

111TH CONGRESS
2^D SESSION

H. R. 1796

IN THE SENATE OF THE UNITED STATES

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Read twice and referred to the Committee on Commerce, Science, and
Transportation

AN ACT

To amend the Consumer Product Safety Act to require residential carbon monoxide detectors to meet the applicable ANSI/UL standard by treating that standard as a consumer product safety rule, to encourage States to require the installation of such detectors in homes, and for other purposes.

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 “Carbon Monoxide Poi-
5 soning Prevention Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Carbon monoxide is a colorless, odorless gas
9 produced by burning any fuel. Exposure to
10 unhealthy levels of carbon monoxide can lead to car-
11 bon monoxide poisoning, a serious health condition
12 that could result in death.

13 (2) Unintentional carbon monoxide poisoning
14 from motor vehicles and the abnormal operation of
15 fuel-burning appliances, such as furnaces, water
16 heaters, portable generators, and stoves, in residen-
17 tial homes and other dwelling units kills more than
18 400 people each year and sends more than 20,000
19 to hospital emergency rooms for treatment.

20 (3) Research shows that purchasing and install-
21 ing carbon monoxide alarms close to the sleeping
22 areas in residential homes and other dwelling units
23 can help avoid fatalities.

24 (4) Congress should promote the purchase and
25 installation of carbon monoxide alarms in residential

1 homes and dwelling units nationwide in order to pro-
2 mote the health and public safety of citizens
3 throughout the Nation.

4 **SEC. 3. DEFINITIONS.**

5 For purposes of this Act, the following definitions
6 apply:

7 (1) The term “approved carbon monoxide
8 alarm” means a carbon monoxide alarm that com-
9 plies with the standards published, incorporated, or
10 amended by the Commission with respect to such
11 alarms pursuant to this Act.

12 (2) The term “carbon monoxide alarm” means
13 a device that detects carbon monoxide and sounds a
14 distinctive audible alert before concentrations of car-
15 bon monoxide reach levels that would cause symp-
16 toms of carbon monoxide poisoning.

17 (3) The term “Commission” means the Con-
18 sumer Product Safety Commission.

19 (4) The term “dwelling unit” means a room or
20 suite of rooms used for human habitation, and in-
21 cludes a single family residence as well as each living
22 unit of a multiple family residence (including apart-
23 ment buildings) and each living unit in a mixed use
24 building.

1 (5) The term “fire code enforcement officials”
 2 means officials of the fire safety code enforcement
 3 agency of a State or local government.

4 (6) The term “NFPA 720” means the Stand-
 5 ard for the Installation of Carbon Monoxide Warn-
 6 ing Equipment in Dwelling Units issued by the Na-
 7 tional Fire Protection Association in 2008, and any
 8 amended or similar successor standard pertaining to
 9 the proper installation of carbon monoxide alarms in
 10 dwelling units.

11 **SEC. 4. ADOPTION OF CONSUMER PRODUCT SAFETY**
 12 **RULES.**

13 (a) MANDATORY STANDARDS.—Notwithstanding any
 14 other provision of law, not later than 90 days after the
 15 date of enactment of this Act, the Commission shall pub-
 16 lish in the Federal Register as mandatory consumer prod-
 17 uct safety standards the American National Standard for
 18 Single and Multiple Station Carbon Monoxide Alarms
 19 (ANSI/UL 2034) and the American National Standard for
 20 Gas and Vapor Detectors and Sensors (ANSI/UL 2075).
 21 Such mandatory consumer product safety standards shall
 22 take effect 180 days after they are published.

23 (b) REVISION OF STANDARDS.—Beginning 1 year
 24 after the date of enactment of this Act, if either standard
 25 described in subsection (a) is revised through the applica-

1 ble consensus standards development process, Under-
2 writers Laboratories shall notify the Commission of the
3 revision and the revision shall be incorporated in the con-
4 sumer product safety rule unless, within 60 days of such
5 notice, the Commission determines that such revision does
6 not carry out the purposes of this Act and publishes the
7 basis for such a determination in the Federal Register.

8 (c) RULEMAKING.—Notwithstanding any other provi-
9 sion of this Act, the Commission may, at any time subse-
10 quent to publication of the consumer product safety stand-
11 ards required by subsection (a), initiate a rulemaking in
12 accordance with section 553 of title 5, United States Code,
13 to amend either standard to include any provision that the
14 Commission determines is reasonably necessary to ensure
15 the safe and effective operation of carbon monoxide
16 alarms.

