

SENATE BILL REPORT

ESHB 2318

AS OF FEBRUARY 24, 1992

Brief Description: Establishing fire retardant requirements.

SPONSORS: House Committee on Commerce & Labor (originally sponsored by Representatives Jones, Heavey, Winsley, Wilson, Franklin, Brough, Prentice, Paris, Orr, Sheldon and Sprenkle)

HOUSE COMMITTEE ON COMMERCE & LABOR

SENATE COMMITTEE ON COMMERCE & LABOR

Staff: Patrick Woods (786-7430)

Hearing Dates: February 26, 1992

BACKGROUND:

Washington law does not set flammability requirements for home furnishings. Under federal law, mattresses must meet certain flammability requirements. In California, home furnishings must meet test requirements established by the state Department of Consumer Affairs.

In a report to the U.S. Consumer Product Safety Commission (CPSC) in 1990, it was noted that upholstered furniture and mattresses were the consumer products regulated by the CPSC that were associated with the largest number of estimated fire deaths for 1988. The report cited cigarette ignition as the leading cause of residential fire deaths.

SUMMARY:

Fire retardant requirements are established for mattresses sold or manufactured for sale for use in Washington and for upholstered furniture sold or offered for sale by manufacturers or wholesalers intended for use in habitable structures in Washington. The requirements are administered by the director of Fire Protection in the Department of Community Development. The director is responsible for adopting fire retardant standards and other rules to implement the requirements.

All mattresses manufactured or offered for sale must be fire retardant and meet the standards established by the director of Fire Protection. These standards are required to meet the flammability requirements of federal law in effect on the effective date of the act. A mattress may have a label showing that it is designed to resist combustion from a smoldering cigarette.

Upholstered furniture, offered for sale by a manufacturer or wholesaler to which filling materials have been added, must be

fire retardant. In addition, all reupholstered furniture to which filling material has been added is required to be fire retardant. Upholstered and reupholstered furniture must have a label showing that only the resilient filling materials meet California standards for flammability. Filling materials contained in furniture or added to reupholstered furniture must meet or exceed the test requirements established by the California Bureau of Home Furnishings (January 1980).

All foam sold at retail outlets must be fire retardant, except for foam sold as carpet underlayment or foam that cannot reasonably be expected to be used in furniture. The standard for foam must meet or exceed the test requirements established by the California Bureau of Home Furnishings, (January 1980).

The director may exempt upholstered furniture that is deemed not to pose a serious life hazard without the fire retardant requirements. Exempt furniture must have a label showing that the furniture does not meet the California flammability requirements.

Appropriation: none

Revenue: none

Fiscal Note: available

Effective Date: January 1, 1993