

HOUSE BILL REPORT

HB 1606

As Reported by House Committee On:
Local Government

Title: An act relating to carbon monoxide alarms.

Brief Description: Concerning carbon monoxide alarms.

Sponsors: Representatives Springer, Rodne, Schmick, Takko and Buys.

Brief History:

Committee Activity:

Local Government: 2/14/13, 2/22/13 [DP].

Brief Summary of Bill

- Requires existing residential buildings to be equipped with carbon monoxide alarms by January 1, 2015.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 6 members: Representatives Takko, Chair; Taylor, Ranking Minority Member; Kochmar, Assistant Ranking Minority Member; Buys, Springer and Upthegrove.

Minority Report: Do not pass. Signed by 2 members: Representatives Fitzgibbon, Vice Chair; Liias.

Staff: Sean Flynn (786-7124).

Background:

The State Building Code (Code) provides a set of minimum standards and requirements related to building construction that apply throughout the state. The State Building Code Council (SBCC) is responsible for the adoption and maintenance of the various building, residential, fire, and other model codes that comprise the Code.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

In 2009 the Legislature required the SBCC to adopt rules requiring all buildings classified as residential occupancies (residential buildings), including apartments, condominiums, hotels, motels, and single-family residences, to be equipped with carbon monoxide alarms. The rules were required to be adopted by July 1, 2010. The SBCC was permitted to phase in the requirement so long as it met certain deadlines. Specifically, all newly constructed residential buildings were required to be equipped by January 1, 2011. All other existing residential buildings, except for owner-occupied single family residences, were required to be equipped by January 1, 2013. Existing owner-occupied single family residences are required to be equipped at the time they are sold. The SBCC may exempt categories of buildings from the requirement if not determined to be necessary to protect the health and welfare of the occupants.

The SBCC adopted rules by the 2010 deadline. After concerns were raised over which exceptions should apply, the SBCC conducted multiple rounds of rule-making regarding the requirement for existing residential buildings. The current rules became effective in 2012.

Summary of Bill:

Existing residential buildings must be equipped with carbon monoxide alarms by January 1, 2015.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Most states that have mandated the installation of carbon monoxide alarms have required deadlines and have specified in which types of building units alarms must be installed. This state did not take that approach. It required all alarms to be installed by 2013, but delegated authority to the SBCC to decide whether or not certain buildings would be exempt from the requirements. Initial regulations were adopted by 2010, but since then the SBCC has decided to change those regulations. This has caused problems for the rental housing industry because it was not known until June 2012 exactly which properties needed alarms. Most states that have mandated the installation of alarms have required them only to be installed where there is a source of carbon monoxide in the unit, such as fuel-fired appliances, attached garages, or fireplaces. The 2012 International Building Code, dealing with existing properties, provides for carbon monoxide alarm installation in fuel-fired appliances or attached garages. The 2012 International Residential Code requires installation in existing properties, but only when a building permit is issued for a modification, which is what the SBCC adopted in 2011. However, the SBCC was informed that it could not extend

the deadline imposed by the Legislature. An October 2012 Seattle Times article provided erroneous information with regard to what the law would require in 2013. First, it stated that single-family homes are exempt (unless they are rentals). Second, it stated that multi-family units are exempt unless they had fuel-fired appliances or attached garages (which is not accurate). The author of the article said she received her information from the Seattle Fire Department. So, even the fire department was unsure what the rules were as late as last year. The primary concern is for the liability of rental property owners. The vast majority of rental property owners who are not members of any rental association may get their information solely from the press or the Internet. An extension of the deadline is not unreasonable given the delay and conflicting regulations adopted by the SBCC over the last three years.

(Opposed) The Washington Poison Center receives calls regarding carbon monoxide poisoning from all over the state, throughout the year; this is not a winter-time event and it affects the entire state. It has been 40 months since this legislation passed and people have had plenty of time to get ready and it is time to let the process move forward to protect the people of this state. Carbon monoxide detectors are readily available. Delaying this implementation serves no benefit. There is a multitude of different issues that can lead to carbon monoxide leaks. Often people do not know that carbon monoxide poisoning is causing their flu-like or other symptoms.

Persons Testifying: (In support) Joe Puckett, Washington Multi-family Housing Association.

(Opposed) Jim Williams, Washington Poison Center.

Persons Signed In To Testify But Not Testifying: None.