Bill No. 43-26
Concerning: Fire Safety – Smoke Escape Hoods in Multifamily Residential Rental Buildings
Revised: 11/17/2026 Draft No. 7
Introduced: September 15, 2026
Enacted: November 17, 2026
Executive:
Effective:
Sunset Date: None
Ch. ____, Laws of Mont. Co. ____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Stewart
Co-Sponsors: Council President Fani-González, Councilmembers Katz and Evans, Council Vice President Balcombe, and Councilmembers Luedtke, Mink, and Sayles

AN ACT to:

(1) require a property owner of certain multifamily residential rental buildings to provide smoke escape hoods for occupants' use during a fire emergency;
(2) establish notice, inspection, and maintenance requirements for smoke escape hoods; and
(3) generally amend the law regarding fire safety and protection in the County.

By adding
Montgomery County Code
Chapter 22, Fire Safety Code
Section 22-39A

Boldface	*Heading or defined term.*
Underlining	*Added to existing law by original bill.*
[Single boldface brackets**]**	*Deleted from existing law by original bill.*
Double underlining	*Added by amendment.*
[[Double boldface brackets**]]**	*Deleted from existing law or the bill by amendment.*
* * *	*Existing law unaffected by bill.*

The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. 22-39A is added, as follows:

22-39A. Fire Safety and Protection – Smoke escape hoods in multifamily dwellings.

(a) *Definitions.* In this Section, the words have the following meanings:

Building occupancy means the maximum number of occupants permitted in a residential or commercial building as **[[**determined**]]** authorized by the Department of Permitting Services.

Multifamily residential rental building means any residential rental building with 5 or more stories above grade level.

Smoke escape hood means a personal respiratory protective equipment or fire hood that:

(1) is designed for personal use during an emergency escape from a structural fire;

(2) protects from smoke, carbon monoxide, and other toxic fire gases for a limited period of time; and

(3) complies with the applicable performance and fire safety standards of the **[[**American National Standards Institute (ANSI)**]]** Advancing Standards Transforming Markets (ASTM) E2952-24 or later adopted versions.

(b) *Smoke escape hood - required.* The owner of a multifamily residential rental building must provide and maintain smoke escape hoods on-site, a minimum amount of 5 percent of the **[[**building's**]]** permitted building occupancy.

(c) *Calculation.* If the calculation of the minimum amount under subsection (b) does not yield a whole number, the result must be rounded up to the next whole number.

(d) *Additional smoke escape hoods.*

(1) The Fire Chief may require an owner to provide and maintain more than the minimum number of smoke escape hoods required under subsection (b), based on the size, occupancy, or other characteristics of the building that affect the safety of occupants during a fire emergency, but the total number required may not exceed 10 percent of the **[[**building's**]]** permitted building occupancy.

(2) In determining whether additional smoke escape hoods are required, the Fire Chief must consider factors that affect the safety of occupants during a fire emergency, including:

(A) the number of occupants;

(B) the height, size, and configuration of the building;

(C) the number, location, and accessibility of means of egress;

(D) the building's fire detection, alarm, and other life-safety systems;

(E) the building's construction type;

(F) the anticipated ability of occupants to safely evacuate during a fire emergency; and

(G) other factors that affect occupant safety during a fire emergency.

(e) *Certification.* The Director must establish a process to certify that an applicable building has the number of smoke escape hoods required under this Section.

(f) *Storage location of smoke escape hoods.*

(1) The owner must maintain all smoke escape hoods on-site for deployment by emergency responders for occupants during a fire or other emergency requiring evacuation.

(2) The storage location of a smoke escape hood must be approved by the Director, in consultation with the Fire Chief and the property owner.

(3) The owner must ensure that the storage location remains readily accessible to emergency responders and that the smoke escape hoods are available for deployment at all times.

(g) *Maintenance and inspection*. The property owner must:

(1) inspect each smoke escape hood annually;

(2) replace any damaged, expired, or missing hood;

(3) follow the manufacturer's instructions for maintenance;

(4) maintain records demonstrating compliance; and

(5) comply with Section 22-26 {Maintenance of fire safety equipment}.

(h) *Tenant notice*.

(1) At the commencement of a tenancy, the owner must inform the tenant of the location and intended use of the smoke escape hood.

(2) The landlord may not require a tenant to pay for the purchase, inspection, maintenance, or replacement of a smoke escape hood.

(i) *Enforcement; penalties*. The Director or Director's designee may inspect a multifamily residential building for compliance with this Section. A violation of this Section is subject to the penalties and other remedies provided in Section 22-22.

(j) *Regulations.* The Director of the Department of Permitting Services, in consultation with the Fire Chief, and the Director of the Department of Housing and Community Affairs**[[,]]** **[[**may**]]** must adopt method (2) regulations necessary to administer and enforce this Section, including establishing:

(1) the process an owner must follow to obtain certification of the number of smoke escape hoods required for each applicable building to comply with subsection (b); and

(2) requirements for the storage, location, inspection, maintenance, and replacement of a smoke escape hood.

Sec. 2. Transition; Compliance Deadline. An owner must comply with the requirements of Section 1 within 18 months after the effective date of this Act, or within 6 months after the adoption of the method (2) regulations required by this Act, whichever occurs later.

Approved:

Natali Fani

November 17, 2026

Natali Fani-González, President, County Council — Date

Approved:

Marc Elrich, County Executive — Date

This is a correct copy of Council action.

Sara R. Tenenbaum, Clerk of the Council — Date