

CHAPTER 46

HB 120-FN-LOCAL – FINAL VERSION

24Mar2009... 0103h

2009 SESSION

09-0151

05/09

HOUSE BILL *120-FN-LOCAL*

AN ACT relative to the installation of carbon monoxide detectors in single and multi-family dwellings.

SPONSORS: Rep. Laliberte, Graf 10

COMMITTEE: Commerce

AMENDED ANALYSIS

This bill requires the installation of carbon monoxide detectors in single and multi-family dwellings built or substantially rehabilitated after January 1, 2010.

Explanation: Matter added to current law appears in *bold italics*.

Matter removed from current law appears [~~in brackets and struck through~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nine

AN ACT relative to the installation of carbon monoxide detectors in single and multi-family dwellings.

Be it Enacted by the Senate and House of Representatives in General Court convened:

46:1 Requiring Carbon Monoxide Detection Devices in Certain Dwellings. Amend RSA 153:10-a to read

as follows:

153:10-a ~~[Fire Protection and Warning]~~ ***Automatic Fire Warning Devices and Carbon Monoxide Detection*** Devices in ~~[Multi-Family]~~ Dwellings.

I. Each unit contained in a multi-unit dwelling shall be equipped with automatic fire warning devices ***and carbon monoxide detection devices***. On every floor level and in each common stairway and in each common hallway of a multi-unit dwelling, there shall be an automatic ***fire*** warning device ***and carbon monoxide detection device***.

II. Every single family dwelling which is built or substantially rehabilitated after January 1, ~~[1982]~~ ***2010***, shall be equipped with an automatic fire warning device ***and a carbon monoxide detection device***.

II-a. Every rental unit as defined in RSA 153:1, IX-a shall be equipped with at least one automatic fire warning device ***and one carbon monoxide detection device***. An automatic fire warning device shall be located in each hallway or area which is adjacent to a sleeping area. The provisions of this paragraph shall be in addition to any requirements under paragraph II. The owner of the rental unit shall be responsible for maintaining the automatic fire warning device ***and carbon monoxide detection device*** in a suitable condition.

III. The state fire marshal may adopt such rules pursuant to RSA 541-A as ~~[he thinks are]~~ necessary to enforce paragraphs I, ~~[and]~~ II, ***and II-a***. ~~[He]~~ ***The state fire marshal*** shall either enforce the provisions of this section or appoint the appropriate municipal authority to enforce the provisions of this section.

IV. Any party aggrieved by the state fire marshal's interpretation, order, requirement, or direction under the provisions of this section may, within 45 days after the service of notice, appeal to the supreme court under RSA 541.

V. The state fire marshal may grant authority in writing to local fire authorities to issue citations for violations of fire safety rules adopted under RSA 153:10-a and RSA 153:10-b. A citation for violations issued under this paragraph shall carry the penalty set forth in RSA 153:24.

VI. Any ordinance or bylaw enacted by a city, town, village district, or precinct, or any rule or regulation adopted for licensure by a governmental agency which contains more stringent requirements than the provisions of this section shall not be made void by this section and shall remain in full force and effect.

VII. Whenever the enforcement authority observes a violation of this section, he ***or she*** shall prepare a written notice of violation describing the substandard condition and specifying a time limit for the elimination of the violation. The written notice of violation shall be served by the enforcement authority or ~~[his]~~ ***the authority's*** designee upon the owner or ~~[his]~~ ***the owner's*** duly authorized agent or upon the occupant or other person responsible for the violation. Such notice of violation shall be served either by certified mail to the last known post office address or by delivering it personally to such person or persons.

46:2 Effective Date. This act shall take effect January 1, 2010.

Approved: May 22, 2009

Effective Date: January 1, 2010