

GROUP 4 CO Detector Regulations

(1) 527 CMR 31

(2) Letter, Marshal Coan

(3) Letter, D. Demers, BFPR

527 CMR is hereby amended by adding the following new chapter:

527 CMR 31.00: Carbon Monoxide Alarms (as of 2-1-06)

Section

- 31.01: Purpose and Scope
- 31.02: Definitions
- 31.03: General Installation Provisions
- 31.04: Specific Installation Requirements
- 31.05: Inspection and Maintenance Requirements
- 31.06: Landlord Installation, Inspection and Maintenance Duties
- 31.07: Carbon Monoxide Alarms Installed in Dwelling Units Inhabited by a Person Who is Hearing Impaired

31.01: Scope and Purpose

The purpose of 527 CMR 31 is to provide requirements for the type, installation, location, maintenance, and inspection of carbon monoxide alarms in every dwelling, building or structure in accordance with the provisions of MGL 148 Section 26F^{1/2}. These regulations shall apply to every dwelling, building or structure including those owned and operated by the Commonwealth, occupied in whole or in part for residential purposes, that: (1) contains fossil-fuel burning equipment or (2) incorporates enclosed parking within its structure.

31.02: Definitions

As used in 527 CMR 31.00, the following definitions shall have the meanings respectively assigned to them:

Adjacent Spaces: shall mean any area, space, room or dwelling unit located directly next to, below or above any area space, room or dwelling unit that contains fossil fuel burning equipment or enclosed parking.

Centralized Fossil Fuel Burning Equipment: shall mean an area or room that contains central heating plant, hot water heater, a combustion driven generator or fire pump, central laundry area, roof mounted air handling unit or similar purposes that emits carbon monoxide as a by-product of combustion and does not allow for air exchange between Centralized Fossil Fuel Burning Equipment and Dwelling Units or common areas.

Carbon Monoxide Alarm Protection: shall mean carbon monoxide alarm protection that may consist of either: (1) battery powered in compliance with NFPA 720, 5.2.3 and wireless appliances, or (2) ac (alternating current) plug-in with battery back up in accordance with NFPA 720, 5.2.2.6, or (3) an ac primary power source with battery back up in compliance with NFPA

720, 5.2.2, or (4) low voltage or wireless systems in compliance with NFPA 720, 5.2.4 (5), or a Combination Appliance.

Combination Appliance: shall mean a combination photoelectric smoke detector and carbon monoxide alarm which may be battery or ac (alternating current) powered with battery back up. A combination ionization detector and carbon monoxide alarm which may be battery or ac (alternating current) powered, with battery back up, may be utilized if it is installed not less than 20 ft. from any bathroom or kitchen entryway. Such Combination Appliances shall employ both simulated voice and tone alarm features which clearly distinguishes between carbon monoxide and smoke notification, in accordance with NFPA 720, 5.3.4.

Dwelling Unit: A single unit providing facilities for living and sleeping.

Enclosed Parking: An area or room enclosed within the overall building or structure that is designed or used for the parking of vehicles.

Fossil Fuel Burning Equipment: Any device, apparatus or appliance which is designed or used to consume fuel of any kind which emits carbon monoxide as a by-product of combustion.

Habitable: shall mean that portion of a cellar, basement or attic that is designed, used and furnished for living purposes.

Listed: A device meeting the requirements of IAS/CAS 6.19 or UL 2034 – Single and Multiple Station Carbon Monoxide Alarms, June 2002 edition or UL 2075 – Gas and Vapor Detector Sensor, November, 2004, as applicable for the installation.

NFPA 720: shall mean National Fire Protection Association (NFPA) 720 entitled “Standard for the Installation of Carbon (CO) warning Equipment in Dwelling Units”, 2005 Edition.

Residential Structures: shall include any dwelling, building or structure classified as use group R-2 through R-5, as defined by 780 CMR and those unclassified occupancies that have the same characteristics as R-2 through R-5.

Single Station Carbon Monoxide Alarm: A detector comprising an assembly that incorporates a sensor, control components, and an alarm notification appliance in one unit operated from a power source either located in the unit or obtained at the point of installation.

