

ASSEMBLY, No. 497

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman ROBERTS

1 AN ACT establishing a free smoke detector program and  
2 supplementing Title 52 of the Revised Statutes.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

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7 1. The Legislature finds and declares that:

8 a. Recent figures indicate that residential fires represent  
9 approximately 80% of fire related deaths in the State of New Jersey  
10 and that in 62% of the residential fire incidents that resulted in deaths  
11 in this State, smoke detectors were either not present or present but  
12 not operating.

13 b. Statistics show that smoke detectors can double the chance of  
14 survival from an accidental house fire; a properly installed and  
15 maintained smoke detector is one of the most important safety devices  
16 available to protect persons and property from accidental house fires.

17 c. A program to provide smoke detectors to elderly, disabled and  
18 poor persons would be a cost effective way to minimize injuries and  
19 deaths caused by accidental house fires.

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21 2. There is established in the bureau of fire safety in the  
22 Department of Community Affairs a free smoke detector program.  
23 The bureau shall provide smoke detectors at no cost to elderly,  
24 disabled and poor persons in the State on a priority basis according to  
25 guidelines established by the Commissioner of Community Affairs.  
26 The program shall include distribution, installation assistance and  
27 educational materials on basic fire safety principles and smoke detector  
28 maintenance.

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30 3. There is created the "Smoke Detector Penalty Fund" in the  
31 Department of Community Affairs, which fund shall be a nonlapsing,  
32 revolving fund dedicated to the free smoke detector program  
33 established pursuant to this act. The fund shall be comprised of  
34 monies collected from penalties assessed for violations of the "Uniform  
35 Fire Safety Act," P.L.1983, c.383 (C.52:27D-192 et seq.), which

1 concern the installation, operation or maintenance of a smoke detector  
2 or similar device and any other monies appropriated thereto to carry  
3 out the purposes of this act. Interest earned on monies deposited in  
4 the fund shall be credited to the fund.

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6 4. Notwithstanding any provision of law to the contrary, a penalty  
7 paid for a violation in connection with the installation, operation or  
8 maintenance of a smoke detector or similar device shall be placed in  
9 the "Smoke Detector Penalty Fund" created pursuant to section 3 of  
10 P.L. , c. (C. )(now pending before the Legislature as this bill).

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12 5. This act shall take effect on the 60th day after enactment and  
13 shall expire five years thereafter.

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16 STATEMENT

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18 This bill establishes the free smoke detector program in the bureau  
19 of fire safety in the Department of Community Affairs. The program  
20 is established to provide free smoke detectors to elderly, disabled and  
21 poor persons of the State on a priority basis as established by the  
22 Commissioner of Community Affairs. The bill provides that the  
23 program shall include distribution, installation assistance and  
24 educational materials regarding fire safety and smoke detector  
25 maintenance.

26 The bill establishes the "Smoke Detector Penalty Fund" which fund  
27 shall be dedicated to the free smoke detector program. The fund is a  
28 nonlapsing, revolving fund comprised of monies collected from  
29 penalties assessed for violations of the "Uniform Fire Safety Act,"  
30 P.L.1983, c.383 (C.52:27D-192 et seq.), which concern the  
31 installation, operation or maintenance of a smoke detector or similar  
32 device and any other monies appropriated thereto to carry out the  
33 purposes of this act. The bill also provides that interest earned on  
34 monies deposited in the fund shall be credited to the fund.

35 The bill provides that it shall take effect on the 60th day after  
36 enactment and shall expire five years thereafter.

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41 Establishes free smoke detector program in DCA.