

AFAA-NE has no opinion on this document at this time and is looking further into it.

HOUSE DOCKET, NO. 2899 FILED ON: 1/16/2015

HOUSE No. 2156

The Commonwealth of Massachusetts

PRESENTED BY:

Paul W. Mark and Tricia Farley-Bouvier

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act requiring carbon monoxide alarms in schools.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>

HOUSE No. 2156

By Representatives Mark of Peru and Farley-Bouvier of Pittsfield, a petition (accompanied by bill, House, No. 2156) of Paul W. Mark, Tricia Farley-Bouvier and Paul Brodeur for legislation to require the installation of carbon monoxide alarms in certain schools. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2168 OF 2013-2014.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act requiring carbon monoxide alarms in schools.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 26F½ of Chapter 148 of the General Laws is hereby amended by adding the following:

(g) Every building or structure, including those owned by the Commonwealth, occupied in whole or in part as a school subject to the authority of the Department of Elementary and Secondary Education, that: (1) contains fossil-fuel burning equipment including, but not limited to, a furnace, boiler, water heater, fireplace or any other apparatus, appliance or device that burns fossil fuel; or (2) incorporates enclosed parking within its structure shall be equipped by the Department of Elementary and Secondary Education with working, approved carbon monoxide alarms in conformance with the requirements of the board of fire prevention regulations.

House 2156

PART I ADMINISTRATION OF THE GOVERNMENT

TITLE XX PUBLIC SAFETY AND GOOD ORDER

CHAPTER 148 FIRE PREVENTION

Section 26F1/2 Carbon monoxide alarms required in certain residential structures; regulation; inspections; enforcement

Section 26F1/2. (a) Every dwelling, building or structure, including those owned or operated by the commonwealth, occupied in whole or in part for residential purposes, that: (1) contains fossil-fuel burning equipment including, but not limited to, a furnace, boiler, water heater, fireplace or any other apparatus, appliance or device that burns fossil fuel; or (2) incorporates enclosed parking within its structure shall be equipped by the owner with working, approved carbon monoxide alarms in conformance with the requirements of the board of fire prevention regulations; provided, however, that such requirements shall include, but not be limited to, a requirement that a landlord or superintendent shall install either approved monitored battery-powered alarms or approved electrical wiring alarms as defined by the board, as are required to make the alarms operational at the beginning of any rental period by lease or otherwise and shall maintain and, if necessary, replace batteries or such battery-operated or electric hardwired carbon monoxide alarms annually thereafter to insure their continued operability.

(b) The board of fire prevention regulations shall promulgate such regulations as may be necessary to effectuate this section including, but not limited to, the type, installation, location, maintenance and inspectional requirements of carbon monoxide alarms.

(c) Every dwelling, building or structure, occupied in whole or in part for residential purposes, shall, upon sale or transfer of such dwelling, building or structure, be inspected by the head of the fire department for compliance with the requirements of this section.

(d) The state building code may impose stricter carbon monoxide alarm requirements for new construction or dwellings, buildings, or structures substantially renovated so as to constitute the equivalent of new construction. Every such dwelling building or structure, occupied in whole or in part for residential purposes, shall, upon sale or transfer of such dwelling, building or structure, be inspected by the head of the fire department for compliance with the carbon monoxide alarm requirements of the state building code in effect on the date of the issuance of the relevant building permit.

(e) The head of the fire department shall enforce this section.

(f) The department of public health shall promulgate such rules and regulations as may be necessary to effectuate subsection (a) into the state sanitary code as established under section 127A of chapter 111.

(g) Every building or structure, including those owned by the Commonwealth, occupied in whole or in part as a school subject to the authority of the Department of Elementary and Secondary Education, that: (1) contains fossil-fuel burning equipment including, but not limited to, a furnace, boiler, water heater, fireplace or any other apparatus, appliance or device that burns fossil fuel; or (2) incorporates enclosed parking within its structure shall be equipped by the Department of Elementary and Secondary Education with working, approved carbon monoxide alarms in conformance with the requirements of the board of fire prevention regulations.