

1 A bill to be entitled

2 An act relating to carbon monoxide detectors; amending s.
3 509.211, F.S.; requiring that certain public lodging
4 establishments be equipped with carbon monoxide sensor
5 devices; specifying approved types of devices; providing
6 requirements for the installation of such devices;
7 creating s. 553.885, F.S.; requiring that certain
8 buildings constructed on or after a specified date be
9 equipped with carbon monoxide alarms; providing
10 requirements for the installation of such devices;
11 requiring the Florida Building Commission to adopt rules;
12 providing definitions; providing an effective date.

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14 WHEREAS, the general purpose and intent of this act is to
15 provide proper protection regulations in the best interest of
16 the health, safety, and welfare of the citizens of this state,
17 and

18 WHEREAS, the specific intent and purpose of this act is to
19 create safety regulations requiring carbon monoxide detectors
20 after the occurrence of several incidents where people have died
21 as a result of carbon monoxide poisoning under circumstances
22 that were preventable, and

23 WHEREAS, this act honors the memory of Janelle Bertot, a
24 talented and community-oriented 19-year-old college student and
25 daughter of a former Hialeah police officer, who died on
26 November 14, 2004, from carbon monoxide poisoning as a result of
27 carbon monoxide that leaked from a friend's motor vehicle, and

28 WHEREAS, through the efforts of Janelle's parents and other
 29 dedicated volunteers, Janelle's Wishing Well, a charitable
 30 foundation, has been established to provide scholarships to
 31 young people interested in health care and to raise public
 32 awareness and create community outreach programs on the dangers
 33 of carbon monoxide poisoning, and

34 WHEREAS, the Legislature recognizes and supports the
 35 education and prevention efforts of Janelle's Wishing Well to
 36 advise young people of the lethal danger of carbon monoxide
 37 poisoning, and

38 WHEREAS, this act also honors the memory of Tom Lueders, an
 39 outgoing 26-year-old from Washington, D.C., who was just
 40 starting out in a promising career and had aspirations of
 41 attending graduate school, and who, on December 27, 2006, died
 42 from carbon monoxide poisoning as a result of carbon monoxide
 43 that leaked from a malfunctioning boiler that was adjacent to
 44 his room at a Key West hotel, and whose death has helped provide
 45 the impetus for legislation that will prevent other needless
 46 deaths from carbon monoxide poisoning, NOW, THEREFORE,

47

48 Be It Enacted by the Legislature of the State of Florida:

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50 Section 1. Subsection (5) is added to section 509.211,
 51 Florida Statutes, to read:

52 509.211 Safety regulations.--

53 (5) Every enclosed space or room that contains a boiler
 54 regulated under chapter 554 that is fired by the direct
 55 application of energy from the combustion of fuels and that is

56 located in any portion of a public lodging establishment that
57 also contains sleeping rooms shall be equipped with one or more
58 carbon monoxide sensor devices that bear the label of a
59 nationally recognized testing laboratory and have been tested
60 and listed as complying with the most recent Underwriters
61 Laboratories, Inc., Standard 2034, or its equivalent, unless it
62 is determined that carbon monoxide hazards have otherwise been
63 adequately mitigated as determined by the division. Such devices
64 shall be integrated with the public lodging establishment's fire
65 detection system. Any such installation or determination shall
66 be made in accordance with rules adopted by the division.

67 Section 2. Section 553.885, Florida Statutes, is created
68 to read:

69 553.885 Carbon monoxide alarm required.--

70 (1) Every building for which a building permit is issued
71 for new construction on or after July 1, 2008, and having a
72 fossil-fuel-burning heater or appliance, a fireplace, or an
73 attached garage shall have an approved operational carbon
74 monoxide alarm installed within 10 feet of each room used for
75 sleeping purposes.

76 (2) The Florida Building Commission shall adopt rules to
77 administer this section and shall incorporate such requirements
78 into its next revision of the Florida Building Code.

79 (3) As used in this section, the term:

80 (a) "Carbon monoxide alarm" means a device that is meant
81 for the purpose of detecting carbon monoxide, that produces a
82 distinct audible alarm, and that meets the requirements of and
83 is approved by the Florida Building Commission.

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84 (b) "Fossil fuel" means coal, kerosene, oil, fuel gases,
85 or other petroleum or hydrocarbon product that emits carbon
86 monoxide as a by-product of combustion.

87 Section 3. This act shall take effect July 1, 2007.