

Chapter 594

(Senate Bill 969)

AN ACT concerning

Public Safety – Fire Protection and Prevention – Residential Smoke Alarms

FOR the purpose of repealing and recodifying certain provisions of law dealing with smoke detection systems; clarifying that the installation of certain smoke alarms is required in certain areas of certain buildings; providing that this Act is applicable statewide; authorizing a local jurisdiction to adopt certain regulations; requiring a minimum number of smoke alarms be installed in certain areas of certain residential occupancies; requiring a certain smoke alarm to activate other smoke alarms in certain circumstances; requiring certain power sources for certain smoke alarms; requiring a certain upgrading of certain smoke alarm placement under certain circumstances; requiring certain existing residential occupancies to be upgraded on or before a certain date; requiring a certain smoke alarm for a sleeping room occupied by a deaf or hard of hearing individual; requiring a landlord to respond to a certain notice in a certain manner; requiring hotels and motels to make a certain minimum number of smoke alarm notification appliances available under certain circumstances and to post a certain notice; authorizing a hotel or motel to charge a certain deposit; authorizing a certain landlord to require reimbursement from a tenant for the cost of a certain ~~fire~~ smoke alarm; providing for enforcement of and responsibility for installation and maintenance of smoke alarms; authorizing a smoke alarm to be combined with a carbon monoxide alarm in certain circumstances; authorizing certain authorities to issue a certain order; requiring a certain person to respond within a certain period of time; altering the information about smoke alarms that must be included in a certain residential property disclosure statement; providing for the application of certain provisions of this Act; defining certain terms; and generally relating to residential smoke alarms.

BY repealing

Article – Public Safety

Section 9–101 through 9–106

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article – Public Safety

Section 9–101 through 9–106

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 9–107 and 9–109

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 9–108

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 10–702(e)(2)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

Article – Public Safety

[9–101.

(a) (1) Notwithstanding any other provision of this article, this subtitle applies in Baltimore City.

(2) In Baltimore City, the Baltimore City fire department shall enforce this subtitle.

(3) In Baltimore City, appeals concerning this subtitle shall be made to the Baltimore City fire board.

(b) This subtitle does not affect a public local law or regulation that existed on July 1, 1982, that required smoke detectors in occupancies with less than ten dwelling units.]

[9–102.

(a) (1) Each sleeping area within each occupancy classified residential, as defined in the most recent edition of the National Fire Protection Association Life Safety Code adopted by the State Fire Prevention Commission, shall be equipped with at least one approved smoke detector that:

(i) senses visible or invisible particles of combustion; and

(ii) is installed in a manner and location approved by the State Fire Prevention Commission.

(2) When activated, the smoke detector shall provide an alarm suitable to warn the occupants.

(b) (1) The landlord shall install smoke detectors as required under subsection (a) of this section.

(2) On written notification by certified mail by the tenant or on notification in person by the tenant, the landlord shall repair or replace the smoke detector.

(3) If the tenant personally notifies the landlord of the failure of a smoke detector, the landlord shall provide a written receipt acknowledging the notification.

(4) A tenant may not remove a smoke detector or render a smoke detector inoperative.

(5) Except for hotels or motels, a landlord may require a refundable deposit for a smoke detector not exceeding the value of the smoke detector.

(6) On written request of a tenant who is deaf or hearing impaired, the landlord shall provide a smoke detector that, when activated, provides a signal that:

(i) is approved by a nationally recognized testing laboratory for electrical appliances; and

(ii) is sufficient to warn the deaf or hearing impaired tenant.

(c) (1) Regardless of the number of units, each hotel or motel shall have available at least one smoke detector for the deaf or hearing impaired for each 50 units or fraction of 50 units.

(2) The hotel or motel may require a refundable deposit for a portable smoke detector not exceeding the value of the smoke detector.

(3) The hotel or motel shall post in a conspicuous place at the registration desk a permanent sign that states the availability of smoke detectors for the deaf or hearing impaired.

(d) On or before July 1, 1982, an occupant of a one, two, or three family residential dwelling constructed before July 1, 1975, shall:

(1) equip each occupant's living unit with at least one approved battery or alternating current (AC) primary electric powered smoke detector; and

(2) maintain the smoke detector.]

[9–103.

