
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1232 Session of
2003

INTRODUCED BY WASHINGTON, MELIO, THOMAS, LEACH, BEBKO-JONES,
BISHOP, CIVERA, CURRY, DALEY, DeWEESE, DONATUCCI, HENNESSEY,
HORSEY, JAMES, READSHAW, SOLOBAY AND YOUNGBLOOD,
APRIL 29, 2003

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,
APRIL 29, 2003

AN ACT

1 Providing for the requirement of carbon monoxide detectors.

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

4 Section 1. Short title.

5 This act shall be known and may be cited as the Carbon
6 Monoxide Protection Act.

7 Section 2. Definitions.

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

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

14 "Department." The Department of Environmental Protection of
15 the Commonwealth.

16 "Dwelling." An apartment, hotel, multiple dwelling premises

1 or tenement building.

2 "Hotel."

3 (1) The term includes:

4 (i) A hotel, motel, bed and breakfast, homestead,
5 inn, guest house or other structure, which holds itself
6 out by any means, including advertising, license,
7 registration with an innkeepers' group, convention
8 listing association, travel publication or similar
9 association or with a government agency, as being
10 available to provide overnight lodging or use of facility
11 space for consideration to persons seeking temporary
12 accommodation.

13 (ii) Any place which advertises to the public at
14 large or any segment thereof that it will provide beds,
15 sanitary facilities or other space for a temporary period
16 to members of the public at large, or any place
17 recognized as a hostelry.

18 (2) The term does not include any portion of a facility
19 that is devoted to persons who have an established permanent
20 residence or a college or university student residence hall
21 or any private campground or any cabins, public campgrounds
22 or other facilities located on State land.

23 "Multiple dwelling premises." Any area occupied by dwelling
24 units, appurtenances thereto, grounds and facilities which
25 dwelling units are intended or designed to be occupied or leased
26 for occupation, or actually occupied, as individual homes or
27 residences for three or more households. This term includes
28 mobile home parks.

29 "Secretary." The Secretary of Environmental Protection of
30 the Commonwealth.

1 "Tenement building." Any house or building, or portion
2 thereof, which is intended or designed to be occupied or leased
3 for occupation, or actually occupied, as a home or residence for
4 three or more households living in separate apartments and doing
5 their cooking upon the premises.

6 Section 3. Requirements.

7 (a) General rule.--Every unit of a dwelling space in a
8 dwelling shall be equipped with one or more carbon monoxide
9 sensor devices that bear the label of a nationally recognized
10 testing laboratory and have been tested and listed as complying
11 with the Underwriters Laboratories standard 2034 or its
12 equivalent as approved by the department by regulation.

13 (b) Exemption.--A dwelling may be exempt from the general
14 rule in subsection (a) if it is determined that no potential
15 carbon monoxide hazard exists for that unit. Any such determined
16 shall be made, upon application by the owner of the dwelling in
17 the manner prescribed by the department, by the secretary.

18 Section 19. Penalties.

19 (a) Administrative penalties.--The department may impose an
20 administrative penalty of \$100 for each dwelling unit not in
21 compliance with the requirements of this act.

22 (b) Appeal process.--This section is subject to 2 Pa.C.S.
23 Ch. 5 Subch. A (relating to practice and procedure of
24 Commonwealth agencies) and 7 Subch. A (relating to judicial
25 review of Commonwealth agency action).

26 Section 20. Effective date.

27 This act shall take effect in 60 days.