



National Electrical Manufacturers Association

June 18, 2015

Senator James E. Timilty
Co-Chair, Joint Committee on Public Safety and Homeland Security
State House
Room 507
Boston, MA 02133

Representative Harold Naughton, Jr.
Co-Chair, Joint Committee on Public Safety and Homeland Security
Room 167
State House
Boston, MA 02133

Dear Chairman Timilty and Chairman Naughton,

My name is Jack Lyons and I am here on behalf of the National Electrical Manufacturers Association (NEMA) located in Rosslyn, VA. NEMA is the association of electrical equipment manufacturers. Founded in 1926, its member companies manufacture a diverse set of products including power transmission and distribution equipment, lighting systems, factory automation and control systems, and medical diagnostic imaging systems. Worldwide annual sales of NEMA-scope products exceed \$100 billion.

Members of NEMA's Fire, Life Safety, Security and Emergency Communication Section manufacture fire, smoke, and carbon monoxide detection and warning equipment and have asked me to provide testimony today on several bills before this committee that would impact carbon monoxide and smoke detection in the Commonwealth of Massachusetts.

Three bills – H 2097, H 2099 and H 2156 – would require CO detection in the Commonwealth's schools, though H 2097 goes beyond that occupancy group to require CO detection in all buildings in the Commonwealth. I am sure we are all aware of a recent incident that clearly demonstrated a need for CO detection requirements in K-12 schools. On March 17 of last year, the East Douglas Elementary School had to evacuate 77 students in the kindergarten class held on the second floor of the town municipal center. Nine people, including six kindergartners, were rushed to hospitals. The culprit was CO, the invisible, colorless, odorless and tasteless gas that can make people sick and even lead to death. Due to their smaller size, children are especially vulnerable to the effects of CO. As such, an adult teacher may not intuitively recognize that a number of sleepy students could be attributable to exposure to elevated levels of CO if he or she has not been affected to the same extent. Gas powered equipment such as heaters and generators can emit CO, and in the case of the Douglas municipal center it was a faulty boiler.

By providing simple devices and systems which detect the gas, these CO deaths and near tragedies can be avoided. The Commonwealth has a law which requires residences to have CO

detection, but does not require that capacity for schools. This is a major gap in the Commonwealth's life safety laws and NEMA encourages your leadership to address it by passing one of the bills before the Committee.

The second issue I would like to address is a series of bills before this Committee that pertain to smoke detection requirements. Specifically, H 2097, H 2099, H, 2109 and S 1249 each contain language requiring that: 1) battery-powered smoke alarms in certain homes be powered by sealed, 10-year batteries; and 2) that smoke detection devices be listed by Underwriters Laboratories (or "UL" as they are more commonly known).

Regarding sealed, "10-year" batteries, NEMA recognizes that there are various stakeholder groups in favor of laws mandating the use of this technology because they believe that this technology enhances life safety by providing longer battery life while preventing consumers from removing the batteries. While NEMA supports the advancement of technologies that improve life safety, NEMA does not support legislation that attempts to mandate one type of life safety technology in a given market at the exclusion of other important technologies.

Consumers should be free to choose which smoke alarms are present in their homes provided those devices comply with consensus codes and standards. Therefore, consumers, not state regulators, should decide whether alarms powered by 10-year batteries ultimately address consumer needs. There are currently several important life safety features that are not supported by a 10-year battery. They include wireless interconnection, connection to a control unit, multiple sensing technologies, and enhanced waking effectiveness for susceptible sub-populations. **Under the imposition of a law requiring 10-year batteries, consumers would be precluded from purchasing and installing battery-operated smoke alarms with these features in their homes. This issue is being addressed by a sub-committee of the Board of Fire Prevention Regulators to ensure future technologies are not prohibited.**

Further, it is clear that the imposition of 10-year mandates not only precludes some current technologies, but could also preempt the introduction of future technologies in the Commonwealth. Life safety is among the most innovative and dynamic of U.S. manufacturing industries; NEMA members are constantly working to develop new smoke detection and communication technologies to enhance consumer protection. The result of these efforts is an evolving marketplace which will continue to benefit the consumer for years to come. NEMA does not want to see this evolution stifled by preclusive legislation.

Regarding the requirement that smoke detection products be listed by UL, NEMA is concerned that this language will lead to a decrease in consumer choice for safe, affordable smoke alarms for Massachusetts citizens. NEMA strongly supports provisions in state and local laws that require life safety products to be listed by a Nationally Recognized Testing Laboratory. These requirements preserve public safety by ensuring that the life safety products relied upon by consumers conform to industry standards for safety and reliability. However, NEMA does not support legislative language that expresses a preference for one national lab in particular. By requiring that certain smoke detectors and low voltage systems be "U.L. listed," that is exactly what these bills will do.

Thank you for your time and attention to these important life safety matters.

Respectfully,

Jack Lyons
NEMA Northeast Field Representative