

AMENDED IN ASSEMBLY JUNE 1, 2015

AMENDED IN ASSEMBLY APRIL 14, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1411**

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**Introduced by Assembly Member Eduardo Garcia**

February 27, 2015

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An act to add *and repeal* Section 13113.95 ~~to~~ of the Health and Safety Code, relating to fire protection.

LEGISLATIVE COUNSEL'S DIGEST

AB 1411, as amended, Eduardo Garcia. Fire protection: type 1 clothes dryers.

Existing law establishes the Office of the State Fire Marshal in the Department of Forestry and Fire Protection and requires the office to foster, promote, and develop ways and means of protecting life and property against fire and panic. Existing law requires the State Fire Marshal to adopt regulations and standards necessary to control the quality and installation of fire alarm systems and devices marketed, distributed, offered for sale, or sold in this state. ~~Existing law prohibits a person from marketing, distributing, offering for sale, or selling any fire alarm system or device in this state unless the system or device has been approved or listed by the State Fire Marshal. Existing law makes a violation of the above provision, and others relating to fire protection, a crime.~~

This bill would require, on or before ~~July 1, 2017~~ *December 31, 2016*, the State Fire Marshal, with the advice of the State Board of Fire Services, to adopt regulations and standards requiring a visual and audible warning device on a type 1 clothes dryer, as defined, that

indicates a hazardous lint buildup. The bill would prohibit, after January 1, 2018, a type 1 clothes dryer from being marketed, distributed, offered for sale, or sold in this state by a retailer unless the dryer incorporates a visual and audible warning device that indicates a hazardous lint buildup. ~~By creating a new crime, the bill would impose a state-mandated local program. Marshal to work with fire service entities, the appliance industry, disability advocates, and related stakeholders to accomplish certain things, including gathering information, and providing fundings and recommendations to the Legislature, regarding fires related to type 1 clothes dryers, as defined, and the dangers of excessive lint.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

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

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

- 1     SECTION 1. *The Legislature finds and declares all of the*
- 2     *following:*
- 3     (a) *Fire safety experts identify excess dryer lint as one of the*
- 4     *leading causes of residential fires in California each year.*
- 5     (b) *A 2011 report released by the United States Consumer*
- 6     *Product Safety Commission identified fires originating in dryers*
- 7     *as nearly 5 percent of all residential fires occurring annually in*
- 8     *the country. Experts widely agree that this number is grossly*
- 9     *underestimated, however, because nearly one-half of all fires that*
- 10    *originate in dryers are identified as “electrical fires” rather than*
- 11    *being reported as fires that began in dryers. It is more likely that*
- 12    *10 percent of all national home fires begin in washers and dryers.*
- 13    (c) *The National Fire Prevention Association (NFPA) reported*
- 14    *that in 2006-2010, there were 16,950 home structure fires per year*
- 15    *reported to fire departments throughout the country where clothes*
- 16    *dryers or washing machines were the equipment involved in*
- 17    *ignition, with associated annual losses of 34 civilian deaths, 430*
- 18    *civilian injuries, and \$209 million in direct property damage.*
- 19    *Dryers alone accounted for 92 percent of these fires and 87 percent*

1 of the reported deaths. The leading factor contributing to ignition  
2 was failure to clean out the lint buildup.

3 (d) Statistics are not available about the number of home fires  
4 in California, specifically, so it is not possible to calculate what  
5 percentage of California home fires are caused by lint buildup in  
6 dryers. If we consider that 12 percent of the nation's population  
7 are Californians, however, we can imagine the magnitude of  
8 California home fires that likely are caused by lint buildup in  
9 clothes dryers. These fires are entirely preventable.

10 (e) Lint is a fire hazard. The UL standard, UL2158, specifies  
11 in Section 7.1.2. relating to appliance marking, that an appliance  
12 shall be permanently marked as follows:

13 (1) At or near the exhaust opening of the appliance with the  
14 word "CAUTION" and the following statement or the equivalent:  
15

16 "Risk of Fire. A clothes dryer produces combustible lint. The  
17 dryer must be connected to an exhaust to the outdoors. See  
18 Installation Instructions."

