

Carbon Monoxide Alarms

At its meeting held on December 16, 2009, the State Fire Prevention and Building Code Council determined that adopting this rule on an emergency basis was required in order to comply with legislation, Amanda's Law, which will go into effect on February 22, 2010, and to preserve public safety by clarifying requirements for Carbon Monoxide Alarms.

This proposal is in the process of being adopted as an emergency rule – the text is below. The following link provides background on the legislation, Amanda's Law: Available here.

BACK

TEXT

Subdivision (d) of section 1220.1 in Part 1220 of Title 19 NYCRR is amended by adding a new paragraph (13) to read as follows:

(13) 2007 RCNYS section RR313.4. For the purposes of applying the 2007 RCNYS in this State, the text of section RR313.4 in chapter R3 of the 2007 RCNYS shall be deemed to be amended and restated in its entirety to read as follows:

“RR313.4 Carbon monoxide alarms. This section covers the installation, performance and maintenance of carbon monoxide alarms and their components in new and existing buildings. The requirements of this section shall apply to all new and all existing buildings, without regard to the date of construction of the building and without regard to whether such building shall or shall not have been offered for sale.

“Exception: Compliance with this section is not required where no carbon monoxide source is located within or attached to the structure. However, compliance with this section is required if any carbon monoxide source is subsequently located within or attached to the structure.

“For the purposes of this section RR313.4, the following terms will have the following meanings:

“The term ‘carbon monoxide source’ includes fuel fired appliances, equipment, devices and systems; solid fuel burning appliances, equipment, devices and systems; all other appliances,

equipment, devices and systems that may emit carbon monoxide; fireplaces; garages; and all other motor vehicle-related occupancies.

“The term ‘**dwelling unit**’ means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

“The term ‘**sleeping area**’ means a room or space in which people sleep.

“The term ‘**sleeping unit**’ means a room or space in which people sleep, which can also include permanent provisions for living, eating, and either sanitation or kitchen facilities but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

“In the case of a building constructed on or after January 1, 2008, a carbon monoxide alarm shall be installed in each of the following locations:

“1. Within each dwelling unit or sleeping unit, on each story having a sleeping area.

“2. Within each dwelling unit or sleeping unit, on each story where a carbon monoxide source is located.

“One carbon monoxide alarm installed on a story of a dwelling unit or sleeping unit having both a sleeping area and a carbon monoxide source shall suffice for that story within that dwelling unit or sleeping unit.

“In the case of a building constructed before January 1, 2008, a carbon monoxide alarm shall be installed in each of the following locations:

“1. Within each dwelling unit or sleeping unit, on the lowest story having a sleeping area.

“When more than one carbon monoxide alarm is required to be installed within an individual dwelling unit, the alarms shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all sleeping areas over background noise levels with all intervening doors close.

“**Exception:** Interconnection is not required where carbon monoxide alarms are permitted to be battery operated in accordance with section RR313.4.2.

“All carbon monoxide alarms shall be listed and labeled as complying with UL 2034 or CAN/CSA 6.19, and shall be installed in accordance with the

manufacturer's installation instructions and this code.

“RR313.4.1 Prohibited locations. Carbon monoxide alarms shall not be located within or near the openings to garages, bathrooms or furnace rooms. Carbon monoxide alarms shall also not be located in or near locations specified as ‘prohibited,’ ‘not recommended’ or the like in the manufacturer’s installation instructions.

“RR313.4.2 Power source. The required carbon monoxide alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source or an on-site electrical power system, and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

“Exception. Carbon monoxide alarms shall be permitted to be battery operated when installed in buildings without commercial power or an on-site electrical power system or in buildings constructed before January 1, 2008.

“RR313.4.3 Maintenance. Carbon monoxide alarms shall be maintained in an operative condition at all times, shall be replaced or repaired where defective, and shall be replaced when they cease to operate as intended.

“RR313.4.4 Disabling of alarms. Carbon monoxide alarms shall not be removed or disabled, except for service or repair purposes.

“RR313.4.5 One-family dwellings converted to bed and breakfast dwellings. One-family dwellings converted to bed and breakfast dwellings shall have carbon monoxide alarms installed in accordance with the requirements of section F611 of the Fire Code of New York State.

“RR313.4.6 Buildings under custody, licensure, supervision or jurisdiction of a department or agency of the State of New York. A building which is under the custody, licensure, supervision or jurisdiction of a department or agency of the State of New York and which is regulated as a one-or two-family dwelling or multiple single-family dwelling (townhouse), in accordance with established laws or regulations of such department or agency, shall have carbon monoxide alarms installed in accordance with the stricter of the requirements of this section or the requirements of section F611 of the Fire Code of New York State.”

