



**HOME BUILDERS & REMODELERS ASSOCIATION
OF CONNECTICUT, INC.**

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*Your Home
Is Our
Business*

March 1, 2016

To: Senator Timothy D. Larson, Co-Chairman
Representative Stephen D. Dargan, Co-Chairman
Members of the Public Safety & Security Committee

From: Bill Ethier, CAE, Chief Executive Officer

Re: **SB 124, An Act Requiring Smoke Detectors in Residential Buildings**

The HBRA of Connecticut is a professional trade association with about eight hundred (800) member firms statewide employing tens of thousands of CT's citizens. Our members, all small businesses, are residential and commercial builders, land developers, remodelers, general contractors, subcontractors, suppliers and those businesses and professionals that provide services to our diverse industry and to consumers. We build between 70% to 80% of all new homes and apartments in the state each year and engage in countless home remodeling projects.

The HBRA of CT opposes SB 124 as written and offers a substitute that we believe better meets the intent of the proponent.

SB 124, as written, would remove the current exemption for 1&2 family homes from the entire Fire Safety Code, potentially subjecting all 1&2 family homes to additional requirements and duplicative if not conflicting construction requirements with the International Residential Code, as amended by CT, by which all 1&2 family homes are built. However, we do agree with the intent of the bill that all residential structures, including existing 1&2 family homes, should have smoke detectors.

The substitute for SB 124 attached that we offer makes sure that the bill requires only that all residential buildings are required to have smoke detection equipment, but avoids the confusion and possibly duplicative and conflicting requirements that might be created with the underlying language of the bill.

If the intent is to only require smoke detection in all residential buildings, our substitute does just that but only that. **Additional policy decisions you must make, however, involve how such a requirement would be enforced on existing home owners.** This is a dilemma for both the underlying bill and our substitute and on which, unfortunately, we do not have a solution.

Therefore, **please do not adopt the underlying language of SB 124 and consider as a strike-all substitute the language we offer attached.**

Thank you for the opportunity to comment on this legislation.

Substitute for SB 124 offered by the Home Builders & Remodelers Association of Connecticut. Replace SB 124 in its entirety with the following (i.e., insert a new paragraph (2) in subsection (a) and renumber the remaining paragraphs accordingly).:

1 “Section 1. Section 29-292 of the general statutes is repealed and the following is
2 substituted in lieu thereof (*Effective October 1, 2016*)

3 (a)(1) The State Fire Marshal and the Codes and Standards Committee shall adopt and
4 administer a Fire Safety Code and at any time may amend the same. The code shall be
5 based on a nationally recognized model fire code and shall be revised not later than
6 January 1, 2005, and thereafter as deemed necessary to incorporate advances in
7 technologies and improvements in construction materials and any subsequent
8 revisions to the code not later than eighteen months following the date of first
9 publication of such revisions to the code, unless the State Fire Marshal and the
10 committee certify that a revision is not necessary for such purpose. The regulations in
11 said code shall provide for reasonable safety from fire, smoke and panic therefrom, in
12 all buildings and areas adjacent thereto except in private dwellings occupied by one or
13 two families and upon all premises, and shall include provision for (A) carbon monoxide
14 detection and warning equipment in (i) new residential buildings not exempt under
15 regulations adopted pursuant to this subsection and designed to be occupied by one or
16 two families for which a building permit for new occupancy is issued on or after
17 October 1, 2005, and (ii) all public or nonpublic school buildings, and (B) smoke
18 detection and warning equipment in (i) residential buildings designed to be occupied by
19 two or more families, (ii) new residential buildings designed to be occupied by one
20 family for which a building permit for new occupancy is issued on or after October 1,
21 1978, requiring equipment complying with the Fire Safety Code, and (iii) new
22 residential buildings designed to be occupied by one or more families for which a
23 building permit for new occupancy is issued on or after October 1, 1985, requiring
24 equipment capable of operation using alternating current and batteries.

