
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 394 Session of
2007

INTRODUCED BY WASHINGTON, COSTA, KITCHEN, RHOADES, STOUT AND
TARTAGLIONE, MARCH 13, 2007

REFERRED TO URBAN AFFAIRS AND HOUSING, MARCH 13, 2007

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
17 or tenement building.

1 "Hotel."

2 (1) The term includes:

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

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

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

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

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

30 "Tenement building." Any house or building, or portion

1 thereof, which is intended or designed to be occupied or leased
2 for occupation, or actually occupied, as a home or residence for
3 three or more households living in separate apartments and where
4 cooking is done upon the premises.

5 Section 3. Requirements.

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

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

17 Section 4. Penalties.

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

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

25 Section 5. Effective date.

26 This act shall take effect in 60 days.