19

20 (2) On a surface readily visible to the user after installation of  
21 the appliance with the word "CAUTION" and the following  
22 statement or the equivalent:  
23

24

"Risk of Fire. A clothes dryer produces combustible lint."

25

26 (f) Lint is a highly combustible material. When it accumulates  
27 in excess in a dryer's filter, heat from the dryer can cause it to  
28 ignite, starting a fire that quickly spreads throughout the house.  
29 Keeping the machine clean, and having it regularly serviced, can  
30 help prevent a dryer fire, but it is hard to tell when a dangerous  
31 amount of lint has built up.

32 (g) Technology exists today that monitors the buildup of highly  
33 combustible lint inside the dryer, and alerts consumers when  
34 accumulation reaches dangerous levels and the dryer interior  
35 requires servicing. Unfortunately, no regulations or standards  
36 currently exist regarding clothes dryers and the notification of the  
37 user when dangerous and excessive lint has built up in a clothes  
38 dryer.

39 (h) Once standards for excessive lint notification systems in  
40 clothes dryers are established by the entities that establish the

1 standards, it is the intent of Legislature to seek legislation to adopt  
2 the standard and make it a requirement that all dryers sold in  
3 California conform to those standards.

4 SEC. 2. Section 13113.95 is added to the Health and Safety  
5 Code, to read:

6 13113.95. (a) On or before December 31, 2016, the State Fire  
7 Marshal shall work with fire service entities, the appliance  
8 industry, disability advocates, and related stakeholders to  
9 accomplish all of the following:

10 (1) Gather information regarding type 1 clothes dryer-related  
11 fires and the dangers of excessive lint.

12 (2) Provide findings and recommendations to the Legislature,  
13 pursuant to Section 9795 of the Government Code, regarding the  
14 information gathered pursuant to paragraph (1).

15 (3) Encourage all appropriate clothes dryer fire prevention  
16 standard setting entities to establish a standard regarding the  
17 detection of excessive lint and notification of the excessive lint to  
18 the consumer.

19 (b) For purposes of this section, “type 1 clothes dryer” means  
20 an appliance used in a residential living environment, including  
21 one that is coin-operated for public use in a residential living  
22 environment. “Type 1 clothes dryer” does not include dryers used  
23 for commercial purposes.

24 (c) This repeal section shall remain in effect only until January  
25 1, 2017, and as of that date is repealed, unless a later enacted  
26 statute, that is enacted before January 1, 2017, deletes or extends  
27 that date.

28 SECTION 1. ~~Section 13113.95 is added to the Health and~~  
29 ~~Safety Code, to read:~~

30 ~~13113.95. (a) On or before July 1, 2017, the State Fire Marshal,~~  
31 ~~with the advice of the State Board of Fire Services, shall adopt~~  
32 ~~regulations and standards requiring a visual and audible warning~~  
33 ~~device on a type 1 clothes dryer that indicates a hazardous lint~~  
34 ~~buildup.~~

35 ~~(b) After January 1, 2018, a type 1 clothes dryer shall not be~~  
36 ~~marketed, distributed, offered for sale, or sold in this state by a~~  
37 ~~retailer unless the dryer incorporates a visual and audible warning~~  
38 ~~device that indicates a hazardous lint buildup pursuant to~~  
39 ~~regulations adopted pursuant to subdivision (a).~~

1     ~~(e) For purposes of this section, “type 1 clothes dryer” means~~  
2 ~~an appliance used in a residential living environment, including~~  
3 ~~one that is coin-operated for public use in a residential living~~  
4 ~~environment. “Type 1 clothes dryer” does not include dryers used~~  
5 ~~for commercial purposes.~~

6     ~~SEC. 2. No reimbursement is required by this act pursuant to~~  
7 ~~Section 6 of Article XIII B of the California Constitution because~~  
8 ~~the only costs that may be incurred by a local agency or school~~  
9 ~~district will be incurred because this act creates a new crime or~~  
10 ~~infraction, eliminates a crime or infraction, or changes the penalty~~  
11 ~~for a crime or infraction, within the meaning of Section 17556 of~~  
12 ~~the Government Code, or changes the definition of a crime within~~  
13 ~~the meaning of Section 6 of Article XIII B of the California~~  
14 ~~Constitution.~~