Subdivision (d) of section 1225.1 in Part 1220 of Title 19 NYCRR is amended by adding a new paragraph (3) to read as follows:

(3) 2007 FCNYS section F611. For the purposes of applying the 2007 FCNYS in this State, the text of section F611 in chapter F6 of the 2007 FCNYS shall be deemed to be amended and restated in its entirety to read as follows:

“F611 CARBON MONOXIDE ALARMS

"F611.1 General. This section covers the application, installation, performance and maintenance of carbon monoxide alarms and their components in new and existing buildings and structures. The requirements of this section shall apply to all new buildings and structures and to all existing buildings and structures, without regard to the date of construction of the building or structure and without regard to whether such building or structure shall or shall not have been offered for sale.

"F611.1.1 Definitions. For the purposes of this §F611, the following terms shall have the following meanings:

"Carbon monoxide source. The term 'carbon monoxide source' includes fuel fired appliances, equipment, devices and systems; solid fuel burning appliances, equipment, devices and systems; all other appliances, equipment, devices and systems that may emit carbon monoxide; fireplaces; garages; and all other motor vehicle-related occupancies.

"Dwelling unit. The term 'dwelling unit' means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

"Existing buildings and structures. The term 'existing buildings and structures' means buildings and structures constructed before January 1, 2008.

"Multiple dwelling. The term 'multiple dwelling' means a dwelling which is either rented, leased, let or hired out, to be occupied, or is occupied as the temporary or permanent residence or home of three or more families living independently of each other, including but not limited to the following: a tenement, flat house, maisonette apartment, apartment house, apartment hotel, tourist house, bachelor apartment, studio apartment, duplex apartment, kitchenette apartment, hotel, lodging house, rooming house, boarding house, boarding and nursery school, furnished room house, club, sorority house, fraternity house, college and school dormitory, convalescent, old age or nursing homes or residences, and a dwelling, two or more stories in height, and with five or more boarders, roomers or lodgers residing with any one family.

"New buildings and structures. The term 'new buildings and structures' means buildings and structures constructed after December 31, 2007.

"The term 'sleeping area' means a room or space in which people sleep.

"The term 'sleeping unit' means a room or space in which people

sleep, which can also include permanent provisions for living, eating, and either sanitation or kitchen facilities but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

"F611.2 Equipment. Carbon monoxide alarms shall be listed and labeled as complying with UL 2034 or CAN/CSA 6.19, and shall be installed in accordance with the manufacturer's installation instructions and this section.

"F611.2.1 Combination smoke and carbon monoxide alarms. Combination smoke and carbon monoxide alarms are permitted, provided the alarm is listed for such use. Combination smoke and carbon monoxide alarms shall have distinctly different alarm signals for smoke or carbon monoxide alarm activation.

"F611.3 Where required. Single and multiple station carbon monoxide alarms shall be provided in the locations described in this section.

"Exception: Compliance with this section is not required where no carbon monoxide source is located within or attached to the structure. However, compliance with this section is required if any carbon monoxide source is subsequently located within or attached to the structure.

"F611.3.1 New buildings and structures: one-and two-family dwellings, multiple single-family dwellings (townhouses), and buildings owned as a condominium or cooperative and containing dwelling accommodations. A carbon monoxide alarm shall be installed in each of the following locations:

"1. Within each dwelling unit or sleeping unit, on each story having a sleeping area.

"2. Within each dwelling unit or sleeping unit, on each story where a carbon monoxide source is located.

"One carbon monoxide alarm installed on a story of a dwelling unit or sleeping unit having both a sleeping area and a carbon monoxide source shall suffice for that story within that dwelling unit or sleeping unit.

"F611.3.2 New buildings and structures: Group I-1 occupancies. A carbon monoxide alarm shall be installed in the each of following locations:

"1. On each story having a sleeping area.

"2. On each story where a carbon monoxide source is located.

"One carbon monoxide alarm installed on a story having both a sleeping area and a carbon monoxide source shall suffice for that story.

"F611.3.3 New buildings and structures: Group R occupancies not covered by section F611.3.1 or section F611.3.2, nursery schools (with sleeping units) not covered by section F611.3.1 or §F611.3.2, bed and breakfast uses not covered by section F611.3.1 or section F611.3.2, and multiple dwellings not covered by section F611.3.1

or section F611.3.2. A carbon monoxide alarm shall be installed in each of the following locations:

“1. In each dwelling unit or sleeping unit where a carbon monoxide source is located. In a multiple-story dwelling unit or sleeping unit, a carbon monoxide alarm shall be installed on each story having a sleeping area and on each story where a carbon monoxide source is located. One carbon monoxide alarm installed on a story having both a sleeping area and a carbon monoxide source shall suffice for that story.

“2. In each dwelling unit or sleeping unit that is on the same story as a carbon monoxide source.

“F611.3.4 Existing buildings and structures: one-and two-family dwellings, multiple single-family dwellings (townhouses), and buildings owned as a condominium or cooperative and containing dwelling accommodations. A carbon monoxide alarm shall be installed within each dwelling unit or sleeping unit on the lowest story having a sleeping area.

“F611.3.5 Existing buildings and structures: Group I-1 occupancies. A carbon monoxide alarms shall be installed on each story having a sleeping area.

