27Section 20. Effective date.

28This act shall take effect immediately.