

HOUSE BILL 66

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E4

2001 Regular Session
11r0592

(PRE-FILED)

By: **Delegate Carlson**
Requested: October 2, 2000
Introduced and read first time: January 10, 2001
Assigned to: Economic Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 13, 2001

CHAPTER _____

1 AN ACT concerning

2 **Fire Safety-- Smoke Detectors - Residential Dwelling Units Disclosure**

3 FOR the purpose of requiring that ~~smoke detectors of a certain type be used in a~~
4 ~~residential dwelling unit that is sold or rented or in which renovations requiring~~
5 ~~a building permit or electrical permit are performed; making this Act applicable~~
6 ~~to smoke detectors powered in a certain way~~ certain leases and contracts of sale
7 include a certain disclosure relating to smoke detectors; providing for the
8 application of this Act; and generally relating to disclosures in leases and
9 contracts of sale regarding smoke detectors.

10 BY ~~repealing and reenacting, with amendments, adding to~~
11 Article 38A - Fires and Investigations
12 Section ~~12A(p)~~ 12A(r)
13 Annotated Code of Maryland
14 (1997 Replacement Volume and 2000 Supplement)

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

17 **Article 38A - Fires and Investigations**

18 12A.

19 (p) ~~A smoke detector required under this section shall be of a type that~~
20 ~~operates both by battery and on an alternating current (AC) primary source of electric~~
21 ~~power if:~~

1 (1) ~~[the] THE smoke detector is installed in a new residential dwelling~~
2 ~~unit:~~

3 ~~[(1)]~~ ~~(I)~~ ~~Containing alternating current (AC) electrical service;~~

4 ~~[(2)]~~ ~~(II)~~ ~~Designed to be occupied by 1 or more families; and~~

5 ~~[(3)]~~ ~~(III)~~ ~~For which a building permit is issued for new construction on or~~
6 ~~after July 1, 1990; OR~~

7 (2) THE SMOKE DETECTOR CURRENTLY OPERATES ON AN
8 ALTERNATING CURRENT (AC) PRIMARY SOURCE OF ELECTRIC POWER AND IS
9 LOCATED IN A RESIDENTIAL DWELLING UNIT:

10 (I) THAT IS SOLD OR RENTED; OR

11 (II) IN WHICH RENOVATIONS REQUIRING A BUILDING PERMIT OR
12 ELECTRICAL PERMIT ARE PERFORMED.

13 (R) (1) EACH LEASE OR CONTRACT OF SALE FOR AN EXISTING
14 SINGLE-FAMILY HOME THAT CONTAINS ALTERNATING CURRENT (AC) ELECTRIC
15 SERVICE SHALL CONTAIN A DISCLOSURE IN 10-POINT BOLD TYPE THAT STATES:

16 "THIS HOME CONTAINS ALTERNATING CURRENT (AC) ELECTRIC SERVICE. IN
17 THE EVENT OF A POWER OUTAGE, AN ALTERNATING CURRENT (AC) POWERED
18 SMOKE DETECTOR WILL NOT PROVIDE AN ALARM SUITABLE TO WARN THE
19 OCCUPANT OF THE HOME. THEREFORE, THE OCCUPANT SHOULD OBTAIN A DUAL
20 POWERED SMOKE DETECTOR OR A BATTERY POWERED SMOKE DETECTOR."

21 (2) AT THE TIME THE DISCLOSURE STATEMENT IS DELIVERED, EACH
22 LESSEE OR PURCHASER SHALL DATE AND SIGN A WRITTEN ACKNOWLEDGMENT OF
23 RECEIPT, WHICH SHALL BE INCLUDED IN OR ATTACHED TO THE LEASE OR
24 CONTRACT OF SALE.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
26 construed only prospectively and may not be applied or interpreted to have any effect
27 on or application to any ~~smoke detector located in a residential dwelling unit that is~~
28 ~~sold or rented before the effective date of this Act or in which renovations requiring a~~
29 ~~building permit or electrical permit are begun~~ lease or contract of sale for an existing
30 single-family home executed before the effective date of this Act.

31 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2001.