17 (d) TREATMENT OF STANDARDS FOR PURPOSES OF
18 ENFORCEMENT.—For purposes of enforcement under the
19 Consumer Product Safety Act, the standards published by
20 the Commission pursuant to subsection (a), including any
21 revision to such standards pursuant to subsection (b) or
22 (c), shall be consumer product safety rules as defined in
23 section 3(a)(6) of such Act (15 U.S.C. 2052(a)(6)).

1 **SEC. 5. REPORT TO CONGRESS.**

2 Not later than 1 year after the date of enactment
3 of this Act, the Commission shall complete a study to
4 evaluate whether requiring a language or languages in ad-
5 dition to English would improve the effectiveness of the
6 label required of manufacturers of portable generators by
7 the Commission under part 1407 of title 16, Code of Fed-
8 eral Regulations, to warn consumers of carbon monoxide
9 hazards.

10 **SEC. 6. GRANT PROGRAM FOR CARBON MONOXIDE POI-**
11 **SONING PREVENTION.**

12 (a) IN GENERAL.—Subject to the availability of ap-
13 propriations authorized by subsection (f), the Commission
14 shall establish a grant program to provide assistance to
15 eligible States and local governments to carry out the car-
16 bon monoxide poisoning prevention activities in subsection
17 (d).

18 (b) ELIGIBILITY.—To be eligible for a grant under
19 the program, a State or local government shall—

20 (1) demonstrate to the satisfaction of the Com-
21 mission that a State or local government has adopt-
22 ed a statute, or a State or local government agency
23 has adopted a rule, regulation, or similar measure
24 with the force and effect of law, requiring approved
25 carbon monoxide alarms to be installed in accord-
26 ance with NFPA 720 in dwelling units; and

1 (2) submit an application to the Commission at
2 such time, in such form, and containing such addi-
3 tional information as the Commission may require,
4 which application may be filed on behalf of any
5 qualified State or local government by the fire code
6 enforcement officials for such State or local govern-
7 ment.

8 (c) GRANT AMOUNT; PRIORITY.—The Commission
9 shall determine the amount of the grants awarded under
10 this section, and shall give priority to applications from
11 States or local governments that—

12 (1) require approved carbon monoxide alarms to
13 be installed in each existing dwelling unit—

14 (A) within which a fuel-burning appliance
15 is installed, including a furnace, boiler, water
16 heater, fireplace, or any other apparatus, appli-
17 ance, or device that burns fuel; or

18 (B) which has an attached garage;

19 (2) propose to serve vulnerable populations such
20 as children, the elderly, or low-income households;
21 and

22 (3) demonstrate greater than average losses of
23 life from carbon monoxide poisoning in the home.

24 (d) USE OF FUNDS.—A State receiving a grant under
25 this section may use grant funds—

1 (1) to purchase and install approved carbon
2 monoxide alarms in the dwelling units of low-income
3 families or elderly persons, facilities that commonly
4 serve children or the elderly, including childcare fa-
5 cilities, public schools, and senior centers, or student
6 dwelling units owned by public universities;

7 (2) to train State or local fire code enforcement
8 officials in the proper enforcement of State or local
9 laws concerning approved carbon monoxide alarms
10 and the installation of such alarms in accordance
11 with NFPA 720;

12 (3) for the development and dissemination of
13 training materials, instructors, and any other costs
14 related to the training sessions authorized by this
15 subsection; and

16 (4) to educate the public about the risk associ-
17 ated with carbon monoxide as a poison and the im-
18 portance of proper carbon monoxide alarm use.

19 (e) LIMITATION ON USE OF FUNDS.—

20 (1) ADMINISTRATIVE COSTS.—No more than 10
21 percent of any grant funds may be used to cover ad-
22 ministrative costs not directly related to training de-
23 scribed in paragraph (2) of subsection (d).

(g) COMMISSION REPORT.—Not later than 1 year after the last day of each fiscal year for which grants are made under this section, the Commission shall submit to Congress a report evaluating the implementation of the grant program authorized by this section.

Attest: LORRAINE C. MILLER,
Clerk.