

SENATE BILL REPORT

EHB 1096

AS REPORTED BY COMMITTEE ON COMMERCE & LABOR, MARCH 25, 1991

Brief Description: Increasing the fine for failing to install smoke detectors.

SPONSORS: Representatives Winsley, Nelson, Ballard, Wineberry, Mitchell, Franklin, Leonard, Ogden, Riley, Roland, Jones and Sheldon.

HOUSE COMMITTEE ON HOUSING

SENATE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass.

Signed by Senators Matson, Chairman; Anderson, Vice Chairman; Bluechel, McCaslin, Moore, and Murray.

Staff: Forrest Bathurst (786-7429)

Hearing Dates: March 21, 1991; March 25, 1991

BACKGROUND:

Washington State's fire protection laws require landlords install smoke detection devices inside all dwelling units that: (1) are occupied by persons other than the owner on and after December 31, 1981; or (2) were built or manufactured in this state after December 31, 1980. Tenants are responsible for the maintenance of smoke detection devices in their dwellings. Failure of the owner or the tenant to comply with these provisions carries a fine of not more than \$50.

The state residential landlord-tenant act requires landlords comply with city, county or state regulations. This includes the installation of smoke detection devices that operate properly when a tenant moves into the dwelling.

SUMMARY:

The state fire protection law is amended so the replacement of batteries for smoke detection devices are the responsibility of the tenant. The fine for failing to install or maintain a smoke detection device is increased from \$50 to not more than \$200.

The state landlord-tenant law is amended to require landlords provide written notice to tenants that their dwelling is equipped with a smoke detection device. The notice must inform the tenant of: (1) his or her responsibility to maintain the smoke detection device; and (2) the fine for failure to comply with the law. The notice must be signed by

the landlord, or the landlord's authorized agent, and the tenant. Copies shall be provided to both parties.

Tenants are required to maintain a dwelling's smoke detection device in accordance with the manufacturer's recommendations. This shall include the replacement of batteries when required for proper operation of the device.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR:

The law clearly places the responsibility of maintaining smoke detectors on the tenant. This will reduce the likelihood smoke detectors will not be maintained according to the manufacturer's specifications.

TESTIMONY AGAINST: None

TESTIFIED: Arnold Fox, Washington Apartment Association (pro)