
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1369 Session of
2014

INTRODUCED BY KITCHEN, COSTA, FONTANA, BREWSTER, SOLOBAY,
WASHINGTON, ARGALL AND FARNESE, MAY 30, 2014

REFERRED TO PUBLIC HEALTH AND WELFARE, MAY 30, 2014

AN ACT

1 Providing standards for carbon monoxide alarms in dining
2 establishments; and imposing 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 in Dining Establishments 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 "Approved carbon monoxide alarm." The term includes:

13 (1) A single or multiple station carbon monoxide alarm
14 listed as complying with the Approved American National
15 Standard for Single and Multiple Station Carbon Monoxide
16 Alarms (ANSI/UL2034) or a carbon monoxide detector listed as
17 complying with the Approved American National Standard for
18 Gas and Vapor Detectors and Sensors (ANSI/UL2075) installed

1 in accordance with this act.

2 (2) A device that may be combined with a smoke alarm or
3 smoke detector, if the combined smoke alarm or detector meets
4 all of the following:

5 (i) Complies with either of the following:

6 (A) the approved American National Standard for
7 Single and Multiple Station Carbon Monoxide Alarms
8 (ANSI/UL2034) for carbon monoxide alarms and the
9 Approved American National Standard for Single and
10 Multiple Station Smoke Alarms (ANSI/UL217) for smoke
11 alarms; or

12 (B) the Approved American National Standard for
13 Gas and Vapor Detectors and Sensors (ANSI/UL2075) for
14 carbon monoxide detectors and the Approved American
15 National Standard for Safety for Smoke Detectors for
16 Fire Alarm Systems (ANSI/UL268) for smoke detectors.

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

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

28 "Bar." A room or establishment where alcoholic drinks are
29 served.

30 "Cafe." An informal restaurant that offers a range of simple

1 meals and drinks, including, but not limited to, coffee.

2 "Fossil fuel." Coal, kerosene, oil, wood, fuel gas and any
3 other petroleum or hydrocarbon product which emits carbon
4 monoxide as a by-product of combustion.

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

12 "Operational." Working and in service.

13 "Restaurant." A reputable place that:

14 (1) Is operated by responsible persons of good
15 reputation.

16 (2) Is habitually and principally used for the purpose
17 of providing food for the public.

18 (3) Has an area within a building of not less than 400
19 square feet.

20 (4) Is equipped with tables and chairs, including bar
21 seats.

22 (5) Accommodates at least 30 persons at one time.

23 Section 3. Carbon monoxide alarm requirements.

24 (a) Dining establishments.--A dining establishment that uses
25 a fossil fuel-burning heater or appliance or has an attached
26 garage must have an operational, centrally located and approved
27 carbon monoxide alarm installed in the vicinity of the fossil
28 fuel-burning heater or appliance or attached garage within 18
29 months of the effective date of this section or, if the dining
30 establishment becomes operational 18 months after the effective

1 date of this section, on becoming operational.

2 (b) Maintenance, repair or replacement.--The owner of a
3 dining establishment shall maintain, repair or replace, as
4 necessary, an approved carbon monoxide alarm or care for and
5 replace batteries in the dining establishment.

6 Section 4. Enforcement.

7 A person who is required to comply with this act and
8 willfully fails to install or maintain in operating condition an
9 approved carbon monoxide alarm required by this act commits a
10 summary offense punishable by a fine of not more than \$50.

11 Section 5. Construction.

12 Nothing in this act shall be construed to modify the
13 authority and responsibilities of the Department of Labor and
14 Industry under the act of November 10, 1999 (P.L.491, No.45),
15 known as the Pennsylvania Construction Code Act.

16 Section 6. Effective date.

17 The act shall take effect immediately.