

**§174. Installation of smoke and carbon monoxide detectors by fire departments
(REALLOCATED FROM TITLE 14, SECTION 173)**

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Device" means a battery-operated or plug-in smoke detector, carbon monoxide detector or combination smoke and carbon monoxide detector. [PL 2021, c. 214, §1 (NEW); RR 2021, c. 1, Pt. A, §10 (RAL).]

B. "Fire department" means the State Fire Marshal, a municipal fire department as defined in Title 30-A, section 3151, subsection 1, a volunteer fire association as defined in Title 30-A, section 3151, subsection 3 or a fire district under Title 30-A, chapter 164. [PL 2021, c. 214, §1 (NEW); RR 2021, c. 1, Pt. A, §10 (RAL).]

[PL 2021, c. 214, §1 (NEW); RR 2021, c. 1, Pt. A, §10 (RAL).]

2. Immunity. Notwithstanding any provision of any public or private and special law to the contrary, a fire department or an employee or member of a fire department that delivers to or installs at residential premises a device or batteries for a device is not liable for damages for personal injury, wrongful death, property damage or other loss related to the device if:

A. The device is installed by the fire department and the device is new and meets all applicable current safety and manufacturing standards; [PL 2021, c. 214, §1 (NEW); RR 2021, c. 1, Pt. A, §10 (RAL).]

B. The device or the batteries in the device are installed by the fire department and the installation is performed in accordance with the manufacturer's instructions; and [PL 2021, c. 214, §1 (NEW); RR 2021, c. 1, Pt. A, §10 (RAL).]

C. The installation or delivery is performed in the fire department's official capacity and authorized by the municipal officers. [PL 2021, c. 214, §1 (NEW); RR 2021, c. 1, Pt. A, §10 (RAL).]

For purposes of this subsection, "installation" does not include the alteration or installation of electrical wiring.

[PL 2021, c. 214, §1 (NEW); RR 2021, c. 1, Pt. A, §10 (RAL).]

3. Records. A fire department that installs or delivers a device or batteries for a device under this section shall keep a record of the installation or delivery for a period of 5 years after the installation or delivery.

[PL 2021, c. 214, §1 (NEW); RR 2021, c. 1, Pt. A, §10 (RAL).]

4. Application. This section does not limit or otherwise affect an obligation or duty of an owner or occupier of residential premises receiving an installation or delivery of a device or batteries for a device under this section.

[PL 2021, c. 214, §1 (NEW); RR 2021, c. 1, Pt. A, §10 (RAL).]

SECTION HISTORY

PL 2021, c. 214, §1 (NEW). RR 2021, c. 1, Pt. A, §10 (RAL).

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