(a) At least one smoke detector shall be installed on each level, including a basement but excluding an attic, of each new residential dwelling unit:

(1) that contains alternating current (AC) electrical service;

(2) that is classified residential, as defined in the most recent edition of the National Fire Protection Association Life Safety Code adopted by the State Fire Prevention Commission; and

(3) for which a building permit is issued for new construction on or after January 1, 1989.

(b) If two or more smoke detectors are required under subsection (a) of this section, the smoke detectors shall be of a type and installed in a manner so that activation of one smoke detector causes activation of all other required smoke detectors in the residential dwelling unit.

(c) A smoke detector required under this subtitle shall operate both by battery and on an alternating current (AC) primary source of electric power if the smoke detector is installed in a new residential dwelling unit:

(1) that contains alternating current (AC) electrical service;

(2) that is designed to be occupied by one or more families; and

(3) for which a building permit is issued for new construction on or after July 1, 1990.

(d) This section:

(1) may be enforced by a county fire chief, fire administrator, or municipal fire chief; and

(2) does not prevent a county from enacting more stringent laws that relate to smoke detectors.]

[9–104.

(a) (1) Except as provided in paragraph (2) of this subsection and § 9–102(d) of this subtitle, smoke detection systems shall operate on an alternating current (AC) primary source of electric power.

(2) Smoke detection systems may operate on approved power supplies other than an alternating current (AC) primary source of electric power if:

(i) the power supply is approved by the State Fire Prevention Commission; and

(ii) it is clearly evident that reasonable safety is secured.

(b) Each approved smoke detector shall be installed so as not to exceed the lineal or square footage allowances specified for the smoke detector, based on the generally accepted test standards under which the smoke detector was tested and approved.

(c) Smoke detection systems, including specialized smoke detectors for the deaf and hearing impaired, shall be approved for the particular system and shall only be used for detection and signaling in the event of fire.

(d) Each lease for an existing residential dwelling unit that contains alternating current (AC) electric service shall contain a disclosure in 10–point bold type that states:

“This residential dwelling unit contains alternating current (AC) electric service. In the event of a power outage, an alternating current (AC) powered smoke detector will not provide an alarm. Therefore, the occupant should obtain a dual powered smoke detector or a battery powered smoke detector.”]

[9–105.

A person may sell or install a smoke detection system, smoke detector, smoke alarm, or specialized smoke detectors or smoke alarms for the deaf and hard of hearing only in accordance with the State Fire Prevention Code.]

[9–106.

(a) If approved by the State Fire Prevention Commission, an approved automatic fire sprinkler system may be installed instead of a smoke detection system.

(b) Installing an approved automatic fire sprinkler system does not nullify the other requirements of the State Fire Prevention Code or exempt an occupancy from other requirements that are clearly applicable under the State Fire Prevention Code.]

9-101.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “SLEEPING AREA” MEANS A SPACE THAT INCLUDES ONE OR MORE SLEEPING ROOMS AND A HALL OR COMMON AREA IMMEDIATELY ADJACENT TO ANY SLEEPING ROOM.

(C) “SLEEPING ROOM” MEANS AN ENCLOSED ROOM WITH A BED ARRANGED TO BE USED AS A BEDROOM.

~~(B)~~ (D) “SMOKE ALARM” MEANS A SINGLE OR MULTIPLE STATION DEVICE THAT DETECTS VISIBLE OR INVISIBLE PRODUCTS OF COMBUSTION AND INCLUDES A BUILT-IN INTERNAL ALARM SIGNAL.

~~(C)~~ (E) “SMOKE DETECTOR” MEANS A SYSTEM-CONNECTED SMOKE SENSING DEVICE TIED TO A FIRE ALARM CONTROL PANEL OR A HOUSEHOLD FIRE WARNING PANEL.

9-102.

(A) THIS SUBTITLE APPLIES THROUGHOUT THE STATE, INCLUDING BALTIMORE CITY.

(B) 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.

(C) SMOKE ALARMS SHALL:

(1) BE INSTALLED IN ACCORDANCE WITH NFPA 72: NATIONAL FIRE ALARM 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.

(D) LOCAL JURISDICTIONS MAY ADOPT SMOKE ALARM REGULATIONS THAT ARE MORE STRINGENT THAN THE PROVISIONS OF THIS SUBTITLE.

9-103.

(A) THIS SECTION APPLIES ONLY TO NEW RESIDENTIAL UNITS CONSTRUCTED ON OR AFTER JULY 1, 2013.

