

HOUSE BILL 1292

E4

3lr3130
CF 3lr3135

By: **Delegates Charkoudian, Holmes, Moon, Shetty, Solomon, and Wilkins**

Introduced and read first time: February 28, 2023

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Fire Protection and Prevention – Sprinkler Systems and Smoke Alarms –**
3 **Requirements**
4 **(Melanie Diaz Sprinklers Save Lives Act)**

5 FOR the purpose of requiring the installation of smoke alarms in public corridors accessible
6 by units in high-rise buildings; prohibiting a landlord from requiring a deaf or hard
7 of hearing tenant to pay for a notification appliance or to provide certain
8 documentation with a written request for a notification appliance; prohibiting a
9 landlord from requiring a tenant to reimburse the landlord for the cost of installing
10 smoke alarms; requiring certain high-rise buildings to be protected by automatic
11 sprinkler systems by a certain date and for each unit to be equipped with a fire
12 extinguisher if the building is not protected; requiring certain high-rise buildings to
13 post certain notice at all main building entrances and to provide certain notice in a
14 lease agreement; and generally relating to fire protection and prevention in
15 high-rise buildings.

16 BY repealing and reenacting, with amendments,
17 Article – Public Safety
18 Section 9–102, 9–105, and 9–403
19 Annotated Code of Maryland
20 (2022 Replacement Volume)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
22 That the Laws of Maryland read as follows:

23 **Article – Public Safety**

24 9–102.

25 (a) This subtitle applies throughout the State, including Baltimore City.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) (1) An automatic smoke alarm shall be provided in each sleeping area
2 within each residential occupancy, including one- and two-family dwellings, lodging or
3 rooming houses, hotels, dormitories, and apartment buildings, as defined in NFPA 101: Life
4 Safety Code as adopted by the State Fire Prevention Commission.

5 (2) **BEGINNING JULY 1, 2023, AN AUTOMATIC SMOKE ALARM SHALL**
6 **BE INSTALLED IN EACH PUBLIC CORRIDOR ACCESSIBLE BY UNITS IN A HIGH-RISE**
7 **BUILDING.**

8 (c) Smoke alarms shall:

9 (1) be installed in accordance with NFPA 72: National Fire Alarm Code as
10 referenced by the State Fire Prevention Code;

11 (2) be listed and labeled by a nationally recognized testing laboratory to
12 comply with Underwriters Laboratories (UL) 217, "Standard for safety for single and
13 multiple station smoke alarms";

14 (3) be suitable for sensing visible or invisible products of combustion; and

15 (4) sound an alarm suitable to warn the occupants.

16 (d) Local jurisdictions may adopt smoke alarm regulations that are more
17 stringent than the provisions of this subtitle.

18 9–105.

19 (a) Each sleeping room occupied by a deaf or hard of hearing individual shall be
20 provided with a smoke alarm suitable to alert the deaf or hard of hearing individual.

21 (b) (1) On written request on behalf of a tenant who is deaf or hard of hearing,
22 a sleeping room occupied by a deaf or hard of hearing individual shall be provided with an
23 approved notification appliance designed to alert deaf or hard of hearing individuals.

24 (2) The landlord shall provide a notification appliance that, when
25 activated, provides a signal that is sufficient to warn the deaf or hard of hearing tenant in
26 those sleeping rooms.

27 (3) **THE LANDLORD MAY NOT REQUIRE THAT A TENANT:**

28 (I) **PAY FOR THE PURCHASE OR INSTALLATION OF A**
29 **NOTIFICATION APPLIANCE; OR**

30 (II) **PROVIDE ANY SUPPORTING DOCUMENTATION OR OTHER**
31 **FORM OF EVIDENCE WITH A WRITTEN REQUEST FOR A NOTIFICATION APPLIANCE.**

1 (c) Hotels and motels shall have available at least one approved notification
2 appliance for the deaf or hard of hearing individual for each 50 units or fraction of 50 units.

3 (d) Hotels and motels shall post in a conspicuous place at the registration desk a
4 permanent sign that states the availability of smoke alarm notification appliances for the
5 deaf or hard of hearing individual.

6 (e) (1) Hotels and motels may require a refundable deposit for notification
7 appliances for the deaf or hard of hearing individual.

8 (2) The amount of the deposit may not exceed the value of the notification
9 appliance.

10 (f) A landlord may **NOT** require reimbursement from a tenant for the cost of a
11 smoke alarm required under this section.

12 9-403.

13 (a) **(1)** Each high-rise building constructed after July 1, 1974, shall be
14 protected by a complete automatic sprinkler system installed in accordance with accepted
15 engineering practices as approved by the authority with jurisdiction.