State Building Code: 780 CMR, Massachusetts State Building Code.

31.03: General Installation Provisions

1. Any carbon monoxide alarm using an ac (alternating current) primary power source and any other wired carbon monoxide alarm protection equipment shall be installed and maintained in accordance with the Massachusetts Electrical Code, 527 CMR 12 and in accordance with M.G.L. c. 143, s.3L and MGL 141, s. 1A, if applicable.
2. Buildings or structures owned or operated by the Commonwealth or any local housing authority are exempt from the requirements of 527 CMR 31.04 until January 1, 2007.

3. Buildings or structures constructed or substantially renovated for which building permits have been issued on or after March 31, 2006, shall comply with any stricter carbon monoxide alarm requirements of The State Building Code, if applicable.

31.04 Specific Installation Provisions

1. Residential Structures: Effective March 31, 2006 every Residential Structure that presently or in the future contains Fossil Fuel Burning Equipment or has enclosed parking shall be equipped, by the owner, landlord or superintendent, with working and Listed Carbon Monoxide Alarm Protection.

- (a) A Single Station Carbon Monoxide Alarm shall be located in each level of each Dwelling Unit including Habitable portions of basements, cellars and attics, but not including crawl spaces. The installation of said unit shall be in located in accordance with the manufacturer's instructions.
- (b) When mounting a carbon monoxide alarm on a level of a Dwelling Unit with a sleeping area, the alarm shall be installed in the immediate vicinity of the sleeping area, not to exceed 10 ft. as measured in any direction from any bedroom door.
- (c) Alternative Compliance Option: Such Residential Structures, as an alternative to providing Carbon Monoxide Protection within each level of each Dwelling Unit, may provide protection in the following areas of the structure, if applicable.

1. Areas or rooms containing Centralized Fossil Fuel Burning Equipment and all Adjacent Spaces: All areas or rooms containing Centralized Fossil Fuel Burning Equipment shall employ Single Station Carbon Monoxide Alarm Protection meeting UL 2034 and UL 2075 and using either an ac (alternating current) primary power source with battery back up that meets the requirements of NFPA 720, 5.2.2. or a low voltage or wireless system. Such installation shall be in accordance with the manufacturer's instructions. Such protection shall be monitored in accordance with NFPA 720, 5.3.9. In accordance with NFPA 720, 5.3.9.3 (1) the retransmission of the signal shall be at the discretion of the head of the fire department.
2. Adjacent Spaces of Enclosed Parking: All Adjacent Spaces of Enclosed Parking shall employ Single Station Carbon Monoxide Alarm Protection meeting UL 2034 and UL 2075 using either an ac (alternating current) primary power source with

battery back up that meets the requirements of NFPA 720, 5.2.2. or low voltage or wireless system. Such protection shall be monitored in accordance with NFPA 720, 5.3.9. In accordance with NFPA 720, 5.3.9.3 (1) the retransmission of the signal shall be at the discretion of the head of the fire department.

3. Carbon Monoxide Alarm Protection shall also be installed in any Dwelling Unit that contains Fossil Fuel Burning Equipment in accordance with 527 CMR 31.04(1)(a) and (b).
4. The owner shall provide written notification to the head of the fire department of the intent to install Carbon Monoxide Alarm Protection under the alternative compliance option by January 1, 2007. The submission of such notification shall be deemed to be the consent by the owner to an inspection by the head of the fire department to determine compliance on or before January 1, 2007.

2. Other Transient Residential and Institutional Structures Required to have Hard-Wired Carbon Monoxide Alarm Protection by January 1, 2007.

(a) Reserved

31.05: Inspection and Maintenance Requirements

1. The head of the fire department or designee shall enforce the provisions of 527 CMR 31.00, including the inspection for conformance with the carbon monoxide alarm requirements of 780 CMR, The State Building Code, as applicable, upon sale or transfer of such dwelling, building or structure used in whole or in part for residential purposes.
2. The requirements for the installation of a carbon monoxide alarms in accordance with 527 CMR 30, relating to certain Unvented Propane or Natural Gas-Fired Space heaters, are in addition to the requirements of 527 CMR 31, unless the carbon monoxide detector is also located in areas in accordance with 527 CMR 31.04.

