

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

**Legislative Document**

**No. 343**

H. P. 311

House of Representatives, January 21, 1981

Submitted by the Department of Business Regulation pursuant to Joint Rule 24.

Referred to the Committee on Business Legislation. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Kane of South Portland.

Cosponsors: Senator Dutremble of York, Representative H. Higgins of Portland and Representative Dexter of Kingfield.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

**AN ACT to Require Installation Manuals for Solid Fuel Burning Equipment other than that Used for Central Heating.**

Be it enacted by the People of the State of Maine, as follows:

10 MRSA c. 212 is enacted to read:

**CHAPTER 212**

**INSTALLATION; MANUAL FOR SOLID FUEL BURNING EQUIPMENT**

**§ 1391. Manuals required**

No factory-built fireplace, fireplace stove or solid fuel burning room heater may be sold in retail trade unless the seller provides the buyer, on or before the sale, with an instruction manual and an authorized publication of the Office of State Fire Marshal and the Office of Energy Resources containing recommended clearances the same as those prescribed in the then current edition of National Fire Protection Association 89M "Manual on Clearances for Heat-producing Appliances."

**§ 1392. Civil forfeiture**

**Any person who fails to provide the purchaser with an instruction manual and authorized publication of the Office of State Fire Marshal and the State Office of Energy Resources, as described in section 1391, commits a civil violation for which a forfeiture of not less than \$200 nor more than \$500 for the first offense and not less than \$500 nor more than \$800 for each subsequent offense shall be adjudged. In addition to the civil penalty provided in this section, any violation of this chapter constitutes a violation of Title 5, chapter 10.**

#### STATEMENT OF FACT

The principal problem arising from the use of radiant-heating woodstoves has been their improper installation. This bill would require that purchasers be informed of the proper manner of installation of each stove. In the event that the manufacturer did not provide the instructions, a publication of the Office of State Fire Marshal and State Office of Energy Resources, which is also in print, could be substituted.