



SPONSOR: Rep. Mitchell

HOUSE OF REPRESENTATIVES  
151st GENERAL ASSEMBLY

HOUSE AMENDMENT NO. 2  
TO  
SENATE BILL NO. 308

1 AMEND Senate Bill No. 308 by deleting lines 34 and 35 in their entirety and inserting in lieu thereof, the  
2 following:

3 “(1) Any structure or portion thereof which is occupied as, or designed or intended for occupancy as a  
4 residence for 2 or less families, including multifamily, single family, and townhouse dwellings, is excluded from the  
5 testing requirements in § 6603D of this title.”.

6 FURTHER AMEND Senate Bill No. 308 by deleting lines 44 through 47 in their entirety and inserting in lieu  
7 thereof the following:

8 “(b) Fire Dampers, Smoke Dampers, and Fire Combination Fire/Smoke Dampers shall be inspected and tested no  
9 less than once after the first year of installation, and once every 4 years thereafter, except for hospitals. In hospitals, Fire  
10 Dampers, Smoke Dampers, and Combination Fire/Smoke Dampers shall be inspected and tested no less than once after the  
11 first year of installation, and once every 6 years thereafter. The testing of Fire”.

12 FURTHER AMEND Senate Bill No. 308 by deleting lines 53 through 57 in their entirety and inserting in lieu  
13 thereof the following:

14 “(c) Once installed, Fire Life Safety Dampers shall be inspected and tested no less than once after the first year of  
15 installation, and once every 4 years thereafter, except for hospitals. In hospitals, Fire Life Safety Dampers shall be  
16 inspected and tested no less than once after the first year of installation and once every 6 years thereafter. The testing of  
17 Fire Life Safety Dampers shall include the Visual Inspection Method as defined in NFPA 80, 19.5.2.3.2 and in”.

18 FURTHER AMEND Senate Bill No. 308 on line 62 by deleting “periodically” as it appears therein.

19 FURTHER AMEND Senate Bill No. 308 by deleting lines 75 through 77 in their entirety and inserting in lieu  
20 thereof the following:

21 “section a “qualified inspector” means either of the following:

22 (1) Authorized state or local fire department personnel.

23 (2) A technician possession certification from the International Certification Board as a HVAC Fire Life”.

24 FURTHER AMEND Senate Bill No. 308 by deleting lines 111 through 115 in their entirety and inserting in lieu  
25 thereof the following:

26 “Any person who violates this chapter shall be assessed a civil penalty of \$100.00 for each day of non-compliance  
27 payable to the Office of State Fire Marshal.”

28 Section 2. This Act takes effect upon the establishment of a program to review and approve third-party inspection  
29 training and certification programs by the Delaware State Fire Prevention Commission pursuant to § 6604D of Title 16, or  
30 1 year after enactment, whichever occurs first.”

#### SYNOPSIS

This amendment clarifies when inspection and testing must occur, and specifically, which buildings are exempt from the testing requirements. This amendment makes technical corrections. This amendment also adds a delayed enactment provision which is upon establishment of a program to review and approve third-party inspection training and certification programs by the Delaware State Fire Prevention Commission, or 1 year after enactment, whichever occurs first.