~~(A)~~ (B) AT LEAST ONE SMOKE ALARM SHALL BE INSTALLED IN EACH SLEEPING ROOM, IN THE HALLWAY OR COMMON AREA OUTSIDE OF SLEEPING ROOMS, AND IN THE HALLWAY OR COMMON AREA ON EACH LEVEL WITHIN A ~~NEW~~ RESIDENTIAL DWELLING UNIT ~~CONSTRUCTED AFTER JULY 1, 2013,~~ INCLUDING BASEMENTS AND EXCLUDING UNOCCUPIED ATTICS, GARAGES, AND CRAWL SPACES.

~~(B)~~ (C) IF TWO OR MORE SMOKE ALARMS ARE REQUIRED WITHIN A RESIDENTIAL UNIT, THE SMOKE ALARMS SHALL BE ARRANGED SO THAT ACTIVATION OF ANY ONE SMOKE ALARM CAUSES ALARM ACTIVATION OF ALL OTHER REQUIRED SMOKE ALARMS WITHIN THE RESIDENTIAL UNIT.

~~(C)~~ (D) EACH SMOKE ALARM REQUIRED BY THIS SECTION SHALL OPERATE ON AN ALTERNATING CURRENT (AC) PRIMARY SOURCE OF ELECTRIC POWER WITH A BATTERY BACKUP OR AN APPROVED ALTERNATE SECONDARY POWER SOURCE.

~~(D)~~ (E) IN ONE- AND TWO-FAMILY DWELLINGS, A SMOKE DETECTOR INSTALLED AS A PART OF AN APPROVED HOUSEHOLD FIRE ALARM SYSTEM IS AN ACCEPTABLE ALTERNATIVE TO THE AC POWERED-BATTERY BACKUP SMOKE ALARM REQUIRED BY THIS SECTION, IF THE SMOKE DETECTOR IS INSTALLED AND LOCATED AS SPECIFIED IN SUBSECTION ~~(A)~~ (B) OF THIS SECTION.

~~(E)~~ (F) A SMOKE DETECTOR INSTALLED AS A PART OF AN APPROVED FIRE ALARM SYSTEM IS AN ACCEPTABLE ALTERNATIVE TO THE AC POWERED-BATTERY BACKUP SMOKE ALARM REQUIRED BY THIS SECTION, IF THE SMOKE DETECTOR IS INSTALLED AND LOCATED AS SPECIFIED IN SUBSECTION ~~(A)~~ (B) OF THIS SECTION.

9-104.

(A) (1) AT LEAST ONE SMOKE ALARM SHALL BE PROVIDED IN EACH RESIDENTIAL SLEEPING AREA.

(2) SMOKE ALARMS REQUIRED IN ONE- AND TWO-FAMILY DWELLINGS CONSTRUCTED BEFORE JULY 1, 1975, SHALL BE BATTERY POWERED OR ALTERNATING CURRENT (AC) PRIMARY ELECTRIC POWERED UNITS.

(3) SMOKE ALARMS REQUIRED IN ONE- AND TWO-FAMILY DWELLINGS CONSTRUCTED BETWEEN JULY 1, 1975, AND JUNE 30, 1990, SHALL BE ALTERNATING CURRENT (AC) PRIMARY ELECTRIC POWERED UNITS.

(4) SMOKE ALARMS REQUIRED IN MULTIFAMILY RESIDENTIAL OCCUPANCIES INCLUDING APARTMENTS, LODGING OR ROOMING HOUSES, DORMITORIES, AND HOTELS SHALL BE ALTERNATING CURRENT (AC) PRIMARY ELECTRIC POWERED UNITS.

(5) SMOKE ALARMS REQUIRED IN A RESIDENTIAL OCCUPANCY CONSTRUCTED ON OR AFTER JULY 1, 1990, SHALL BE ALTERNATING CURRENT (AC) PRIMARY ELECTRIC POWERED UNITS WITH BATTERY BACKUP OR AN APPROVED ALTERNATE SECONDARY POWER SOURCE.

(B) AT LEAST ONE SMOKE ALARM SHALL BE INSTALLED IN EACH LEVEL OF A RESIDENTIAL OCCUPANCY CONSTRUCTED ON OR AFTER JANUARY 1, 1989, INCLUDING BASEMENTS AND EXCLUDING UNOCCUPIED ATTICS, GARAGES, AND CRAWL SPACES.

