



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 124

H.P. 106

House of Representatives, January 20, 2011

An Act To Eliminate Certain Restrictions on the Installation of Chimneys and Equipment

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative HARVELL of Farmington.
Cosponsored by Senator SAVIELLO of Franklin and
Representatives: BLACK of Wilton, CLARK of Millinocket, CRAFTS of Lisbon, DAVIS of
Sangerville, DUCHESNE of Hudson, DUNPHY of Embden, EDGECOMB of Caribou,
TIMBERLAKE of Turner.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 32 MRSA §18107**, as amended by PL 2009, c. 652, Pt. A, §46, is further
3 amended to read:

4 **§18107. Installations to conform to standards**

5 Installation of oil, solid fuel, propane and natural gas burning equipment and
6 chimneys may not be made in this State unless the installation complies with all the
7 standards and rules adopted by the board. These standards and rules may not prohibit the
8 ~~continued use of an existing~~ connection of a solid fuel burning appliance to a chimney
9 flue to which another appliance burning oil or solid fuel is connected ~~for any chimney~~
10 ~~existing and in use prior to February 2, 1998~~ as long as sufficient draft is available for
11 each appliance, the chimney is lined and structurally intact and a carbon monoxide
12 detector is installed in the building near a bedroom. Whenever oil, solid fuel, propane
13 and natural gas burning equipment, accessory equipment or its installation are separately
14 contracted, the master oil and solid fuel burning technician or the propane and natural gas
15 technician in charge of the installation is responsible for ascertaining total conformance to
16 the standards and rules adopted by the board. Whenever a state fuel inspector authorized
17 under section 18110 finds a person installing or assisting in an oil, solid fuel, propane or
18 natural gas installation, that person shall, on request of the state fuel inspector, provide
19 evidence of being properly licensed when required by this chapter and, if unable to
20 provide the evidence, shall furnish the state fuel inspector with that person's full name
21 and address and, if applicable, the full name and address of the master oil and solid fuel
22 burning technician or the propane and natural gas technician in charge.

23 **SUMMARY**

24 Current law allows the continued use of an existing connection of a solid fuel burning
25 appliance to a chimney flue to which another appliance burning oil or solid fuel is
26 connected for any chimney existing and in use prior to February 2, 1998 as long as
27 sufficient draft is available for each appliance, the chimney is lined and structurally intact
28 and a carbon monoxide detector is installed in the building near a bedroom.

29 This bill allows any such connection regardless of whether the chimney was existing
30 and in use prior to February 2, 1998 as long as sufficient draft is available for each
31 appliance, the chimney is lined and structurally intact and a carbon monoxide detector is
32 installed in the building near a bedroom.