
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 370 Session of
2013

INTRODUCED BY WASHINGTON, KITCHEN, SOLOBAY, FERLO AND BROWNE,
JANUARY 31, 2013

REFERRED TO URBAN AFFAIRS AND HOUSING, JANUARY 31, 2013

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." The term includes:

16 (1) A single or multiple station carbon monoxide alarm
17 listed as complying with the Approved American National
18 Standard for Multiple Station Carbon Monoxide Alarms

1 (ANSI/UL2034) or a carbon monoxide detector listed as
2 complying with the Approved American National Standard for
3 Gas and Vapor Detectors and Sensors (ANSI/UL2075) installed
4 in accordance with this act.

5 (2) A device that may be combined with a smoke alarm or
6 smoke detector if the combined smoke alarm or detector meets
7 all of the following:

8 (i) Complies with either of the following:

9 (A) The Approved American National Standard for
10 Multiple Station Carbon Monoxide Alarms (ANSI/UL2034)
11 for carbon monoxide alarms and the Approved American
12 National Standard for Single and Multiple Station
13 Smoke Alarms (ANSI/UL217) for smoke alarms.

14 (B) The Approved American National Standard for
15 Gas and Vapor Detectors and Sensors (ANSI/UL2075) for
16 carbon monoxide detectors and the Approved American
17 National Standard for Safety for Automotive Glass-
18 Tube Fuses (ANSI/UL268) for smoke detectors.

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

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

30 "Fossil fuel." Coal, kerosene, oil, wood, fuel gases and

1 other petroleum or hydrocarbon products which emit carbon
2 monoxide as a by-product of combustion.

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

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

15 (1) Dormitories.

16 (2) Monasteries.

17 "Operational." Working and in service.

18 "Residential building." Detached one-family and two-family
19 dwellings and multiple single-family dwellings which are not
20 more than three stories in height with a separate means of
21 egress, which includes accessory structures.

22 Section 3. Administration.

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

27 Section 4. Carbon monoxide alarm requirements.

28 (a) Residential building.--Upon the sale of a residential
29 building, the seller shall disclose information regarding the
30 installation of carbon monoxide detectors on the property

1 disclosure statement required by 68 Pa.C.S. Ch. 73 (relating to
2 seller disclosures).

3 (b) Multifamily dwellings.--Each apartment in a multifamily
4 dwelling, which uses a fossil fuel-burning heater or appliance,
5 fireplace or an attached garage, must have an operational,
6 centrally located and approved carbon monoxide alarm installed
7 in the vicinity of the bedrooms and the fossil fuel-burning
8 heater or fireplace within one year of the effective date of
9 this act.

10 Section 5. Carbon monoxide alarm requirements in rental
11 properties.

12 (a) Owner responsibilities.--The owner of a multifamily
13 dwelling having a fossil fuel-burning heater or appliance,
14 fireplace or an attached garage used for rental purposes and
15 required to be equipped with one or more approved carbon
16 monoxide alarms shall:

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

20 (2) Replace, in accordance with this act, any approved
21 carbon monoxide alarm that has been stolen, removed, found
22 missing or rendered inoperable during a prior occupancy of
23 the rental property and which has not been replaced by the
24 prior occupant before the commencement of a new occupancy of
25 the rental property.

26 (3) Ensure that the batteries in each approved carbon
27 monoxide alarm are in operating condition at the time the new
28 occupant takes residence in the rental property.

29 (b) Maintenance, repair or replacement.--Except as provided
30 in subsection (a), the owner of a multifamily dwelling used for

1 rental purposes is not responsible for the maintenance, repair
2 or replacement of an approved carbon monoxide alarm or the care
3 and replacement of batteries while the building is occupied.
4 Responsibility for maintenance and repair of carbon monoxide
5 alarms shall revert to the owner of the building upon vacancy of
6 the rental property.

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

- 11 (1) Keep and maintain the device in good repair.
- 12 (2) Test the device.
- 13 (3) Replace batteries as needed.
- 14 (4) Replace any device that is stolen, removed, missing
15 or rendered inoperable during the occupancy of the building.
- 16 (5) Notify the owner or the authorized agent of the
17 owner in writing of any deficiencies pertaining to the
18 approved carbon monoxide alarm.

19 Section 6. Enforcement.

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

23 Section 7. Municipal requirements.

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

27 Section 20. Effective date.

28 This act shall take effect immediately.