

9436

I N A S S E M B L Y

March 1, 2012

Introduced by M. of A. DINOWITZ -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the executive law, in relation to requiring warning labels on fireplaces and fireplace enclosures that have glass viewing panels

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 378 of the executive law is amended by adding a
2 new subdivision 17 to read as follows:
3 17. STANDARDS FOR FACTORY MANUFACTURED FIREPLACES AND FIREPLACE ENCLOSURES WHICH HAVE GLASS VIEWING PANELS REQUIRING THAT EVERY SUCH FIRE-
4 PLACE AND ENCLOSURE, SOLD OR INSTALLED AFTER THE EFFECTIVE DATE OF THIS
5 SUBDIVISION, SHALL HAVE AFFIXED TO THE GLASS PANELS THEREOF, A CONSPICU-
6 OUS ORANGE WARNING LABEL ADVISING THE CONSUMER OF THE GRAVE RISK OF
7 SERIOUS BURNS POSED BY TOUCHING SUCH GLASS PANELS WHEN A FIREPLACE IS
8 OPERATING. NO SUCH WARNING LABEL SHALL BE REMOVED FROM THE GLASS OF A
9 FIREPLACE OR FIREPLACE ENCLOSURE BY ANY PERSON; PROVIDED, HOWEVER, THAT
10 WHEN SUCH A FIREPLACE OR FIREPLACE ENCLOSURE IS INSTALLED IN AN OWNER
11 OCCUPIED DWELLING, SUCH WARNING MAY BE REMOVED BY THE OWNER WHO OCCUPIES
12 SUCH DWELLING. ANY PERSON WHO VIOLATES THE STANDARDS ESTABLISHED PURSU-
13 ANT TO THIS SUBDIVISION SHALL BE LIABLE FOR A CIVIL PENALTY NOT TO
14 EXCEED TWO HUNDRED FIFTY DOLLARS.
15
16 S 2. This act shall take effect on the first of January next succeeding
17 the date on which it shall have become a law; provided, that any
18 rules and regulations necessary to implement the provisions of this act
19 on its effective date are authorized and directed to be promulgated,
20 amended and/or repealed on or before such date.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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