16 **(2) (I) EXCEPT AS PROVIDED UNDER SUBPARAGRAPH (II) OF THIS**
17 **PARAGRAPH, BEGINNING JANUARY 1, 2033, EACH HIGH-RISE BUILDING,**
18 **REGARDLESS OF DATE OF CONSTRUCTION, SHALL BE PROTECTED BY A COMPLETE**
19 **AUTOMATIC SPRINKLER SYSTEM INSTALLED IN ACCORDANCE WITH ACCEPTED**
20 **ENGINEERING PRACTICES AS APPROVED BY THE AUTHORITY WITH JURISDICTION.**

21 **(II) THIS PARAGRAPH DOES NOT APPLY TO A HIGH-RISE**
22 **BUILDING IN WHICH ALL UNITS HAVE EXTERIOR EXIT ACCESS AS PROVIDED IN**
23 **NFPA 101: LIFE SAFETY CODE.**

24 **(3) IF A HIGH-RISE BUILDING IS NOT PROTECTED BY A COMPLETE**
25 **AUTOMATIC SPRINKLER SYSTEM, EACH UNIT OF THE BUILDING SHALL BE EQUIPPED**
26 **WITH A FIRE EXTINGUISHER.**

27 **(B) (1) BEGINNING JULY 1, 2023, THE OWNER OF A HIGH-RISE BUILDING**
28 **THAT IS NOT PROTECTED BY A COMPLETE AUTOMATIC SPRINKLER SYSTEM IN**
29 **ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION SHALL POST NOTICE IN THE**
30 **BUILDING IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION.**

31 **(2) NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION**
32 **SHALL:**

1 **(I) STATE, IN LETTERING THAT IS AT LEAST 1 INCH HIGH AND**
2 **ON A CONTRASTING BACKGROUND, “WARNING: THIS HIGH-RISE BUILDING**
3 **IS NOT PROTECTED THROUGHOUT BY A COMPLETE AUTOMATIC**
4 **SPRINKLER SYSTEM”;** AND

5 **(II) BE CONSPICUOUSLY POSTED AT ALL MAIN BUILDING**
6 **ENTRANCES AS APPROVED BY THE AUTHORITY HAVING JURISDICTION.**

7 **(C) (1) BEGINNING JULY 1, 2023, AND CONTINUING UNTIL A HIGH-RISE**
8 **BUILDING IS PROTECTED BY A COMPLETE AUTOMATIC SPRINKLER SYSTEM, THE**
9 **OWNER OF A HIGH-RISE BUILDING THAT IS NOT PROTECTED SHALL INCLUDE IN ANY**
10 **LEASE AGREEMENT CONSPICUOUS NOTICE INDICATING:**

11 **(I) THAT THE BUILDING IS NOT CURRENTLY PROTECTED BY A**
12 **COMPLETE AUTOMATIC SPRINKLER SYSTEM; AND**

13 **(II) THAT THE BUILDING IS REQUIRED TO BE PROTECTED BY A**
14 **COMPLETE AUTOMATIC SPRINKLER SYSTEM ON OR BEFORE JANUARY 1, 2033, IN**
15 **ACCORDANCE WITH SUBSECTION (A)(2) OF THIS SECTION.**

16 **(2) NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION**
17 **SHALL BE INITIALED BY THE TENANT.**

18 **[(b)] (D) (1)** This section does not apply to a building that is less than 75 feet
19 in height above grade level if:

20 (i) the local fire department has at least one approved first line piece
21 of aerial equipment that is capable of reaching the roof of the building; and

22 (ii) accessibility to the building is provided on two sides of the
23 perimeter of the building by a public way that is:

24 1. kept accessible at all times to the local fire department;
25 and

26 2. close enough to the building to allow the fire department
27 aerial equipment to reach 75 feet in height.

28 (2) For purposes of this subsection, height above grade level shall be
29 determined by using the lowest elevation of the public way as a reference datum.

30 **(E) (1) THE DEPARTMENT OF HOUSING AND COMMUNITY**
31 **DEVELOPMENT, IN COORDINATION WITH THE STATE FIRE MARSHALL AND THE**
32 **MARYLAND DEPARTMENT OF EMERGENCY MANAGEMENT, SHALL IDENTIFY**
33 **FUNDING SOURCES THAT MAY BE AVAILABLE TO THE OWNER OF A HIGH-RISE**

1 BUILDING TO AID THE OWNER IN MEETING THE REQUIREMENTS OF SUBSECTION
2 (A)(2) OF THIS SECTION.

3 (2) THE DEPARTMENT OF HOUSING AND COMMUNITY
4 DEVELOPMENT SHALL PROVIDE FUNDING PRIORITY TO HIGH-RISE BUILDINGS
5 THAT PLAN TO BE IN COMPLIANCE WITH SUBSECTION (A)(2) OF THIS SECTION BY
6 2028.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
8 1, 2023.