

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 920 Session of 2011

INTRODUCED BY BROWNE, SOLOBAY, FONTANA, STACK, COSTA, YUDICHAK,
FARNESE, BLAKE AND BREWSTER, MARCH 30, 2011

AS AMENDED ON SECOND CONSIDERATION, JUNE 18, 2012

AN ACT

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

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

5 Section 1. Short title.

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

8 Section 2. Definitions.

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

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

15 ~~"Approved carbon monoxide alarm." Includes:~~

16 ~~(1) A single station carbon monoxide alarm listed as~~
17 ~~complying with ANSI/UL2034 installed in accordance with this~~
18 ~~act.~~



1 ~~(2) A device that may be combined with a smoke alarm if~~
2 ~~the combined alarm complies with ANSI/UL2034 for carbon~~
3 ~~monoxide alarms and ANSI/UL217 for smoke alarms and emits an~~
4 ~~alarm in a manner that clearly differentiates between~~
5 ~~detecting the presence of carbon monoxide and the presence of~~
6 ~~smoke.~~

7 "APPROVED CARBON MONOXIDE ALARM." THE TERM INCLUDES: ←

8 (1) A SINGLE OR MULTIPLE STATION CARBON MONOXIDE ALARM
9 LISTED AS COMPLYING WITH THE APPROVED AMERICAN NATIONAL
10 STANDARD FOR MULTIPLE STATION CARBON MONOXIDE ALARMS
11 (ANSI/UL2034) OR A CARBON MONOXIDE DETECTOR LISTED AS
12 COMPLYING WITH THE APPROVED AMERICAN NATIONAL STANDARD FOR
13 GAS AND VAPOR DETECTORS AND SENSORS (ANSI/UL2075) INSTALLED
14 IN ACCORDANCE WITH THIS ACT.

15 (2) A DEVICE THAT MAY BE COMBINED WITH A SMOKE ALARM OR
16 SMOKE DETECTOR IF THE COMBINED SMOKE ALARM OR DETECTOR MEETS
17 ALL OF THE FOLLOWING:

18 (I) COMPLIES WITH EITHER OF THE FOLLOWING:

19 (A) THE APPROVED AMERICAN NATIONAL STANDARD FOR
20 MULTIPLE STATION CARBON MONOXIDE ALARMS (ANSI/UL2034)
21 FOR CARBON MONOXIDE ALARMS AND THE APPROVED AMERICAN
22 NATIONAL STANDARD FOR SINGLE AND MULTIPLE STATION
23 SMOKE ALARMS (ANSI/UL217) FOR SMOKE ALARMS.

24 (B) THE APPROVED AMERICAN NATIONAL STANDARD FOR
25 GAS AND VAPOR DETECTORS AND SENSORS (ANSI/UL2075) FOR
26 CARBON MONOXIDE DETECTORS AND THE APPROVED AMERICAN
27 NATIONAL STANDARD FOR SAFETY FOR AUTOMOTIVE GLASS-
28 TUBE FUSES (ANSI/UL268) FOR SMOKE DETECTORS.

29 (II) EMITS AN ALARM IN A MANNER THAT CLEARLY
30 DIFFERENTIATES BETWEEN DETECTING THE PRESENCE OF CARBON

1 MONOXIDE AND THE PRESENCE OF SMOKE.

2 (3) A CARBON MONOXIDE DETECTION SYSTEM THAT INCLUDES
3 CARBON MONOXIDE DETECTORS AND AUDIBLE NOTIFICATION APPLIANCES
4 THAT ARE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE
5 NATIONAL FIRE ALARM AND SIGNALING CODE (NFPA 72) AND THE
6 STANDARD FOR THE INSTALLATION OF CARBON MONOXIDE (CO)
7 DETECTION AND WARNING EQUIPMENT (NFPA 720) AND ARE IN
8 COMPLIANCE WITH THE APPROVED AMERICAN NATIONAL STANDARD FOR
9 GAS AND VAPOR DETECTORS AND SENSORS (ANSI/UL2075).

10 "Fossil fuel." Coal, kerosene, oil, wood, fuel gases and
11 other petroleum or hydrocarbon products which emit carbon
12 monoxide as a by-product of combustion.

13 "Installed." A carbon monoxide alarm that is hardwired into
14 the electrical wiring, directly plugged into an electrical
15 outlet without a switch, other than a circuit breaker, or, if
16 the alarm is battery-powered, attached to the wall or ceiling of
17 a residential building, AN APARTMENT OR A MULTIFAMILY DWELLING, ←
18 in accordance with ~~National Fire Protection Association~~ THE ←
19 STANDARD FOR THE INSTALLATION OF CARBON MONOXIDE (CO) DETECTION
20 AND WARNING EQUIPMENT (NFPA) 720.

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

26 (1) Dormitories.

27 (2) Monasteries.

28 "Operational." Working and in service.

29 "Residential building." Detached one-family and two-family
30 dwellings and multiple single-family dwellings which are not

1 more than three stories in height with a separate means of
2 egress, which includes accessory structures.

3 Section 3. Administration.

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

8 Section 4. Carbon monoxide alarm requirements.

9 (a) Residential building.--Upon the sale of a residential
10 building, the seller shall disclose information regarding the
11 installation of carbon monoxide detectors on the property
12 disclosure statement required by 68 Pa.C.S. Ch. 73 (relating to
13 seller disclosures).

14 (b) Multifamily dwellings.--Each apartment in a multifamily
15 dwelling, which uses a fossil fuel-burning heater or appliance,
16 fireplace or an attached garage, must have an operational,
17 centrally located and approved carbon monoxide alarm installed
18 in the vicinity of the bedrooms and the fossil fuel-burning
19 heater or fireplace within one year of the effective date of
20 this act.

21 Section 5. Carbon monoxide alarm requirements in rental
22 properties.

23 (a) Owner responsibilities.--The owner of a multifamily
24 dwelling having a fossil fuel-burning heater or appliance,
25 fireplace or an attached garage used for rental purposes and
26 required to be equipped with one or more APPROVED carbon
27 monoxide alarms shall:

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



(2) Replace, IN ACCORDANCE WITH THIS ACT, any ~~required~~ APPROVED carbon monoxide alarm that has been stolen, removed, found missing or rendered inoperable during a prior occupancy of the rental property and which has not been replaced by the prior occupant before the commencement of a new occupancy of the rental property.

(3) Ensure that the batteries IN EACH APPROVED CARBON MONOXIDE ALARM are in operating condition at the time the new occupant takes residence in the rental property.

(b) Maintenance, repair or replacement.--Except as provided in subsection (a), the owner of a multifamily dwelling used for rental purposes is not responsible for the maintenance, repair or replacement of a AN APPROVED carbon monoxide alarm or the care and replacement of batteries while the building is occupied. Responsibility for maintenance and repair of carbon monoxide alarms shall revert to the owner of the building upon vacancy of the rental property.

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

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

(2) Test the device.

(3) Replace batteries as needed.

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

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

Section 6. Enforcement.

1 Willful failure to install or maintain in operating condition
2 any APPROVED carbon monoxide alarm required by this act is a
3 summary offense punishable by a fine of up to \$50.

4 Section 7. Municipal requirements.

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

8 Section 20. Effective date.

9 This act shall take effect immediately.