(C) IF TWO OR MORE SMOKE ALARMS ARE REQUIRED WITHIN A RESIDENTIAL UNIT CONSTRUCTED ON OR AFTER JANUARY 1, 1989, THE SMOKE ALARMS SHALL BE ARRANGED SO THAT ACTIVATION OF ANY ONE SMOKE ALARM CAUSES ALARM ACTIVATION OF ALL OTHER REQUIRED SMOKE ALARMS WITHIN THE RESIDENTIAL UNIT.

(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, SMOKE ALARM PLACEMENT IN A ONE- OR TWO-FAMILY DWELLING SHALL BE UPGRADED TO COMPLY WITH PARAGRAPH (3) OF THIS SUBSECTION IN EXISTING RESIDENTIAL OCCUPANCIES WHEN ANY ONE OF THE FOLLOWING OCCURS:

(I) THE EXISTING SMOKE ALARMS EXCEED 10 YEARS FROM THE DATE OF MANUFACTURE;

(II) THE EXISTING SMOKE ALARMS FAIL TO RESPOND TO OPERABILITY TESTS OR OTHERWISE MALFUNCTION;

(III) THERE IS ~~A CHANGE OF OWNERSHIP OR~~ A CHANGE OF TENANT IN ~~THE~~ A RESIDENTIAL UNIT AND THE RESIDENTIAL UNIT HAS NOT PREVIOUSLY BEEN EQUIPPED IN ACCORDANCE WITH THIS SUBTITLE WITH SEALED LONG-LIFE BATTERY SMOKE ALARMS WITH SILENCE/HUSH BUTTON FEATURES WITHIN THE 10 YEARS PRECEDING THE ~~CHANGE OF OWNERSHIP OR~~ CHANGE OF TENANT; OR

(IV) A BUILDING PERMIT IS ISSUED FOR AN ADDITIONAL RESIDENTIAL UNIT OR ALTERATION TO A RESIDENTIAL UNIT.

(2) SMOKE ALARM PLACEMENT SHALL BE UPGRADED TO COMPLY WITH PARAGRAPH (3) OF THIS SUBSECTION IN ALL EXISTING RESIDENTIAL OCCUPANCIES ON OR BEFORE JANUARY 1, 2018.

(3) UPGRADED SMOKE ALARM PLACEMENT SHALL INCLUDE THE FOLLOWING:

(I) A MINIMUM OF ONE SMOKE ALARM ON EACH LEVEL OF THE RESIDENTIAL UNIT, INCLUDING BASEMENTS AND EXCLUDING UNOCCUPIED ATTICS, GARAGES, AND CRAWL SPACES;

(II) SMOKE ALARMS SHALL BE ALTERNATING CURRENT (AC) PRIMARY POWERED UNITS WITH BATTERY BACKUP, EXCEPT AS FOLLOWS:

1. SMOKE ALARMS IN ONE- AND TWO-FAMILY DWELLINGS CONSTRUCTED BEFORE JULY 1, 1975, MAY BE BATTERY OPERATED; AND

2. SMOKE ALARMS REQUIRED IN NEW LOCATIONS BY THIS SECTION, IF SMOKE ALARMS DID NOT PREVIOUSLY EXIST, MAY BE BATTERY OPERATED; AND

(III) IF BATTERY OPERATED SMOKE ALARMS ARE PERMITTED, ONLY SEALED, TAMPER RESISTANT UNITS INCORPORATING A SILENCE/HUSH BUTTON AND USING LONG-LIFE BATTERIES MAY BE USED.

(E) IN ONE- AND TWO-FAMILY DWELLINGS, A SMOKE DETECTOR INSTALLED AS A PART OF AN APPROVED HOUSEHOLD FIRE ALARM SYSTEM IS AN ACCEPTABLE ALTERNATIVE TO THE AC POWERED-BATTERY BACKUP SMOKE ALARMS REQUIRED BY THIS SECTION, IF THE SMOKE DETECTORS ARE INSTALLED AND LOCATED AS SPECIFIED IN SUBSECTION (A) OF THIS SECTION.

(F) A SMOKE DETECTOR INSTALLED AS A PART OF AN APPROVED FIRE ALARM SYSTEM IS AN ACCEPTABLE ALTERNATIVE TO THE AC

POWERED-BATTERY BACKUP SMOKE ALARMS REQUIRED BY THIS SECTION, IF THE SMOKE DETECTORS ARE INSTALLED AND LOCATED AS SPECIFIED IN SUBSECTION (A) OF THIS SECTION.