“F611.3.6 Existing buildings and structures: Group R occupancies not covered by section F611.3.4 or section F611.3.5, nursery schools (with sleeping units) not covered by section F611.3.4 or section F611.3.5, bed and breakfast uses not covered by section F611.3.4 or section F611.3.5, and multiple dwellings not covered by section F611.3.4 or section F611.3.5. A carbon monoxide alarm shall be installed in each of the following locations:

“1. In each dwelling unit or sleeping unit where a carbon monoxide source is located. In a multiple-story dwelling unit or sleeping unit, a carbon monoxide alarm shall be installed on the lowest story having a sleeping area.

“2. In each dwelling unit or sleeping unit that is on the same story as a carbon monoxide source.

“F611.3.7 **Work completed** within one-and two-family dwellings, multiple single-family dwellings (townhouses), buildings owned as a condominium or cooperative and containing dwelling accommodations, Group R occupancies, bed and breakfast uses not covered by section F611.3.8, and multiple dwellings not covered by section F611.3.8. Where work includes the addition or

installation of a carbon monoxide source, the construction of a chimney, or the connection of the building to a garage or to any other motor vehicle-related occupancy, a carbon monoxide alarm shall be installed within each dwelling unit or sleeping unit on the lowest story having a sleeping area.

"F611.3.8 Work completed within Group I-1 occupancy. Where work includes the addition or installation of a carbon monoxide source, the construction of a chimney, or the connection of the building to a garage or to any other motor vehicle-related occupancy, a carbon monoxide alarm shall be installed on each story having a sleeping area.

"F611.4 Prohibited locations. Carbon monoxide alarms shall not be located within or near the openings to garages, bathrooms, or furnace rooms. Carbon monoxide alarms shall also not be located in or near locations specified as 'prohibited,' 'not recommended' or the like in the manufacturer's installation instructions.

"F611.5 Power source. When the building wiring is served from a commercial or on-site power source, carbon monoxide alarms shall receive their primary power from the building wiring and, when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

"Exceptions:

"1. Carbon monoxide alarms installed in buildings without a commercial or on-site power source shall be permitted to be battery operated.

"2. In existing buildings and structures, cord-type, direct plug, or battery-operated carbon monoxide alarms shall be permitted.

"F611.6 Interconnection. When more than one carbon monoxide alarm is required to be installed within an individual dwelling unit or sleeping unit, the alarms shall be interconnected.

"Exception: Interconnection is not required where cord-type, direct plug, or battery-operated carbon monoxide alarms are permitted.

"F611.7 Maintenance. Carbon monoxide alarms shall be maintained in an operative condition at all times, shall be replaced or repaired where defective, and shall be replaced when they cease to operate as intended.

"F611.8 Disabling of alarms. Carbon monoxide alarms shall not be removed or disabled, except for service or repair purposes."

Amanda's Law

CHAPTER TEXT:

LAWS OF NEW YORK, 2009

CHAPTER 367

AN ACT to amend the executive law, in relation to establishing Amanda's law requiring certain residences to have installed an operable carbon monoxide detector

Became a law August 26, 2009, with the approval of the Governor.

Passed by a majority vote, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Short title. This act shall be known and may be cited as "Amanda's law".

§ 2. Subdivision 5-a of section 378 of the executive law, as amended by chapter 202 of the laws of 2006, is amended to read as follows:

5-a. Standards for installation of carbon monoxide detectors requiring that every one or two-family dwelling [~~constructed or offered for sale after July thirtieth, two thousand two~~], or any dwelling accommodation located in a building owned as a condominium or cooperative in the state [~~constructed or offered for sale after July thirtieth, two thousand two;~~] or any multiple dwellings [~~constructed or offered for sale after August ninth, two thousand five~~] shall have installed an operable carbon monoxide detector of such manufacture, design and installation standards as are established by the council. Carbon monoxide detectors required by this section are required only where the dwelling unit has appliances, devices or systems that may emit carbon monoxide or has an attached garage. For purposes of this subdivision, multiple dwelling means a dwelling which is either rented, leased, let or hired out, to be occupied, or is occupied as the temporary or permanent residence or home of three or

more families living independently of each other, including but not limited to the following: a tenement, flat house, maisonette apartment, apartment house, apartment hotel, tourist house, bachelor apartment, studio apartment, duplex apartment, kitchenette apartment, hotel, lodging house, rooming house, boarding house, boarding and nursery school, furnished room house, club, sorority house, fraternity house, college and school dormitory, convalescent, old age or nursing homes or residences. It shall also include a dwelling, two or more stories in height, and with five or more boarders, roomers or lodgers residing with any one family. ~~[For the purposes of this section, sale shall mean the transfer of ownership of a business or property, provided however, transfer of franchises shall not be deemed a sale.]~~ New construction shall mean a new facility or a separate building added to an existing facility.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.

EXPLANATION--Matter in *italics* is new; matter in brackets [] is old law to be omitted.

CHAP. 367

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The Legislature of the STATE OF NEW YORK *ss:*
Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

MALCOLM A. SMITH
SHELDON SILVER
Temporary President of the Senate
Speaker of the Assembly

BACK

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