

HOUSE No. 02406

The Commonwealth of Massachusetts

PRESENTED BY:

Louis L. Kafka

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to fire protection systems for buildings and structures.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>George Ross</i>	<i>2nd Bristol</i>
<i>James M. Murphy</i>	<i>4th Norfolk</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>Michael D. Brady</i>	<i>9th Plymouth</i>
<i>James E. Timilty</i>	<i>Bristol and Norfolk</i>
<i>William C. Galvin</i>	<i>6th Norfolk</i>

HOUSE No. 02406

By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 2406) of Brady and others relative to fire protection systems for buildings and structures Joint Committee on Public Safety and Homeland Security.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to fire protection systems for buildings and structures.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 201 of Chapter 6 of the General Laws, as appearing in the 2008 Official
2 Edition, is hereby amended by striking out in line 1, the words “automatic sprinkler appeals
3 board” and substituting, in place thereof, the words: “fire protection and life safety systems”.

4 SECTION 2. Section 201 of Chapter 6 of the General Laws, as so appearing, is hereby further
5 amended by striking out, in lines 53 and 54, the words “sprinkler installation”, and inserting, in
6 place thereof, the words “fire protection and life safety systems board”, as defined in Section 1 of
7 Chapter 148.

8 SECTION 3. Section 4 of Chapter 22D, as so appearing, is hereby amended by inserting, in line
9 42, after the word “code”, the following paragraph:

10 “The provisions of the fire safety code shall apply to all buildings and structures, other than the
11 State House, including buildings and structures owned, operated, or controlled by the

12 Commonwealth, its agencies, departments, boards, commissions, or political subdivisions. The
13 State Fire Marshall or his/her designee shall enforce the State Fire Code in all state owned or
14 controlled buildings.”

15 SECTION 4. Subsection (a) of Section 94 of Chapter 143 of the Massachusetts General Laws, as
16 so appearing in the 2008 Official Edition, is hereby amended by adding the following sentence to
17 the second paragraph:

18 “This shall not include standards for fire protection or life safety systems, as defined in Section 1
19 of Chapter 148, installed in new or substantially modified buildings in accordance with
20 regulations prescribed by the Board of Fire Prevention Regulations.”

21 SECTION 5. Section 95 of Chapter 143 of the Massachusetts General Laws, as so appearing, is
22 hereby amended by striking out, in subsection (a), in line 5, the words “and fire prevention”.

23 SECTION 6. Section 96 of Chapter 143 of the Massachusetts General Laws, as so appearing, is
24 hereby amended by inserting in line 3, between the words “demolition” and “promulgated”, the
25 following words: “or fire prevention”.

26 SECTION 7. Section 1 of Chapter 148 of the Massachusetts General Laws, as so appearing in
27 the 2008 Official Edition, is hereby amended by inserting, between the definitions of “Division”
28 and “Head of the Fire Department”, the new definition:

29 “Fire Protection and Life Safety Systems,” any equipment or system relating to fire protection,
30 fire detection, fire warning, fire suppression or carbon monoxide alarms installed in residential or
31 institutional occupancies as defined in 780 CMR or as otherwise defined by the Board through
32 regulation.

33 SECTION 8. Section 1 of Chapter 148 of the Massachusetts General Laws, as so appearing in
34 the 2008 Official Edition, is hereby amended by inserting, after the definition of “Fire Protection
35 and Life Safety Systems”, the following definition:

36 “Fire Safety Code,” the comprehensive regulations promulgated by the Board of Fire Prevention
37 Regulations pursuant to the provisions of Section 4 of Chapter 22D of the General Laws and
38 pursuant to this chapter.

39 SECTION 9. Section 26A of Chapter 148 of the Massachusetts General Laws, as so appearing in
40 the 2008 Official Edition, is hereby amended by striking out in lines 3 and 4, the words “state
41 building code”, and substituting in place thereof the following words: “state fire code”.

42 SECTION 10. Section 26A of Chapter 148, as so appearing, is hereby amended by striking out,
43 in lines 12 and 13, the words “board of appeals as provided in the state building code and section
44 twenty-three of chapter twenty-three B”, and substituting in place thereof the following words:
45 “to the fire protection and life safety systems of the fire safety commission as provided in
46 Section Two Hundred and One of Chapter Six”.

47 SECTION 11. Section 26A½ of Chapter 148, as so appearing, is hereby amended by striking out,
48 in lines 4 and 5, the words “state building code”, and substituting in place thereof the following
49 words: “state fire code”.

50 SECTION 12. Section 26B of Chapter 148, as so appearing, is hereby amended by striking out,
51 in lines 4 and 5, the words “state building code”, and substituting in place thereof the following
52 words: “state fire code”.

53 SECTION 13. Section 26B of Chapter 148, as so appearing, is hereby further amended by
54 striking out, in lines 12 and 13, the words “the board of appeals as provided in the state building
55 code and section twenty-three of chapter twenty-three B”, and substituting in place thereof the
56 following words: “to the fire protection and life safety systems of the fire safety commission as
57 provided in Section Two Hundred and One of Chapter Six”.

58 SECTION 14. Subsection (d) of Section 26F½ of Chapter 148, as so appearing, is hereby
59 amended by striking out, in lines 25-28, the first sentence of the subsection.

60 SECTION 15. Section 26G of Chapter 148, as so appearing, is hereby amended by striking out,
61 in lines 4 and 5, the words “state building code”, and substituting in place thereof the following
62 words: “state fire code”.

63 SECTION 16. Section 26G of Chapter 148, as so appearing, is further amended by striking out,
64 in line 33, the words “automatic sprinkler appeals board” and substituting in place thereof the
65 following words: “fire protection and life safety systems of the fire safety commission as
66 provided in Section 201 of Chapter 6 of the General Laws”.

67 SECTION 17. Section 26G½ of Chapter 148, as so appearing, is hereby amended by striking out
68 in lines 6, 7, 18, 19, 23, and 24 the words “state building code” and substituting in place thereof
69 the following words: “state fire code”.

70 SECTION 18. Section 26G½ of Chapter 148, as so appearing, is further amended by striking out,
71 in line 62, the words “automatic sprinkler appeals board” and substituting in place thereof, the
72 following words: “fire protection and life safety systems”.

73 SECTION 19. Section 26H of Chapter 148, as so appearing, is hereby amended by striking out,
74 in lines 3 and 4, the words “state building code”, and substituting in place thereof the following
75 words: “state fire code”.

76 SECTION 20. Section 26I of Chapter 148, as so appearing, is hereby amended by striking out, in
77 lines 8 and 9, the words “state building code”, and substituting in place thereof the following
78 words: “state fire code”.

79 SECTION 21. Section 26I of Chapter 148, as so appearing, is further amended by adding the
80 following sentence at the end of the section:

81 “Whomever is aggrieved by the head of the fire department’s interpretation, order, requirement,
82 direction, or failure to act under the provisions of this section, may, within forty-five days after
83 the service of notice thereof, appeal from such interpretation, order, requirement, direction, or
84 failure to act to the fire protection and life safety systems as provided in Section 201 of Chapter
85 6.”

86 SECTION 22. Section 28 of Chapter 148, as so appearing, is hereby amended by adding, after
87 subsection (3), the following new subsection:

88 (4) to provide adequate standards for the design, installation, or maintenance of fire
89 protection and life safety systems in buildings or structures.

90 SECTION 23. The provisions of this act shall take effect on January 1, 2012. The provisions of
91 this act shall not apply to any building or structure which was issued a building permit prior to
92 January 1, 2012.