25 **(2) Notwithstanding any other provision of the general statutes to the contrary,**
26 **said regulations shall provide that on or after January 1, 2017, smoke detection and**
27 **warning equipment shall be installed in all residential buildings. Any residential**
28 **building designed to be occupied by one or more families for which a permit for**
29 **occupancy was issued prior to October 1, 1985, (I) shall be of a type or technology**
30 **that is readily available for retail sale, (II) shall be tested and certified pursuant to**
31 **standards issued by the American National Standards Institute or Underwriters**
32 **Laboratories, (III) may be powered solely by battery, and (IV) shall be installed by the**
33 **owner of the residential building on each level of the building used for human**
34 **occupancy and the basement level, if any, as follows: Such equipment shall be**
35 **installed outside each separate sleeping area in the immediate vicinity of such area**
36 **and on the ceiling of each stairway between levels.**

37 [(2)](3) Said regulations shall provide the requirements for markings and
38 literature which shall accompany such equipment sufficient to inform the occupants
39 and owners of such buildings of the purpose, protective limitations and correct
40 installation, operating, testing, maintenance and replacement procedures and servicing
41 instructions for such equipment and shall require that smoke detection and warning
42 equipment which is installed in such residential buildings shall be capable of sensing
43 visible or invisible smoke particles, that the manner and location of installing smoke
44 detectors shall be approved by the local fire marshal or building official, that such
45 installation shall not exceed the standards under which such equipment was tested and
46 approved and that such equipment, when activated, shall provide an alarm suitable to
47 warn the occupants, provided each hotel, motel or inn shall install or furnish such
48 equipment which, when activated, shall provide a visible alarm suitable to warn
49 occupants, in at least one per cent of the units or rooms in such establishment having
50 one hundred or more units or rooms and in establishments having less than one
51 hundred units or rooms, it shall install or furnish at least one such alarm.

52 [(3)](4) Said regulations shall (A) provide the requirements and specifications for
53 the installation and use of carbon monoxide detection and warning equipment and
54 shall include, but not be limited to, the location, power requirements and standards for
55 such equipment and exemptions for buildings that do not pose a risk of carbon
56 monoxide poisoning due to sole dependence on systems that do not emit carbon
57 monoxide; (B) provide the requirements for testing and inspecting carbon monoxide
58 detection and warning equipment installed in public or nonpublic school buildings and
59 shall include, but not be limited to, the frequency with which such equipment shall be
60 tested and inspected; (C) require that, for a public or nonpublic school building, (i) any
61 carbon monoxide detection equipment installed in any such building meet or exceed
62 Underwriters Laboratories Standard Number 2075, or (ii) any carbon monoxide
63 warning equipment installed in any such building meet or exceed Underwriters
64 Laboratories Standard Number 2034; (D) require the installation and maintenance of
65 such detection or warning equipment to comply with the manufacturer's instructions
66 and with the standards set forth by the National Fire Protection Association; and (E)
67 prohibit, for public and nonpublic school buildings for which a building permit for new
68 occupancy is issued on or after January 1, 2012, the installation of any battery-
69 operated carbon monoxide warning equipment or any plug-in carbon monoxide
70 warning equipment that has a battery as its back-up power source.

71 (b) (1) No certificate of occupancy shall be issued for any residential building
72 designed to be occupied by two or more families, or any new residential building
73 designed to be occupied by one or more families for which a building permit for new
74 occupancy is issued on or after October 1, 1978, unless the local fire marshal or
75 building official has certified that such building is equipped with smoke detection and
76 warning equipment complying with the Fire Safety Code.

77 (2) No certificate of occupancy shall be issued for any (A) new residential building
78 not exempt under regulations adopted pursuant to subsection (a) of this section and
79 designed to be occupied by one or two families for which a building permit for new

80 occupancy is issued on or after October 1, 2005, or (B) public or nonpublic school
81 building for which a building permit for new occupancy is issued on or after January 1,
82 2012, unless the local fire marshal or building official has certified that such residential
83 or school building is equipped with carbon monoxide detection and warning equipment
84 complying with the Fire Safety Code.

85 (c) (1) No municipality, local or regional board of education, or supervisory agent
86 of a nonpublic school, and (2) no employee, officer or agent of such municipality, board
87 of education or supervisory agent acting without malice, in good faith and within the
88 scope of his or her employment or official duties shall be liable for any damage to any
89 person or property resulting from the failure to detect carbon monoxide within a public
90 school building, provided carbon monoxide detection equipment is installed and
91 maintained in accordance with the manufacturer's published instructions and with the
92 regulations established pursuant to this section."