
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 428 Session of
2019

INTRODUCED BY FONTANA, SANTARSIERO, BREWSTER, DINNIMAN, HUGHES,
BROWNE, COSTA, TARTAGLIONE AND HAYWOOD, MARCH 11, 2019

REFERRED TO COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT,
MARCH 11, 2019

AN ACT

1 Providing standards for carbon monoxide alarms in certain
2 lodging 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 Lodging 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." As defined by the act of
13 December 18, 2013 (P.L.1229, No.121), known as the Carbon
14 Monoxide Alarm Standards Act.

15 "Fossil fuel." As defined by the Carbon Monoxide Alarm
16 Standards Act.

17 "Installed." A carbon monoxide alarm that is hardwired into

1 the electrical wiring, directly plugged into an electrical
2 outlet without a switch, other than a circuit breaker, or, if
3 the alarm is battery powered, attached to the wall or ceiling of
4 a lodging establishment or a unit, in accordance with the
5 Standard for the Installation of Carbon Monoxide (CO) Detection
6 and Warning Equipment (NFPA 720).

7 "Lodging establishment."

8 (1) Any of the following:

9 (i) a hotel, motel, inn, guest house or other
10 structure which is held out by any means, including
11 advertising, license, registration with an innkeepers'
12 group, convention listing association, travel publication
13 or similar association or with a government agency, as
14 being available to provide overnight lodging or use of
15 facility space for consideration to persons seeking
16 temporary accommodation;

17 (ii) a place which advertises beds, sanitary
18 facilities or other space for a temporary period to
19 members of the public-at-large; or

20 (iii) a place recognized as a hostelry.

21 (2) The term includes any portion of a facility that is
22 devoted to a person who pays consideration to occupy one or
23 more units as an established permanent residence. The term
24 does not include a college or university student residence
25 hall.

26 "Operational." Working and in service.

27 "Unit." A room or a suite of two or more rooms of a lodging
28 establishment that are occupied, leased for occupation or
29 intended or designed to be occupied either as overnight lodging,
30 temporary accommodation or as a permanent residence.

1 Section 3. Administration.

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

6 Section 4. Carbon monoxide alarm requirements.

7 (a) Lodging establishment.--A lodging establishment that
8 uses a fossil fuel-burning heater or appliance or has an
9 attached garage must have an operational, centrally located and
10 approved carbon monoxide alarm installed in the vicinity of the
11 fossil fuel-burning heater or fireplace and in every unit that
12 is located on the same story as the fossil fuel-burning heater,
13 appliance or attached garage within 18 months of the effective
14 date of this section.

15 (b) Maintenance, repair or replacement.--The owner of a
16 lodging establishment is responsible for providing for the
17 maintenance, repair or replacement of an approved carbon
18 monoxide alarm and its batteries in the lodging establishment.

19 Section 5. Enforcement.

20 Willful failure to install or maintain an operational
21 approved carbon monoxide alarm required by this act is a summary
22 offense punishable by a fine of up to \$50.

23 Section 6. Effective date.

24 This act shall take effect immediately.