

Regular Session, 2014

HOUSE BILL NO. 1267 (Substitute for House Bill No. 570 by Representative Stokes)

BY REPRESENTATIVES STOKES AND ADAMS

PUBLIC SFTY/DEPARTMENT: Authorizes the fire marshal to require carbon monoxide alarm systems in certain hotels where a potential carbon monoxide poisoning threat exists

1 AN ACT

2 To enact R.S. 40:1563(M) and 1574(M), relative to carbon monoxide alarms in certain
3 hotels; to authorize the fire marshal to require carbon monoxide alarms in certain
4 hotels; to provide for definitions; to require the disclosure of a carbon monoxide
5 source in plans submitted to the fire marshal by certain hotel owners, lessees, or
6 agents; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:1563(M) and 1574(M) are hereby enacted to read as follows:

9 §1563. Powers and duties generally; use of deputies; responsibilities of local
10 governing authorities with fire prevention bureaus; open structures and
11 process structures; fees

12 * * *

13 M.(1) The fire marshal, or his designee, shall have the authority to require
14 the owner or lessee of a structure that was in existence as of August 1, 2014, and is
15 utilized as a hotel to install a carbon monoxide alarm system when he determines,
16 as a result of a plan review, investigation, or inspection, that a carbon monoxide
17 source within or attached to the building or structure poses a threat of carbon
18 monoxide poisoning. The source of carbon monoxide may include but not be limited
19 to an attached enclosed garage or fossil-fuel burning appliance or appliances.

1 (2) For purposes of this Subsection, the following terms mean:

2 (a) "Attached enclosed garage" means a structure or portion of a structure
3 without openings or openings on only one side that is used for the parking or storage
4 of private motor vehicles.

5 (b) "Hotel" means a building or structure that was in existence as of August
6 1, 2014, which is utilized as a residential occupancy containing sleeping units where
7 the occupants are primarily transient in nature, including boarding houses, hotels,
8 and motels.

9 * * *

10 §1574. Construction or repair of structures

11 * * *

M. An owner or lessee of a hotel, as defined by R.S. 40:1563(M), or the agent of such owner or lessee, shall declare the presence of a carbon monoxide source or the attachment of a parking garage to the hotel at the time building plans and specifications for the hotel are submitted to the fire marshal for review.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Stokes

HB No. 1267

Abstract: Authorizes the fire marshal, under certain circumstances, to require that carbon monoxide alarm systems be installed in buildings in existence as of August 1, 2014, that are being utilized as hotels, and that contain a carbon monoxide source that poses a threat of carbon monoxide poisoning.

Present law provides that the fire marshal shall take all steps necessary and proper to protect life and property from hazards of panic which may arise from fire or from the threat of fire or explosion.

Proposed law provides that the fire marshal, or his designee, shall have the authority to require the owner or lessee of a structure that was in existence as of August 1, 2014, and is utilized as a hotel to install a carbon monoxide alarm system when he determines, as a result of a plan review, investigation, or inspection, that a carbon monoxide source within or attached to the building or structure poses a threat of carbon monoxide poisoning. The source of carbon monoxide may include, but not be limited to, an attached enclosed garage or fossil-fuel burning appliance or appliances.

Proposed law defines "attached enclosed garage" and "hotel".

Proposed law requires that an owner or lessee of a hotel, as defined in proposed law, or his agent shall declare the presence of a carbon monoxide source or the attachment of a parking garage to the hotel at the time building plans and specifications for the hotel are submitted to the fire marshal for review.

(Adds R.S. 40:1563(M) and 1574(M))