9-105.

(A) EACH SLEEPING ROOM OCCUPIED BY A DEAF OR HARD OF HEARING INDIVIDUAL SHALL BE PROVIDED WITH A SMOKE ALARM SUITABLE TO ALERT THE DEAF OR HARD OF HEARING INDIVIDUAL.

(B) (1) ON WRITTEN REQUEST ON BEHALF OF A TENANT WHO IS DEAF OR HARD OF HEARING, A SLEEPING ROOM OCCUPIED BY A DEAF OR HARD OF HEARING INDIVIDUAL SHALL BE PROVIDED WITH AN APPROVED NOTIFICATION APPLIANCE DESIGNED TO ALERT DEAF OR HARD OF HEARING INDIVIDUALS.

(2) THE LANDLORD SHALL PROVIDE A NOTIFICATION APPLIANCE THAT, WHEN ACTIVATED, PROVIDES A SIGNAL THAT IS SUFFICIENT TO WARN THE DEAF OR HARD OF HEARING TENANT IN THOSE SLEEPING ROOMS.

(C) HOTELS AND MOTELS SHALL HAVE AVAILABLE AT LEAST ONE APPROVED NOTIFICATION APPLIANCE FOR THE DEAF OR HARD OF HEARING INDIVIDUAL FOR EACH 50 UNITS OR FRACTION OF 50 UNITS.

(D) HOTELS AND MOTELS SHALL POST IN A CONSPICUOUS PLACE AT THE REGISTRATION DESK A PERMANENT SIGN THAT STATES THE AVAILABILITY OF SMOKE ALARM NOTIFICATION APPLIANCES FOR THE DEAF OR HARD OF HEARING INDIVIDUAL.

(E) (1) HOTELS, AND MOTELS, ~~AND LANDLORDS~~ MAY REQUIRE A REFUNDABLE DEPOSIT FOR NOTIFICATION APPLIANCES FOR THE DEAF OR HARD OF HEARING INDIVIDUAL.

(2) THE AMOUNT OF THE DEPOSIT MAY NOT EXCEED THE VALUE OF THE NOTIFICATION APPLIANCE.

(F) A LANDLORD MAY REQUIRE REIMBURSEMENT FROM A TENANT FOR THE COST OF A SMOKE ALARM REQUIRED UNDER THIS SUBTITLE SECTION.

9-106.

(A) SMOKE ALARM REQUIREMENTS SHALL BE ENFORCED BY THE STATE FIRE MARSHAL, A COUNTY OR MUNICIPAL FIRE MARSHAL, A FIRE CHIEF, THE

BALTIMORE CITY FIRE DEPARTMENT, OR ANY OTHER DESIGNATED AUTHORITY HAVING JURISDICTION.

(B) (1) THE BUILDING PERMIT APPLICANT IS RESPONSIBLE FOR THE PROPER INSTALLATION OF REQUIRED SMOKE ALARMS IN RESIDENTIAL OCCUPANCIES CONSTRUCTED ON OR AFTER JULY 1, 2013.

(2) IF A BUILDING PERMIT IS NOT REQUIRED, THE GENERAL CONTRACTOR SHALL BEAR THE RESPONSIBILITY DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION.

(C) THE LANDLORD OR PROPERTY OWNER IS RESPONSIBLE FOR THE INSTALLATION, REPAIR, MAINTENANCE, AND REPLACEMENT OF SMOKE ALARMS REQUIRED BY THIS SUBTITLE.

(D) OCCUPANTS OF A RESIDENTIAL OCCUPANCY MAY NOT REMOVE OR TAMPER WITH A REQUIRED SMOKE ALARM OR OTHERWISE RENDER THE SMOKE ALARM INOPERATIVE.

(E) (1) TESTING OF SMOKE ALARMS IS THE RESPONSIBILITY OF THE OCCUPANT OF THE RESIDENTIAL UNIT.

(2) (I) A TENANT SHALL NOTIFY THE LANDLORD IN WRITING OF THE FAILURE OR MALFUNCTION OF A REQUIRED SMOKE ALARM.

