



NEWS RELEASE

OFFICE OF LOUISIANA STATE FIRE MARSHAL

Department of Public Safety & Corrections • Public Safety Services
8181 Independence Blvd. • Baton Rouge, LA 70806

www.lasfm.org

FOR IMMEDIATE RELEASE

CONTACT: Ashley Rodrigue
Public Affairs Director

DATE: 9/13/22

PHONE: 225-620-5115
ashley.rodrigue@la.gov

State Fire Marshal Issues Guidance Ahead of New Carbon Monoxide Alarm Law Change

BATON ROUGE- The State Fire Marshal's Office has issued guidance to the housing and real estate industry to assist them with preparing for an upcoming change in the law regarding the presence of carbon monoxide alarms in homes across Louisiana.

During the 2022 Legislative Session, the State Fire Marshal's Office collaborated with State Rep. Stephanie Hilferty (R-Metairie) to develop and pass what is now Act 458. Simply put, any house sold or leased after Jan. 1, 2023, will need to have at least one carbon monoxide alarm in the home.

In addition, the Louisiana Uniform Construction Code Council adopted an amendment to the state's residential building code requiring carbon monoxide alarms to be installed at the same time a whole home, standby generator is installed. That change also goes into effect Jan. 1, 2023.

"These changes are the direct result of the tragic aftermath of the 2020 and 2021 hurricane disasters across our state that saw more than a dozen carbon monoxide-related deaths and dozens more hospitalizations, all attributed to both portable and standby generator use," said State Fire Marshal Dan Wallis, "We're grateful to the housing and real estate industry for being proactive ahead of the law change to ensure everyone is appropriately educated on this effort to save lives well before the law goes into effect."

The issued guidance notice attached to this news release provides specific details on the law change and its requirements.

As always, the SFM stresses the need for having working smoke alarms and carbon monoxide alarms in a home regardless of any law requirements. If a resident needs assistance obtaining a smoke alarm, the SFM's Operation Save-A-Life can help. Visit lasfm.org for more information on the program.



JOHN BEL EDWARDS
GOVERNOR

LOUISIANA DEPARTMENT OF PUBLIC SAFETY & CORRECTIONS
PUBLIC SAFETY SERVICES



DANIEL H. WALLIS
STATE FIRE MARSHAL

OFFICE OF STATE FIRE MARSHAL

[9/8/22]

GUIDANCE NOTICE

ATTENTION: Real Estate, Housing, and Construction Industry Representatives:

The top priority of the Louisiana State Fire Marshal’s Office (SFM) is to protect life and property from the hazards of fire and explosion. We understand you share that priority, especially regarding residential homes, and we are eager to partner in ensuring all fire and life safety requirements are in place for Louisiana families.

Effective January 1, 2023, Act 458 of the 2022 Regular Session of the Louisiana Legislature (“Act”) changes the fire and life safety requirements of one or two-family residential homes, relating to the presence of carbon monoxide (CO) detectors. In addition, the Louisiana Uniform Construction Code Council amended the International Residential Building Code (“IRC”) with those changes also becoming effective on Jan. 1, 2023.

This Guidance Notice means to notify you of the Act 458 requirements and further provides fire and life safety industry best practice recommendations, relating to the presence of CO detectors in one or two-family dwellings.

ACT 458 REQUIREMENT

Every one or two-family house/dwelling sold and/or leased after January 1, 2023 shall have at least one operable, life-long, sealed battery carbon monoxide (CO) detector.

- The detector packaging should feature phrases including “life-long” *OR* “ten-year” **AND** “sealed battery” *OR* “sealed-in lithium battery.”
- The device can be in combination with a smoke detector.
- One or two-family house/dwelling is defined as a building containing not more than two dwelling units in which one or each dwelling unit is occupied by members of a single family with not more than three outsiders, if any, accommodated in rented rooms.

However, certain home elements affect applicable requirements necessitating more than one CO detector and/or specific placement for the CO detectors. See the chart below:

If a house...	1 CO Alarm, No Specific Location	Multiple CO Alarms, Specific Locations
Has no gas service available	•	
Has gas service available but its inactive	•	
Is an existing home, built before Jan. 1, 2023, without a generator	•	
Is an existing home, built before Jan. 1, 2023, with a permanently-mounted, whole home standby generator (at time of installation)		•

- For homes that require additional detectors in specific locations, there should be one, operable, life-long, sealed battery carbon monoxide (CO) detector inside of each separate sleeping room and one in the living/common area.

Accordingly, please see the information below regarding the SFM’s recommendations for CO detector best practices in homes subject to Act 458:

CO DETECTOR RECOMMENDATIONS

- When only one CO detector is required, its best location is near a sleeping area, preferably within 10 feet of a bedroom door.
- Ideally, a CO detector should be located on every occupied level of your home, especially occupied levels with fuel-burning appliances. The CO detector should be placed within 10 feet of each bedroom door (inside or outside of the room), within 10 feet of the door to an attached garage, and inside of any rooms located over an attached garage. CO detectors should NOT be placed inside of an attached garage.
- CO detectors should NOT be placed directly above or beside fuel-fired, heating, or cooking appliances or in or near humid areas like bathrooms. A CO detector should be placed at a distance of at least 15 feet or farther from these appliances and fireplaces.
- CO detectors should NOT be placed next to a window or exterior door.
- Installation heights vary by manufacturer. Therefore, it is advised to read the provided installation manual for each detector before placement.
- Choose placement locations that are free of obstructions where the detector will stay clean and protected from adverse environmental conditions.

- CO detectors should be tested monthly to ensure they are operational.

As this conversation surrounding carbon monoxide (CO) detection has become more prevalent, there has been additional attention to previously existing requirements in residential homes regarding the presence of smoke detectors. Accordingly, please see the information below regarding the legal requirements and the SFM's recommendations for smoke detectors in one and two-family dwellings across Louisiana:

SMOKE DETECTOR REQUIREMENTS

Act 163 of the 2009 Regular Session of the Louisiana Legislature (R.S. 40:1581 (C) and (D)) revised the previous law regarding smoke detectors that had been effective since January 1992. Act 163, which became effective in January 2011, expanded the law to require smoke detectors in all one-and-two family dwellings at the time of sale or lease and requires:

- At a minimum, one operable ten-year, sealed lithium battery smoke detector.

SMOKE DETECTOR RECOMMENDATIONS

- One smoke detector should be placed on every occupied level of a home, inside of every bedroom, and outside of sleeping areas, like a hallway, as well as in a common area like a living room.
- Smoke detectors should be mounted five inches from the corners of a room or five inches from where the ceiling and side walls meet.



Please feel free to reach out to the SFM's points of contact for clarification of these topics:

- Chief Deputy Erin St. Pierre- erin.e.st.pierre@la.gov or 225-955-0508
- Public Affairs Director Ashley Rodrigue- ashley.rodrigue@la.gov or 225-620-5115

Thank you all for your assistance in helping us help you keep our state's families as safe as possible.

A handwritten signature in blue ink, appearing to read 'Dan Wallis', with a long horizontal flourish extending to the right.

Chief Dan Wallis
Louisiana State Fire Marshal