

# NEW PENNSYLVANIA LAW

## CARBON MONOXIDE ALARM STANDARDS ACT OF 2013

SIGNED INTO LAW DECEMBER 18, 2013

### AN ACT

Providing standards for carbon monoxide alarms; and imposing penalties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

#### **Section 1. Short title.**

This act shall be known and may be cited as the Carbon Monoxide Alarm Standards Act.

#### **Section 2. Definitions.**

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Apartment." A room or suite of two or more rooms, occupied or leased for occupation, or intended or designed to be occupied, as a domicile.

"Approved carbon monoxide alarm." The term includes:

- (1) A single or multiple station carbon monoxide alarm listed as complying with the Approved American National Standard for Single and Multiple Station Carbon Monoxide Alarms (ANSI/UL2034) or a carbon monoxide detector listed as complying with the Approved American National Standard for Gas and Vapor Detectors and Sensors (ANSI/UL2075) installed in accordance with this act.
- (2) A device that may be combined with a smoke alarm or smoke detector if the combined smoke alarm or detector meets all of the following:
  - (i) Complies with either of the following:
    - (A) The Approved American National Standard for Single and Multiple Station Carbon Monoxide Alarms (ANSI/UL2034) for carbon monoxide alarms and the Approved American National Standard for Single and Multiple Station Smoke Alarms (ANSI/UL217) for smoke alarms.
    - (B) The Approved American National Standard for Gas and Vapor Detectors and Sensors (ANSI/UL2075) for carbon monoxide detectors and the Approved American National Standard for Safety for Smoke Detectors for Fire Alarm Systems (ANSI/UL268) for smoke detectors.
  - (ii) Emits an alarm in a manner that clearly differentiates between detecting the presence of carbon monoxide and the presence of smoke.

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

"Fossil fuel." Coal, kerosene, oil, wood, fuel gases and other petroleum or hydrocarbon products which emit carbon monoxide as a by-product of combustion.

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

"Multifamily dwelling." Any house or building, or portion thereof, that is intended or designed to be occupied or leased for occupation, or occupied as a home or residence for three or more households living in separate apartments, and doing their cooking on the premises.

"Operational." Working and in service.

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

### **Section 3. Administration.**

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

### **Section 4. Carbon monoxide alarm requirements.**

- (a) Residential building.**--Upon the sale of a residential building, the seller shall disclose information regarding the installation of carbon monoxide detectors on the property disclosure statement required by 68 Pa.C.S. Ch. 73 (relating to seller disclosures).

- (b) Multifamily dwellings.**--Each apartment in a multifamily dwelling, which uses a fossil fuel-burning heater or appliance, fireplace or an attached garage, must have an operational, centrally located and approved carbon monoxide alarm installed in the vicinity of the bedrooms and the fossil fuel-burning heater or fireplace within 18 months of the effective date of this act.

#### **Section 5. Carbon monoxide alarm requirements in rental properties.**

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

- (1) Provide and install an operational, centrally located and approved carbon monoxide alarm in the vicinity of the bedrooms and the fossil fuel-burning heater or fireplace.
- (2) Replace, in accordance with this act, any approved carbon monoxide alarm that has been stolen, removed, found missing or rendered inoperable during a prior occupancy of the rental property and which has not been replaced by the prior occupant before the commencement of a new occupancy of the rental property.
- (3) Ensure that the batteries in each approved carbon monoxide alarm are in operating condition at the time the new occupant takes residence in the rental property.

- (b) Maintenance, repair or replacement.**--Except as provided in subsection (a), the owner of a multifamily dwelling used for rental purposes is not responsible for the maintenance, repair or replacement of an approved carbon monoxide alarm or the care and replacement of batteries while the building is occupied. Responsibility for maintenance and repair of carbon monoxide alarms shall revert to the owner of the building upon vacancy of the rental property.

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

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

**Section 6. Enforcement.**

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

**Section 7. Municipal requirements.**

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

**Section 20. Effective date.**

This act shall take effect immediately.

# IMPORTANT NOTICE

**From: Pennsylvania Residential Owners Association**

**RE: NEW PENNSYLVANIA LAW REQUIRES  
CARBON MONOXIDE DETECTORS**

The Pennsylvania Carbon Monoxide Alarm Standards Act of 2013 was signed into law on December 18, 2013.

The law pertains to all Pennsylvania residential properties (single-family and multi-family, whether owner-occupied or rentals) having fossil fuel-burning heaters, appliances, fireplaces, and/or attached garages. Fossil fuels include natural gas, coal, kerosene, gasoline, fuel oil, methanol, ethanol, other alcohols, wood, propane, methane, butane, other fuel gases, and any other petroleum or hydrocarbon products which can emit carbon monoxide as a by-product of combustion.

For rental properties, the law imposes specific responsibilities on both the property owners and on their tenants.

## **Rental Property Requirements**

1. Each apartment or residential unit must have an operational and approved carbon monoxide detector/alarm centrally located, in the vicinity of the bedrooms, and near any fossil fuel-burning heaters, appliances, or fireplaces, within 18 months of the effective date of the new law. More than one such device may be required in each rental unit to satisfy all these requirements.
2. Each device must comply with, and be installed in accordance with the Approved American National Standard for Single and Multiple Station Carbon Monoxide Alarms (ANSI / UL 2034), or with the Approved American National Standard for Gas and Vapor Detectors and Sensors (ANSI / UL 2075). Alternatively, a device which is a combined carbon monoxide and smoke detector must meet either of these same standards and ANSI / UL 217 for single and multiple stations smoke alarms or ANSI / UL 268 for smoke detectors.
3. At the sale of a residential building, the seller must disclose information regarding the installation of carbon monoxide detectors/alarms in the property.

### **Rental Property Owner Responsibilities**

1. Provide and install the approved carbon monoxide detectors/alarms as required and in locations specified by the law.
2. Replace any carbon monoxide detectors/alarms that were stolen, removed, found missing, or rendered inoperable during a prior occupancy of the rental unit, which were not replaced by the prior occupant before commencement of a new occupancy.
3. Ensure that the batteries in each approved carbon monoxide detector/ alarm are in operable condition, and that the devices are functional and operating when a new occupant takes residence in the rental unit.
4. Maintenance responsibility for carbon monoxide detectors/alarms is the property owner's responsibility during any period of vacancy.

### **Tenant Responsibilities**

1. Keep and maintain each carbon monoxide detector/alarm in good repair during the tenant's occupancy.
2. Test the device and replace batteries as needed.
3. Replace any carbon monoxide detectors/alarms that are stolen, removed, missing, or rendered inoperable during their occupancy of the rental unit.
4. Notify the rental property owner or their authorized agent in writing of any deficiencies pertaining to the approved carbon monoxide detectors/alarms.

### **Municipal Regulations**

Local municipalities may adopt their own requirements regarding the installation and placement of carbon monoxide detectors/alarms that are more stringent than the requirements of this state law. The City of Philadelphia and some other municipalities have already done so. Be sure to comply with your own local regulations.