

HOUSE No. 2110

The Commonwealth of Massachusetts

PRESENTED BY:

Nick Collins

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 relative to the installation of approved smoke detectors in certain residential buildings and structures.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Nick Collins</i>	<i>4th Suffolk</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>
<i>Linda Dorcena Forry</i>	<i>First Suffolk</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>
<i>Michael D. Brady</i>	<i>9th Plymouth</i>
<i>Daniel Cullinane</i>	<i>12th Suffolk</i>
<i>Diana DiZoglio</i>	<i>14th Essex</i>
<i>Paul Tucker</i>	<i>7th Essex</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>

HOUSE No. 2110

By Mr. Collins of Boston, a petition (accompanied by bill, House, No. 2110) of Nick Collins and others relative to the installation of approved smoke detectors in certain residential buildings and structures. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2155 OF 2013-2014.]

The Commonwealth of Massachusetts

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

An Act relative to the installation of approved smoke detectors in certain residential buildings and structures.

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

1 SECTION 1. Chapter 148 of the General Laws is hereby amended by striking out section
2 26D, as appearing in the 2008 Official Edition, and inserting in place thereof the following
3 section:

4 Section 26D. For purposes of this section, the following terms shall have the following
5 meanings: Approved smoke detector□, shall mean a monitored battery power smoke detector
6 device, fire warning system, primary power system, or combination appliance. Fire warning
7 system□, shall mean a low voltage or wireless fire warning system as defined in Section 1 of
8 Chapter 141 of the General Laws in compliance with NFPA and installed in accordance with
9 said chapter. Monitored battery power smoke detector device□, shall be a smoke detector which

10 is activated by a battery power source provided that the battery is monitored to assure that the
11 following conditions are met: (i) a distinctive audible trouble signal is given before the battery is
12 incapable of operating the device for alarm purposes, and that such audible trouble signal is
13 produced at least once every minute for seven consecutive days, and (ii) the unit is capable of
14 producing an alarm signal for at least four continuous minutes at the battery voltage at which a
15 trouble signal is normally obtained followed by seven days of trouble signal operation, and (iii)
16 the monitored batteries meeting these specifications are clearly identified on the unit near the
17 battery compartment.

18 Monitored□ shall mean the capability of the device to self monitor battery power
19 sufficient to deliver the necessary power to transmit its signal or audible alarm when necessary
20 and notify when the battery needs replacement.

21 Primary power system□ shall mean an alternating current (ac) plug-in with battery back
22 up or ac primary power source with battery back up in compliance with NFPA and installed in
23 accordance with Chapter 141 of the General Laws. (a) Notwithstanding any general or special
24 law to the contrary every existing 1 or 2 family building or structure and every existing building
25 or structure containing more than 1, but fewer than 6 dwelling units, occupied in whole or in part
26 for residential purposes shall, upon sale or transfer of such building or structure, be equipped by
27 the seller with approved smoke detectors in accordance with the rules and regulations of the
28 board of fire prevention regulations. The head of the fire department shall inspect such building
29 or structure at the time of sale or transfer for compliance with this section. (b) The rules and
30 regulations of the Board of Fire Prevention Regulations, established in accordance with this
31 section, may require the upgrade, installation or replacement of smoke detector devices based
32 upon advances in smoke detection technology; provided, however that, in any building or

33 dwelling unit constructed prior to January 1, 1975 which has not undergone an alteration or
34 change of use since January 1, 1975 which would require it to comply with the smoke detector
35 provisions of the State Building Code, the installation of an approved smoke detector shall be
36 allowed; and, provided further, that the relocation or addition of any smoke detector device, or
37 the relocation or addition of any power supply wire associated with such smoke detector, if such
38 location, or wire location was installed in accordance with the requirements of the State Building
39 Code in effect as of the date of such installation, shall not be required. (c) The head of the fire
40 department shall enforce this section and to uniformly implement rules and regulations of the
41 Board of Fire Prevention Regulations, established in accordance with this section, the Fire
42 Marshall shall provide education and training to fire department heads or their designee(s). (d)
43 Nothing in this section shall abrogate the authority of the state board of building regulations and
44 standards to regulate smoke detector requirements for the construction of new buildings and for
45 existing buildings undergoing repair, alteration, addition or change of use. Notwithstanding
46 anything to the contrary contained herein, no city or town may enact any ordinance or order
47 relating to a requirement for the installation of, or specification for, approved smoke detectors or
48 their standards.

49 SECTION 2. Section 10A of said chapter 148, as so appearing, is hereby amended by
50 striking out, in line 15, the figure 26F and inserting in place thereof the following figure:
51 26D.

52 SECTION 3. Sections 26E and 26F of chapter 148 of the General Laws are hereby
53 repealed.