

CHAMBER OF COMMERCE MEMBER ALERT

AS OF MAY 10, 2018

JUST IN FROM THE CHAMBER LEGISLATIVE REPRESENTATIVE LINCOLN WILLIS, LEGISLATIVE UPDATE:

STATUS UPDATE: SS 1 for SS 91 ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CARBON MONOXIDE DETECTION DEVICES.

Agreement to release from committee with pending amendments today. Carbon monoxide detectors. Argument was that amended language does not protect rental properties, hotels, etc. Language on bill based upon smoke alarm language from 30 years ago. Lots of technological change in that time frame that may not meet 21st century realities. Advised that amendments have already addressed this issue but not yet confirmed.

THIS MAY BE MOST IMPORTANT BILL of this session for our lodging/rental members.

Three week break to work language through for amendments.

Lodging, rentals, etc may be adversely affected if bill language is from so long ago. Our Legislative Representative, Lincoln Willis has told bill supporters that we need to be included in the discussion.

SB91 SYNOPSIS: ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CARBON MONOXIDE DETECTION DEVICES.

This Act creates a requirement that lodging establishments with an appliance that emits carbon monoxide or an attached garage have working carbon monoxide detection devices in each dwelling or sleeping unit.

This Substitute Bill differs from Senate Bill No. 91 as follows:

1. It clarifies that the requirements of this chapter do not apply to a private residence that is occupied by the owner if no dwelling or sleeping units are available for pay.
2. It clarifies the definition of owner so that it includes artificial entities that own or actively manage a lodging establishment but does not include an equitable interest in an artificial entity that is an owner.
3. It changes the requirements for carbon monoxide detection device installation so that the requirements are essentially the same as the requirements for smoke detectors in Chapter 66 of Title 16.

4. It incorporates the changes in Senate Amendment No. 1 to Senate Bill No. 91, including the effective dates for compliance.
5. It provides the State Fire Marshal authority promulgate rules and regulations necessary to implement the provisions of this chapter.
6. It makes this Act effective on January 1, 2019.
7. It makes technical corrections to conform to the standards of the Delaware Legislative Drafting Manual.

If you have questions, please give Carol a call on the member hotline at 302-227-6446 or on her cell phone at 302-542-7547.