31.06 Landlord Installation, Inspection and Maintenance Duties

1. Every owner, superintendent, or landlord shall, at a minimum, maintain, test, repair, or replace, if necessary, every carbon monoxide alarm upon renewal of any lease term for any dwelling unit or on an annual basis, whichever is more frequent. All common areas shall be inspected annually. All carbon monoxide alarm batteries shall be replaced, on an annual basis by the owner, landlord or superintendent.

Exception: Low voltage system batteries shall be maintained in accordance with applicable sections of NFPA 720.

31.07 Carbon Monoxide Alarms Installed in Dwelling Units Inhabited by a Persons Who are Hearing Impaired

Every owner, superintendent, or landlord having control of any dwelling unit inhabited by a person who is hearing impaired, shall comply with any carbon monoxide provisions, if applicable, established by the Architectural Access Board pursuant to 521 CMR.

REGULATORY AUTHORITY
MGL c. 148, §§ 26F^{1/2}, 28



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EDWARD A. FLYNN
SECRETARY

February 2, 2006

Mr. Gary Moccia, Chairman
Board of Building Regulations and Standards
1 Ashburton Place – Room 1301
Boston, MA 02109

Re: Carbon Monoxide Regulations

Dear Mr. Moccia:

On November 4, 2005 Nicole's' bill was signed into law. This law mandates the installation of carbon monoxide detectors in structures, buildings or dwellings that are occupied in whole or part for residential purposes by March 31, 2006, unless carbon monoxide alarms are to be hardwired, then by January 1, 2007. The law, which is a retrofit law, will require carbon monoxide alarms to be installed in accordance with the Board of Fire Prevention Regulations (BFPR). The BFPR is currently developing regulations for this purpose.

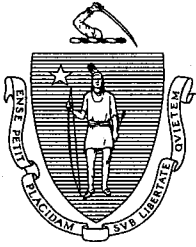
We recommend that the Board of Building Regulations and Standards should develop carbon monoxide regulations governing buildings under new construction and/or substantial renovation. We believe the Board should take action on promulgating regulations within the State Building Code for new construction, as soon as possible; if necessary by emergency amendment, (effective prior to March 31, 2006) to avoid the potential of any statutory gap in the area of residential carbon monoxide alarms.

If you have any concerns or questions feel free to contact me; or my representative to the Board, Timothee Rodrique.

Sincerely,

Stephen D. Coan
State Fire Marshal

CC: Thomas Gatzunis, Commissioner, Department of Public Safety
David Demers, Chairman, Board of Fire Prevention Regulations
Chief Steven P. Edwards, President, FCAM



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CHAIRMAN

February 2, 2006

Mr. Gary Moccia, Chairman
Board of Building Regulations and Standards
1 Ashburton Place – Room 1301
Boston, MA 02109

Re: Carbon Monoxide Regulations

Dear Chairman Moccia:

I am in receipt of the State Fire Marshal's letter to you regarding the need to amend the current state building code; to require carbon monoxide alarms in new or substantially rehabilitated structures.

As you are aware, Chapter 148, § 26F½ "Nicole's Law" was signed into law by Governor Romney on November 4, 2005. The law requires the retrofit installation of carbon monoxide alarms in all residences with fossil fuel burning equipment and/or enclosed parking. Subsection D of § 26F½ expressly provides that "the state building code may impose stricter carbon monoxide alarm requirements for new construction or structures substantially renovated so as to constitute the equivalent of new construction . . ."

To that end, I would strongly encourage the Board of Building Regulations and Standards to add requirements for carbon monoxide alarms in all new or substantially renovated residential buildings on or before March 31, 2006 to avoid any code gap or conflict and for ease of installation during construction. I look forward to working with the Board in coordinating this important initiative.

Very truly yours,

A handwritten signature in cursive script that reads "David Demers".

David Demers

Chairman, Board of Fire Prevention Regulations