

HOUSE BILL 1396

E4, N1

0lr1645

By: **Delegates Haynes, Carter, Conaway, Glenn, Harrison, Kirk, McHale, Oaks, Robinson, Rosenberg, Stukes, ~~and Tarrant~~ Tarrant, Hucker, Bobo, Cane, V. Clagett, Healey, and Weir**

Introduced and read first time: February 18, 2010

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 26, 2010

CHAPTER _____

1 AN ACT concerning

2 **Fire Safety – High–Rise Buildings – Mobility Impaired Individuals ~~and Senior~~**
3 **~~Citizens~~**

4 FOR the purpose of requiring the owner of a residential high–rise building to ~~give~~
5 ~~priority~~ provide a certain notice to individuals who are mobility impaired ~~or are~~
6 ~~senior citizens~~ of the right to request certain rental units when ~~renting~~ certain
7 units in the building become available; defining certain terms; and generally
8 relating to fire safety in high–rise buildings.

9 BY repealing and reenacting, with amendments,
10 Article – Public Safety
11 Section 9–401
12 Annotated Code of Maryland
13 (2003 Volume and 2009 Supplement)

14 BY adding to
15 Article – Public Safety
16 Section 9–405
17 Annotated Code of Maryland
18 (2003 Volume and 2009 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Public Safety**

2 9–401.

3 (a) In this subtitle the following words have the meanings indicated.

4 (b) (1) “High–rise building” means a building for human occupancy that
5 is:

6 (i) four or more stories above grade level; or

7 (ii) over 45 feet in height.

8 (2) “High–rise building” does not include:

9 (i) a structure or building used exclusively for open air parking;
10 or

11 (ii) a building used exclusively for agricultural purposes.

12 (c) “Local fire department” means a career or volunteer fire department.

13 (d) **“MOBILITY IMPAIRED” MEANS AN INABILITY TO CARRY OBJECTS OR**
14 **TO MOVE OR TRAVEL WITHOUT THE USE OF AN ASSISTIVE DEVICE OR SERVICE**
15 **ANIMAL.**

16 (E) “Public way” means a paved thoroughfare over 21 feet in width that:

17 (1) is located on privately owned and privately maintained property
18 but is designated for public use; or

19 (2) is publicly owned and publicly maintained.

20 ~~(F) “SENIOR CITIZEN” MEANS AN INDIVIDUAL WHO IS AT LEAST 62~~
21 ~~YEARS OLD.~~

22 **9–405.**

23 **FOR FIRE SAFETY PURPOSES, THE OWNER OF A RESIDENTIAL HIGH–RISE**
24 **BUILDING SHALL ~~GIVE PRIORITY TO INDIVIDUALS WHO ARE MOBILITY~~**
25 **~~IMPAIRED OR ARE SENIOR CITIZENS WHEN RENTING UNITS ON THE FIRST FIVE~~**
26 **FLOORS OF THE HIGH–RISE BUILDING PROVIDE REASONABLE WRITTEN NOTICE**
27 **TO A RESIDENT WHO IS MOBILITY IMPAIRED OF THE RESIDENT’S RIGHT TO**
28 **REQUEST A RENTAL UNIT ON THE FIRST FIVE FLOORS OF THE HIGH–RISE**
29 **BUILDING IF ONE SHOULD BECOME AVAILABLE.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.