

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 1997

H.P. 1494

House of Representatives, December 26, 2001

An Act Regarding Fire Safety Laws for Residential Care Facilities.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 19, 2001. Referred to the Committee on Criminal Justice pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative FULLER of Manchester.
Cosponsored by Senator LONGLEY of Waldo and
Representatives: DAIGLE of Arundel, DUDLEY of Portland, JACOBS of Turner,
LAVERRIERE-BOUCHER of Biddeford, MAYO of Bath, NUTTING of Oakland,
TWOMEY of Biddeford, WESTON of Montville.

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

2
4 **Sec. 1. 22 MRSA §7904-A, sub-§1**, as amended by PL 1997, c.
728, §9, is further amended to read:

6 **1. Inspection required.** A license may not be issued by the
7 department to a residential care facility until the department
8 has received from the Commissioner of Public Safety a written
9 statement signed by one of the officials designated under Title
10 25, section 2360, 2391 or 2392, to make fire safety inspections.
11 This statement, ~~which~~ must indicate that the residential care
12 facility has complied with applicable fire safety provisions
13 referred to in Title 25, section 2452, ~~must be furnished annually~~
14 ~~to the department.~~

16 **Sec. 2. 22 MRSA §7904-A, sub-§§3, 4 and 5**, as amended by PL
1997, c. 728, §9, are repealed.

18 **Sec. 3. 22 MRSA §7904-A, sub-§§8, 9, 10 and 11** are enacted to
20 read:

22 **8. Requirements for residential care facilities.**
23 Residential care facilities must comply with the following
24 provisions of the National Fire Protection Association Life
25 Safety Code adopted by the Department of Public Safety, Office of
26 the State Fire Marshal.

28 A. A residential care facility that has one to 3 beds must
29 comply with the one-family and 2-family dwelling chapter of
30 the Life Safety Code.

32 B. A residential care facility with 4 to 16 beds must
33 comply with the sections of the Life Safety Code that apply
34 to small facilities and with the new residential board and
35 care occupancy chapter if that facility is a new facility or
36 with the existing residential board and care occupancy
37 chapter if that facility is an existing facility.

38 C. A residential care facility with more than 16 beds must
39 comply with the sections of the Life Safety Code that apply
40 to large facilities and with the new residential board and
41 care occupancy chapter if that facility is a new facility or
42 with the existing residential board and care occupancy
43 chapter if that facility is an existing facility.

46 **9. Fire safety inspection and certificate of compliance**
47 required for licensure. A fire safety inspection must be
48 performed and a certificate of compliance must be provided to the
49 department before a license to a residential care facility is
50 issued. Inspections must be scheduled to coincide with the term
51 of the license.

