

HOUSE BILL REPORT

HB 1824

As Reported by House Committee On:
Local Government

Title: An act relating to promoting fire safety with long-life smoke detection devices.

Brief Description: Promoting fire safety with long-life smoke detection devices.

Sponsors: Representatives Takko, Johnson, Van De Wege, Fitzgibbon, Kochmar, Ryu, Goodman and McBride.

Brief History:

Committee Activity:

Local Government: 2/11/15, 2/18/15 [DPA].

Brief Summary of Amended Bill
(As Amended by Committee)

- Requires all battery-powered smoke alarms, including combination smoke alarms, sold for installation in residential buildings to contain a nonreplaceable, nonremovable battery capable of powering the alarm for a minimum of 10 years, beginning July 1, 2017.
- Requires all smoke alarms or combination smoke alarms offered for retail sale to display a manufacture date, provide space for writing a date of installation, and incorporate a hush feature, beginning July 1, 2017.
- Exempts certain smoke alarms from the new requirements.
- Authorizes jurisdictions to impose a civil penalty for violation of the new requirements after July 1, 2017.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass as amended. Signed by 5 members: Representatives Takko, Chair; Gregerson, Vice Chair; Fitzgibbon, McBride and Peterson.

Minority Report: Do not pass. Signed by 4 members: Representatives Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; McCaslin and Pike.

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.

Staff: Michaela Murdock (786-7289).

Background:

Director of Fire Protection.

The Chief of the Washington State Patrol (Chief) may exercise the police powers and duties vested in sheriffs and peace officers generally, as well as other powers and duties prescribed by law. The Chief is responsible for appointing an officer known as the Director of Fire Protection (Director), also known as the State Fire Marshal. The Director must implement and administer all duties of the Chief that are to be carried out through the Director, as well as all duties of the Director.

The Chief, through the Director, is responsible for promulgating rules and regulations for the design, manufacture, and installation of smoke detection devices (smoke alarms) in dwelling units. The Chief, through the Director is also authorized to enter premises and buildings for the purpose of inspecting and determining whether a fire hazard exists, and requiring conformance with minimum standards for fire prevention.

The State Building Code Council.

The State Building Code Council (Council) consists of 15 members appointed by the Governor, including representatives of local governments and the building construction profession, and five *ex officio* legislative members. Duties of the Council include adopting, amending, and maintaining model codes, including building, residential, and fire codes, that comprise the State Building Code (SBC). The SBC provides statewide minimum performance standards and requirements for construction and construction materials. The Council also develops and adopts any other code or rule related to buildings as required by the Legislature.

Smoke Detection Devices and Other Fire Protection Systems.

Smoke alarms are single units comprised of a device that detects visible or invisible particles of combustion, control equipment, and an alarm, and are operated by internal or external power supplies. Combination smoke alarms detect both visible and invisible particles created by combustion. State law requires smoke alarms to be installed inside all dwelling units occupied by persons other than the owner, or built or manufactured in this state after 1980.

Smoke alarms must be designed, manufactured, and installed inside dwelling units in accordance with nationally accepted standards, as well as rules and regulations promulgated by the Chief, through the Director. Additional requirements and standards for smoke alarms and other fire protection systems are contained in the SBC as adopted and maintained by the Council.

Rules promulgated by the Chief, through the Director, require at least one smoke alarm to be installed in a dwelling unit to protect the sleeping area. For dwelling units with more than one sleeping area, additional smoke alarms must be installed to protect each sleeping area.

Summary of Amended Bill:

New statutory requirements for smoke alarms are adopted in the State Building Code Act. Starting July 1, 2017, all battery-powered smoke alarms, including combination smoke alarms, sold for installation in residential buildings must contain a nonreplaceable, nonremovable battery capable of powering the alarm for a minimum of 10 years.

In addition, beginning July 1, 2017, all smoke alarms offered for retail sale must:

- display the date of manufacture;
- provide a space for writing the date of installation; and
- incorporate a hush feature.

The new requirements do not apply to smoke alarms that: (a) are intended to be used with a fire alarm or household fire alarm control unit; (b) emit a supervision and battery depletion signal; (c) use low-power radio frequency wireless communication signals for interconnection; (d) use a low-frequency audible alarm that enhances waking effectiveness for the hearing impaired; or (e) was in stock and physically in a retail location before the effective date of the legislation. For smoke alarms in stock that do not comply with the new requirements, retail locations may sell the product until it is sold out, or until July 1, 2017.

After July 1, 2017, jurisdictions may impose a civil penalty for violation of these requirements.

Amended Bill Compared to Original Bill:

The amended bill specifies that the new requirements proposed in the underlying bill apply to smoke alarms that are offered for retail sale, rather than all smoke alarms in the state. Smoke alarms that are solely battery powered and offered for retail sale for the purpose of installation in residential buildings, and all smoke alarms and combination smoke alarms offered for retail sale, must meet applicable requirements under the bill.

Appropriation: None.

Fiscal Note: Not requested.

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

Staff Summary of Public Testimony:

(In support) This bill is based on House Bill 2401 from last session. Based on stakeholder input, the bill has been streamlined to address only the point of sale for smoke alarms.

Most people who die during a fire in their home do so from smoke inhalation long before flames ever reach them. Two-thirds of deaths occur in homes that lack working smoke alarms. Smoke alarms that function properly save lives. Unfortunately, with the batteries

that are currently used, homes often do not have a working smoke alarm. By having a 10-year battery requirement, many more homes will have working fire alarms.

In addition to a nonremovable, 10-year battery, this bill requires smoke alarms sold in stores to have a hush feature, which silences the alarm and starts a 15-minute reset cycle to prevent people from trying to disable the alarm. Space to write the dates of manufacture and installation must also be provided. These alarms are a little more expensive, but the added cost will be recovered over the life of the smoke alarm by not having to replace batteries every year. The bill also covers some alternative types of fire alarms, such as ones that use wireless communication.

There is a proposed amendment to the bill, which will move a comma and clarify some language in the bill.

(Opposed) None.

Persons Testifying: Representative Takko, prime sponsor; and Robert Bradley, Washington State Association of Fire Marshals.

Persons Signed In To Testify But Not Testifying: None.