

*Understanding The New Smoke Detector Regulations
527 CMR 32.00: Approved Smoke Detectors
Frequently Asked Questions
December, 2009*

1. When do the new regulations take effect?

April 5, 2010. The Board of Fire Prevention has voted to delay the effective date of the changes to the new smoke detector regulations, which were scheduled to take effect January 1, 2010. The new effective date is now April 5, 2010.

2. What properties are affected by the new regulations?

- Single family homes that have not been constructed, altered or modified since January 1, 1975.
- Residential buildings under 70 feet tall, containing less than six dwelling units, and that have not been constructed, altered or modified since January 1, 1975.
- Both of these properties will be required to comply upon sale or transfer after April 5, 2010.

3. What if my property does not fall into one of the categories listed above in question 2?

If your building does not fit all of these categories, then the new law does not apply to you since your property is already subject to the more strict state law. In other words, for buildings taller than 70 feet, larger than 6 apartments, or which have been constructed, altered or modified since January 1, 1975, your property was already subject to a higher standard in relation to fire safety equipment, and therefore these new regulations do not apply. Buildings constructed, altered or modified since January 1, 1975 are subject to the provisions of 780 CMR, The State Building Code.

4. What do these regulations require?

The new regulations change the types of technologies which must be employed by smoke detectors in the affected properties. Specifically, owners must now install smoke detectors employing both ionization and photoelectric technologies in all places that they were previously required, EXCEPT within 20 feet of a kitchen or a bathroom containing a bathtub or shower. Within 20 feet of a kitchen or bathroom containing a bathtub or shower, ONLY a photoelectric smoke detector is allowed. Compliance can be achieved by installing two separate detectors using these technologies, or by installing one detector which uses both technologies. The new regulations do not change the location where the detectors need to be placed. They only change the technologies that have to be employed.

5. How do you can you tell the difference between an ionization smoke detector and a photoelectric smoke detector?

- New smoke detectors should be marked on the outside of the package to indicate if it uses ionization or photoelectric technology.
- The date of manufacture should be on the back; if not the detector is most likely outdated and should be replaced to comply with the regulation.
- For other existing detectors you will need to remove the smoke detector and look on the backside. It is an ionization smoke detector if the word "AMERICIUM" or the following symbol is on the back.



6. How can I learn more about the regulations?

GBREB is working with the State Fire Marshall's office to develop more educational materials. It is currently anticipated that regulators will have a brochure for the public that you can distribute to your clients in January. Additional training sessions and a webinar through the Massachusetts Association of Realtors® are also under consideration.

7. What if I have questions about the new regulations?

Check with your local fire department to confirm whether the new regulations apply to you and whether you are in compliance with the state laws. This is the only way that you can be sure that you are in compliance, including whether the smoke detectors are properly placed and are using the correct technologies. Members are also encouraged to consult with legal counsel to confirm compliance.