

HOUSE BILL REPORT

HB 2864

As Reported by House Committee On:
Local Government

Title: An act relating to preventing fires in rental dwelling units.

Brief Description: Preventing fires in rental dwelling units.

Sponsors: Representative Eslick.

Brief History:

Committee Activity:

Local Government: 1/30/18 [DPS].

Brief Summary of Substitute Bill

- Directs the Director of Fire Protection (Director) to investigate ways to prevent fire deaths in rental dwellings.
- Requires the Director to convene a task force of various stakeholders, allow for public comment at task force meetings, and provide a report on the task force's findings and recommendations to the Governor and Legislature.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Appleton, Chair; McBride, Vice Chair; Griffey, Ranking Minority Member; Gregerson, Peterson and Taylor.

Staff: Yvonne Walker (786-7841).

Background:

The Office of the State Fire Marshal (Office) is a bureau within the Washington State Patrol (WSP). The Office provides various services to fire districts, government agencies, and the public including, but not limited to: coordination of the state fire service resources for mobilization during large-scale fires and disasters; fire incident reporting and data collection; fire code review and adoption; and construction plan reviews for fire sprinkler and alarm systems. In addition, the Office provides instructional programs and high-risk fire training to

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fire departments and fire protection districts, hazardous materials training, and fire prevention education.

The Chief of the WSP is responsible for appointing the Director of Fire Protection (Director). The Director is required to promulgate rules and regulations regarding the design, manufacture, and installation of smoke detection devices in dwelling units. The Director is also authorized to enter premises and buildings for the purpose of inspecting and determining whether a fire hazard exists and requiring conformance with minimum standards for fire prevention.

The Residential Landlord-Tenant Act governs the relationship between landlords and tenants of residential dwelling units, establishes the duties and liabilities of the parties, and provides procedures for each side to enforce its rights. A tenant's duties include, for example, the duty to pay rent, keep the premises clean, not intentionally destroy property, maintain smoke detector devices, and not engage in certain activity that is dangerous to others.

Summary of Substitute Bill:

The Director must:

- investigate ways to prevent fire deaths in rental dwellings;
- educate landlords and tenants regarding their responsibilities;
- develop possible criminal penalties;
- evaluate insurance certification requirements or changes to the building code; and
- review other possible programs or funding that would improve installation and maintenance of smoke detectors in rental apartments and single-family homes.

The Director must form a task force. The stakeholders of the task force must include, but are not limited to, landlords of residential units, tenants, local governments, firefighters, representatives from home builders and construction trades, the insurance industry, and a nonprofit that provides free smoke detectors and installation.

The State Fire Marshal must convene the initial task force meeting. The task force must choose its chair from among its membership and must allow public comments at its meetings. The task force must update the appropriate committees of the Legislature by December 1, 2018, and report its findings and recommendations to the Governor and the appropriate committees of the Legislature by December 1, 2019.

Substitute Bill Compared to Original Bill:

The substitute requires the task force to report its findings and recommendations to the Governor and the appropriate committees of the Legislature by December 1, 2019 (rather than December 1, 2020).

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill is being brought forward due to a constituent who lost a son in a rental unit in Seattle. The son was living in a daylight basement, and there were four rental units upstairs. When the fire broke out, the people upstairs were able to get out safely, but unfortunately the young man and his dog residing in the basement were not able to make it out of the building. There were no smoke alarms in that residence.

Another story relates to three children who lost their lives in a residential fire in March 2016. The ignition source of this fire was kitchen rags that had been used to wipe up rice oil. The rags had been laundered and dried, but as the oils broke down, the rags spontaneously ignited and set the couch on fire. The fire was so intense that it was impossible for their mother or the police to get the kids out of the house.

During 2016, 42 people lost their lives in Washington due to residential structural fires. Four out of five fire deaths occurred in people's own homes, and in 60 percent of the cases, there were no working fire alarms. Although some communities have robust fire protection services, the fire departments do not go into people's homes.

Although smoke alarms are prevalent in new houses, they generally only last 10 years. The task force created in this bill will help make people aware of how important it is to have a current working smoke alarm. Smoke detectors are a critical component to saving lives.

(Opposed) None.

Persons Testifying: Representative Eslick, prime sponsor; Brad Tower; and Robert Bradley, Washington State Association of Fire Marshals.

Persons Signed In To Testify But Not Testifying: None.