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LD 2012 - An Act to Amend the Laws Governing Carbon Monoxide Detectors

Senator Beebe-Center, Representative Hasenfus, and honorable members of the Criminal Justice and Public Safety Committee, my name is Shawn Esler, and it is a privilege to serve as the State Fire Marshal.

I am here today to testify **in support of LD 2012**, a Department bill intended to harmonize Maine's carbon monoxide detector statute with nationally recognized life-safety standards. Carbon monoxide is a colorless, odorless gas and one of the leading causes of accidental poisoning deaths nationwide.

LD 2012 is not a broad expansion of regulation. Rather, it makes targeted, technical updates to ensure Maine statute remains aligned with the State's regular adoption of the National Fire Protection Association Life Safety Code, a process the Office of the State Fire Marshal already carries out.

Beginning January 1, 2027, the bill requires carbon monoxide detectors in newly constructed occupancies only where such detection is required by the Life Safety Code as adopted by the Commissioner. Under current law, the statute contains fixed occupancy language that does not automatically align with current or future editions of the Life Safety Code. In practice, this creates unnecessary administrative burden for the Office of the State Fire Marshal, including the need to amend or remove outdated statutory language each time the Life Safety Code is updated.

LD 2012 resolves this issue by allowing statutes to reference the adopted Life Safety Code directly, ensuring continuity, regulatory clarity, and efficient implementation while maintaining the same life-safety intent.

Second, the bill updates language related to rulemaking authority by changing the Commissioner's authority from mandatory to permissive. The Department does not view it as necessary to create a separate, standalone set of carbon monoxide rules when the Life Safety Code already incorporates comprehensive and regularly updated requirements for new construction.

Third, LD 2012 updates requirements for educational facilities by replacing a fixed, minimum detector requirement with compliance tied directly to the Life Safety Code. This ensures that schools and child-care settings meet modern, nationally accepted safety standards rather than outdated statutory minimums.

Recent carbon monoxide incidents have demonstrated that the gas can migrate well beyond its immediate source and affect large portions of a building. In facilities with multiple classrooms, corridors, or occupied areas, a single carbon monoxide detector, while technically meeting a statutory minimum, may not provide timely warning to all occupants. The Life Safety Code accounts for building size, layout, and occupancy to ensure detector placement provides meaningful coverage and early warning throughout a facility.

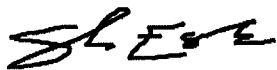
Finally, the bill clarifies which state and local officials are responsible for administering carbon monoxide detector requirements. This promotes consistency statewide and eliminates uncertainty regarding roles and responsibilities without creating new enforcement mechanisms.

In parallel with this legislation, I have also requested an amendment to the Attorney General's death investigation protocol to require the Office of the State Fire Marshal to be assigned to investigate all suspected carbon monoxide-related deaths. This effort is intended to strengthen data collection, support public education efforts, and provide municipalities across our great State with specialized expertise during these tragic events.

In calendar year 2025, the Office of the State Fire Marshal, at the request of local authorities, investigated multiple carbon monoxide incidents statewide, including four carbon monoxide-related deaths. These incidents underscore the importance of early detection and the need for specialized investigative work beyond the scope of a traditional law-enforcement response.

LD 2012 is a commonsense, prevention-focused update that cleans up statute, aligns Maine law with adopted life-safety codes, and strengthens protections for Maine people. On behalf of the Office of the State Fire Marshal, I respectfully urge the Committee to support LD 2012.

Thank you for your time, and I would be happy to answer any questions.



Shawn Esler, State Fire Marshal