§8103. Fire safety; inspections for children's homes

1. Procedures.
[PL 2003, c. 599, §10 (RP).]

1-A. Inspection required. Except as provided in subsection 2-A, the department may not issue a license to operate to a children's home until the department has received from the Commissioner of Public Safety a written statement signed by one of the officials designated under Title 25, section 2360, 2391 or 2392 to make fire safety inspections. This statement must indicate that the children's home has complied with applicable fire safety provisions referred to in Title 25, section 2452.
[PL 2019, c. 444, §1 (AMD).]

2. Temporary license.
[PL 2019, c. 444, §2 (RP).]

2-A. Family foster homes and specialized children's homes. Family foster homes and specialized children's homes are exempt from the inspection requirement in subsection 1-A. The department shall inspect a family foster home or specialized children's home prior to placing a foster child in the home. The department shall adopt routine technical rules as defined in Title 5, chapter 375, subchapter 2-A governing the fire and safety inspection of family foster homes and specialized children's homes.
[PL 2025, c. 594, §5 (AMD).]

3. Fees. The department shall establish and pay reasonable fees to the Commissioner of Public Safety for each inspection required pursuant to subsection 1-A.
[PL 2003, c. 411, §1 (NEW).]

4. Requirements for facilities with 17 or more beds. A children's home that has a capacity of 17 or more beds must comply with the Life Safety Code of the National Fire Protection Association, Residential Board and Care Occupancies sections for large facilities as adopted by the Commissioner of Public Safety.
[PL 2003, c. 411, §1 (NEW).]

5. Requirements for children's home with more than 3 but fewer than 17 beds. A children's home that has a capacity of more than 3 but fewer than 17 beds must comply with the Life Safety Code of the National Fire Protection Association, Residential Board and Care Occupancies sections for small facilities as adopted by the Commissioner of Public Safety. In addition, automatic emergency lights must be provided in the number and location required by the Commissioner of Public Safety.
[PL 2003, c. 411, §1 (NEW).]

6. Requirements for children's home with 6 or fewer beds. Notwithstanding subsection 5, the department may consider a children's home that has 6 or fewer residents, all of whom can evacuate the home without the assistance of another person in 3 minutes or less, to be in compliance with the one-family and 2-family dwelling requirements of the Life Safety Code of the National Fire Protection Association as adopted by the Commissioner of Public Safety. Facilities having 3 or fewer residents must meet the requirements of the one-family and 2-family dwelling chapter of the Life Safety Code of the National Fire Protection Association as adopted by the Commissioner of Public Safety.
[PL 2003, c. 411, §1 (NEW).]

7. Local regulations. Nothing in this section prevents a locality from imposing requirements for children's homes more stringent than those required in this section.
[PL 2003, c. 411, §1 (NEW).]

SECTION HISTORY

PL 1975, c. 719, §6 (NEW). PL 1985, c. 706, §9 (RPR). PL 1989, c. 502, §A85 (AMD). PL 1997, c. 728, §12 (AMD). PL 2001, c. 515, §1 (AMD). PL 2001, c. 596, §B19 (AMD). PL 2001,

c. 596, §B25 (AFF). PL 2003, c. 411, §1 (AMD). PL 2003, c. 510, §A18 (AMD). PL 2003, c. 599, §10 (AMD). PL 2019, c. 444, §§1-3 (AMD). PL 2025, c. 594, §5 (AMD).

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