

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 874

S.P. 266

In Senate, February 6, 1997

An Act to Clarify the Public Safety Laws Concerning Visual Smoke Detectors.

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator TREAT of Kennebec.
Cosponsored by Representative KERR of Old Orchard Beach and
Senators: CATHCART of Penobscot, CLEVELAND of Androscoggin, HARRIMAN of
Cumberland, Representatives: BRENNAN of Portland, HATCH of Skowhegan, TOWNSEND
of Portland.

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

4 **Sec. 1. 25 MRSA §2464, sub-§1**, as enacted by PL 1981, c. 399,
§1, is amended to read:

6 **1. Definition.** "Smoke detector" means any device which
8 that, when activated by the presence of smoke, provides an
audible alarm suitable to warn the occupants within the
10 individual dwelling unit in which it is attached, ~~which~~ and that
has been approved for use in this State by the State Fire Marshal.

12 **Sec. 2. 25 MRSA §2464, sub-§8** is enacted to read:

14 **8. Smoke alarms for persons with disabilities.** Upon the
request of a deaf or hard-of-hearing occupant, the owner of the
16 dwelling unit shall provide a smoke alarm suitable to warn the
occupant within the dwelling unit. If the owner does not provide
18 a suitable smoke alarm, the occupant may purchase, install and
maintain a suitable smoke detector, or arrange for proper
20 installation and maintenance of a suitable smoke detector, and
may deduct the reasonable costs from the rent for the dwelling
22 unit. An occupant or tenant may not be charged, evicted or
penalized in any way for failure to pay the reasonable cost
24 deducted from the rent for the dwelling unit.

26 **SUMMARY**

28 This bill amends the law governing the installation of smoke
30 detectors in dwelling units to ensure that the smoke detector
relied upon by the occupant is appropriate to warn the occupant.
32 If an occupant is deaf or hard-of-hearing, an audible smoke
detector provides no protection.

34 If an occupant of a dwelling unit is deaf or
36 hard-of-hearing, the occupant may request that the owner of the
unit provide a smoke detector that is suitable to warn the
38 occupant. A visual smoke alarm may be appropriate, or a tactile
or other type may be necessary if the occupant is also blind.

40 If the owner does not provide a smoke detector that is
42 suitable to warn the occupant of the dwelling unit, the occupant
may do so, and deduct the reasonable costs from the rent. The
44 occupant may not be subjected to any repercussions for not paying
that portion of the rent.