

109TH CONGRESS
1ST SESSION

S. 2084

To direct the Consumer Product Safety Commission to issue regulations concerning the safety and labeling of portable generators.

IN THE SENATE OF THE UNITED STATES

DECEMBER 13, 2005

Mr. NELSON of Florida introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To direct the Consumer Product Safety Commission to issue regulations concerning the safety and labeling of portable generators.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Portable Generator
5 Safety Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) Portable generators are frequently used to
9 provide electricity during temporary power outages.

1 These generators use fuel-burning engines that emit
2 carbon monoxide gas in their exhaust.

3 (2) In the last several years, hundreds of people
4 nationwide have been seriously injured or killed due
5 to exposure to carbon monoxide poisoning from port-
6 able generators. From 1990 through 2003, 228 car-
7 bon monoxide poisoning deaths were reported to the
8 Consumer Product Safety Commission.

9 (3) Virtually all of the serious injuries and
10 deaths due to carbon monoxide from portable gen-
11 erators were preventable. In many instances, con-
12 sumers simply were unaware of the hazards posed by
13 carbon monoxide.

14 (4) Since at least 1997, a priority of the Con-
15 sumer Product Safety Commission has been to re-
16 duce injuries and deaths resulting from carbon mon-
17 oxide poisoning. Although the Commission has at-
18 tempted to work with industry to devise voluntary
19 standards for portable generators, and despite Com-
20 mission staff statements that voluntary standards
21 were ineffective, the Commission has not promul-
22 gated mandatory rules governing safety standards
23 and labeling requirements.

24 (5) The issuance of mandatory safety standards
25 and labeling requirements to warn consumers of the

1 dangers associated with portable generator carbon
2 monoxide would reduce the risk of injury or death.

3 **SEC. 3. SAFETY STANDARD.**

4 Not later than 180 days after the enactment of this
5 Act, the Consumer Product Safety Commission shall pro-
6 mulgate regulations, pursuant to section 7 of the Con-
7 sumer Product Safety Act (15 U.S.C. 2056), requiring,
8 at a minimum, that every portable generator sold to the
9 public for purposes other than resale shall be equipped
10 with an interlock safety device that detects the level of
11 carbon monoxide in the areas surrounding such portable
12 generator and automatically turns off power to the port-
13 able generator before the level of carbon monoxide is capa-
14 ble of causing serious bodily injury or death to people.

15 **SEC. 4. LABELING AND INSTRUCTION REQUIREMENTS.**

16 Not later than 180 days after the enactment of this
17 Act, the Consumer Product Safety Commission shall pro-
18 mulgate regulations, pursuant to section 7 of the Con-
19 sumer Product Safety Act (15 U.S.C. 2056), requiring,
20 at a minimum, the following:

21 (1) **WARNING LABELS.**—Each portable gener-
22 ator sold to the public for purposes other than resale
23 shall have a large, prominently displayed warning
24 label on the exterior packaging, if any, of the port-
25 able generator and permanently affixed on the port-

1 able generator regarding the carbon monoxide haz-
2 ard posed by incorrect use of the portable generator.
3 The warning label shall include the word “DAN-
4 GER” printed in a large font, and shall include the
5 following information, at a minimum, presented in a
6 clear manner:

7 (A) Indoor use of a portable generator can
8 kill quickly.

9 (B) Portable generators should be used
10 outdoors only and away from garages and open
11 windows.

12 (C) Portable generators produce carbon
13 monoxide, a poisonous gas that people cannot
14 see or smell.

15 (2) PICTOGRAM.—Each portable generator sold
16 to the public for purposes other than resale shall
17 have a large pictogram, affixed to the portable gen-
18 erator, which clearly states “POISONOUS GAS”
19 and visually depicts the harmful effects of breathing
20 carbon monoxide.

21 (3) INSTRUCTION MANUAL.—The instruction
22 manual, if any, that accompanies any portable gen-
23 erator sold to the public for purposes other than re-
24 sale shall include detailed, clear, and conspicuous
25 statements that include the following elements:

1 (A) A warning that portable generators
2 emit carbon monoxide, a poisonous gas that can
3 kill people.

4 (B) A warning that people cannot smell,
5 see, or taste carbon monoxide.

6 (C) An instruction to operate portable gen-
7 erators only outdoors and away from windows,
8 garages, and air intakes.

9 (D) An instruction to never operate port-
10 able generators inside homes, garages, sheds, or
11 other semi-enclosed spaces, even if a person
12 runs a fan or opens doors and windows.

13 (E) A warning that if a person begins to
14 feel sick, dizzy, or weak while using a portable
15 generator, that person should shut off the port-
16 able generator, get to fresh air immediately,
17 and consult a doctor.

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