~~(3) (I) THE LANDLORD SHALL PROVIDE WRITTEN ACKNOWLEDGMENT OF THE NOTIFICATION AND SHALL REPAIR OR REPLACE THE SMOKE ALARM WITHIN 5 CALENDAR DAYS AFTER THE NOTIFICATION.~~

(II) THE WRITTEN NOTIFICATION REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE DELIVERED BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED TO THE LANDLORD, OR BY HAND DELIVERY TO THE LANDLORD OR THE LANDLORD'S AGENT, AT THE ADDRESS USED FOR THE PAYMENT OF RENT.

(III) IF THE DELIVERY OF THE NOTIFICATION IS MADE BY HAND AS DESCRIBED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE LANDLORD OR THE LANDLORD'S AGENT SHALL PROVIDE TO THE TENANT A WRITTEN RECEIPT FOR THE DELIVERY.

(IV) THE LANDLORD SHALL PROVIDE WRITTEN ACKNOWLEDGMENT OF THE NOTIFICATION AND SHALL REPAIR OR REPLACE THE SMOKE ALARM WITHIN 5 CALENDAR DAYS AFTER THE NOTIFICATION.

(F) (1) IF A RESIDENTIAL UNIT DOES NOT CONTAIN ALTERNATING CURRENT (AC) PRIMARY ELECTRIC POWER, BATTERY OPERATED SMOKE ALARMS OR SMOKE ALARM OPERATION ON AN APPROVED ALTERNATE SOURCE OF POWER MAY BE PERMITTED.

(2) BATTERY OPERATED SMOKE ALARMS SHALL BE SEALED, TAMPER RESISTANT UNITS INCORPORATING A SILENCE/HUSH BUTTON AND USING LONG-LIFE BATTERIES.

(G) A SMOKE ALARM MAY BE COMBINED WITH A CARBON MONOXIDE ALARM IF THE DEVICE COMPLIES WITH:

(1) THIS SUBTITLE;

(2) TITLE 12 OF THIS ARTICLE; AND

(3) UNDERWRITERS LABORATORIES (UL) STANDARDS 217 AND 2034.

9-107.

Failure to comply with this subtitle may not be used as a policy defense in the settlement of a property insurance claim.

9-108.

(a) If [after investigating a fire in a one, two, or three family residential dwelling] the State Fire Marshal or [local investigating] **OTHER DESIGNATED** authority **WITH JURISDICTION** finds the absence of **OPERATING**, required smoke detectors, the State Fire Marshal or [local investigating] **OTHER** authority shall issue [to the occupant] a smoke [detection] **ALARM** installation order **TO THE RESPONSIBLE LANDLORD, OWNER, OR OCCUPANT.**

(b) **[A] THE RESPONSIBLE** person [may not fail to] **SHALL** comply with a smoke [detection] **ALARM** installation order within [15] **5 CALENDAR** days [of reoccupancy].

[(c) (1) A person who violates subsection (b) of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$50.

(2) The penalty provision of § 9-109 of this subtitle does not apply to this section.]

9-109.

(a) A person may not knowingly violate this subtitle.

(b) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 10 days or a fine not exceeding \$1,000 or both.

Article – Real Property

10-702.

(e) (2) The disclosure form shall include a list of defects, including latent defects, or information of which the vendor has actual knowledge in relation to the following:

(i) Water and sewer systems, including the source of household water, water treatment systems, and sprinkler systems;

(ii) Insulation;

(iii) Structural systems, including the roof, walls, floors, foundation, and any basement;

(iv) Plumbing, electrical, heating, and air conditioning systems;

(v) Infestation of wood-destroying insects;

(vi) Land use matters;

(vii) Hazardous or regulated materials, including asbestos, lead-based paint, radon, underground storage tanks, and licensed landfills;

(viii) Any other material defects of which the vendor has actual knowledge;

(ix) Whether the smoke [detectors] **ALARMS:**

1. [will] **WILL** provide an alarm in the event of a power outage;

2. **ARE OVER 10 YEARS OLD; AND**

3. **IF BATTERY OPERATED, ARE SEALED, TAMPER RESISTANT UNITS INCORPORATING A SILENCE/HUSH BUTTON AND USE LONG-LIFE BATTERIES AS REQUIRED IN ALL MARYLAND HOMES BY 2018; and**

(x) If the property relies on the combustion of a fossil fuel for heat, ventilation, hot water, or clothes dryer operation, whether a carbon monoxide alarm is installed on the property.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2013.

Approved by the Governor, May 16, 2013.