

ASSEMBLY BILL

No. 645

Introduced by Assembly Member Torres

February 21, 2013

An act to amend Section 13114 of the Health and Safety Code, relating to dwelling safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 645, as introduced, Torres. Dwelling safety: smoke detectors.

Existing law prohibits a person from marketing, distributing, offering for sale, or selling a fire alarm system or fire alarm device in this state unless the system or device has been approved and listed by the State Fire Marshal. Existing law, commencing January 1, 2014, requires a smoke alarm to have certain features, including a feature that provides notice that the device needs to be replaced, in order to be approved and listed by the State Fire Marshal.

This bill would delete this requirement and would extend to January 1, 2015, the date by which smoke detectors need to have certain features to be approved and listed.

Existing law authorizes the State Fire Marshal to suspend enforcement of these requirements for not to exceed 6 months if certain conditions exist.

This bill would delete this authorization.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13114 of the Health and Safety Code is
2 amended to read:

3 13114. (a) The State Fire Marshal, with the advice of the State
4 Board of Fire Services, shall adopt regulations and standards as
5 ~~he or she~~ *the marshal* may determine to be necessary to control
6 the quality and installation of fire alarm systems and fire alarm
7 devices marketed, distributed, offered for sale, or sold in this state.

8 (b) (1) ~~No~~A person shall *not* market, distribute, offer for sale,
9 or sell any fire alarm system or fire alarm device in this state unless
10 the system or device has been approved and listed by the State
11 Fire Marshal.

12 (2) (A) Commencing January 1, ~~2014~~ 2015, in order to be
13 approved and listed by the State Fire Marshal, a smoke alarm shall
14 display the date of manufacture on the device, provide a place on
15 the device where the date of installation can be written, incorporate
16 a hush feature, ~~incorporate an end-of-life feature that provides~~
17 ~~notice that the device needs to be replaced,~~ and, if battery operated,
18 contain a nonreplaceable, nonremovable battery that is capable of
19 powering the smoke alarm for a minimum of 10 years.

20 (B) The State Fire Marshal shall have the authority to create
21 exceptions to this paragraph through its regulatory process. The
22 exceptions that may be considered as part of the regulatory process
23 shall include, but are not limited to, fire alarm systems with smoke
24 detectors, fire alarm devices that connect to a panel, or other
25 devices that use a low-power radio frequency wireless
26 communication signal.

27 (3) The State Fire Marshal shall approve the manufacturer's
28 instructions for each smoke alarm and shall ensure that the
29 instructions are consistent with current building standard
30 requirements for the location and placement of smoke alarms.

31 ~~(4) If the State Fire Marshal determines that a sufficient amount~~
32 ~~of tested and approved smoke alarms are not available to property~~
33 ~~owners to meet the requirements of this article as of January 1,~~
34 ~~2014, the State Fire Marshal may suspend enforcement of the~~
35 ~~requirements described in paragraph (2) for a period not to exceed~~
36 ~~six months. If the State Fire Marshal elects to suspend enforcement~~
37 ~~of these requirements, the department shall notify the Secretary~~

- 1 ~~of State of its decision and shall post a public notice that describes~~
- 2 ~~its finding and decision on its Internet Web site.~~

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