Commercial Section

2007 WISCONSIN ACT 205

AN ACT to amend 101.145 (2); and to create 101.149, 254.74 (1) (am) and 254.74 (1g) of the statutes; relating to: the installation of carbon monoxide detectors in certain buildings, providing an exemption from emergency rule procedures, granting rulemaking authority, and providing penalties.

SECTION 1. 101.145 (2) of the statutes is amended to read: 101.145 (2) APPROVAL. A smoke detector required under this section shall be approved by Underwriters Laboratories, Inc.

SECTION 2. 101.149 of the statutes is created to read: 101.149 Carbon monoxide detectors.

(1) DEFINITIONS. In this section:
(a) "Bed and breakfast establishment" means any place of lodging that:
   (a) Provides 8 or fewer rooms for rent to no more than a total of 20 tourists or transients;
   (b) Provides no meals other than breakfast and provides the breakfast only to renters of the place;
   (c) Is the owner’s personal residence;
   (d) Is occupied by the owner at the time of rental;
   (e) Was originally built and occupied as a single-family residence, or, prior to use as a place of lodging, was converted to use and occupied as a single-family residence;
(f) Has had completed, before May 11, 1990, any structural additions to the dimensions of the original structure, including by renovation, except that this limit does not apply to any of the following:
1. A structural addition, including a renovation, made to a structure after May 11, 1990, within the dimensions of the original structure.
2. A structural addition, made to a structure that was originally constructed at least 50 years before an initial or renewal application for a permit under s. 254.64 (1) (b) is made and for which no use other than as a bed and breakfast establishment is proposed. The structural addition under this subdivision shall comply with the rules under s. 101.63 (1).

(b) “Carbon monoxide detector” means an electronic or battery operated device that sounds an alarm when an unsafe level of carbon monoxide is in the air.
(c) “Establishment” means a hotel, tourist rooming house, bed and breakfast establishment, restaurant, temporary restaurant or vending machine commissary.
(d) “Public health and safety” means the highest degree of protection against infection, contagion or disease and freedom from the danger of fire or accident that can be reasonably maintained in the operation of a hotel, restaurant, tourist rooming house, bed and breakfast establishment, vending machine or vending machine commissary.
(e) “Residential building” means a tourist rooming house, a bed and breakfast establishment, or any public building that is used for sleeping or lodging purposes. “Residential building” does not include a hospital or nursing home.
(f) “Sleeping area” means the area of the unit in which the bedrooms or sleeping rooms are located. Bedrooms or sleeping rooms separated by another use area such as a kitchen or living room are separate sleeping areas but bedrooms or sleeping rooms separated by a bathroom are not separate sleeping areas.
(g) “Smoke detector” means an electronic or battery operated device that sounds an alarm when an unsafe level of smoke is in the air.
(h) “Tourist or transient” means a person who travels from place to place away from his or her permanent residence for vacation, pleasure, recreation, culture, business or employment.
(i) “Tourist rooming house” means any lodging place or tourist cabin or cottage where sleeping accommodations are offered for pay to tourists or transients. “Tourist rooming house” does not include:
   (a) A private boarding or rooming house, ordinarily conducted as such, not accommodating tourists or transients.
   (b) A hotel.
   (c) Bed and breakfast establishments.
(j) “Unit” means a part of a residential building that is occupied by one or more persons as a home, residence, or sleeping place.

1. A smoke detector required under this section shall be approved by ____________________.
   a. the State of Wisconsin
   b. the Federal government
   c. Underwriters Laboratories Inc
   d. all of the above

2. “Bed and breakfast establishment” means any place of lodging that:
   a. Provides 8 or fewer rooms for rent to no more than a total of 20 tourists or transients;
   b. Provides no meals other than breakfast and provides the breakfast only to renters of the place;
   c. Is the owner’s personal residence;
   d. all of the above
3. “Bed and breakfast establishment” means any place of lodging that:
   a. Is occupied by the owner at the time of rental
   b. Was originally built and occupied as a single-family residence, or, prior to use as a place of lodging, was converted to use and occupied as a single-family residence
   c. Has had completed, before May 11, 1990, any structural additions to the dimensions of the original structure, including by renovation
   d. all of the above

4. Bed and breakfast establishment completed before May 11, 1990, any structural additions to the dimensions of the original structure, including by renovation, except that this limit does not apply to any of the following:
   a. A structural addition, including a renovation, made to a structure before May 11, 1980, within the dimensions of the original structure.
   b. A structural addition, made to a structure that was originally constructed at least 20 years after an initial or renewal application for a permit under s. 254.64 (1) (b) is made and for which no use other than as a bed and breakfast establishment is proposed. The structural addition under this subdivision shall comply with the rules under s. 101.63 (1).
   c. none of the above
   d. both a & b

5. “_________________” means an electronic or battery operated device that sounds an alarm when an unsafe level of carbon monoxide is in the air.
   a. Smoke detector
   b. Public health and safety
   c. Carbon monoxide detector
   d. all of the above

6. “_______________” means an electronic or battery operated device that sounds an alarm when an unsafe level of smoke is in the air.
   a. Smoke detector
   b. Public health and safety
   c. Carbon monoxide detector
   d. all of the above

7. “_______________” means the highest degree of protection against infection, contagion or disease and freedom from the danger of fire or accident that can be reasonably maintained in the operation of a hotel, restaurant, tourist rooming house, bed and breakfast establishment, vending machine or vending machine commissary.
   a. Smoke detector
   b. Public health and safety
   c. Carbon monoxide detector
   d. all of the above

8. “_______________” means a hotel, tourist rooming house, bed and breakfast establishment, restaurant, temporary restaurant or vending machine commissary.
   a. Tourist rooming house
   b. Residential building
   c. Establishment
   d. Tourist or transient

9. “_______________” means any lodging place or tourist cabin or cottage where sleeping accommodations are offered for pay to tourists or transients.
   a. Tourist rooming house
   b. Residential building
   c. Establishment
   d. Tourist or transient
10. “_____________” means a tourist rooming house, a bed and breakfast establishment, or any public building that is used for sleeping or lodging purposes. “Residential building” does not include a hospital or nursing home.
   a. Tourist rooming house
   b. Residential building
   c. Establishment
   d. Tourist or transient

11. “_____________” means a person who travels from place to place away from his or her permanent residence for vacation, pleasure, recreation, culture, business or employment.
   a. Tourist rooming house
   b. Residential building
   c. Establishment
   d. Tourist or transient

12. “Tourist rooming house” means any lodging place or tourist cabin or cottage where sleeping accommodations are offered for pay to tourists or transients. “Tourist rooming house” does not include:
   a. A private boarding or rooming house, ordinarily conducted as such, not accommodating tourists or transients.
   b. A hotel.
   c. Bed and breakfast establishments.
   d. all of the above

13. Any “_________________” that bears an Underwriters Laboratories, Inc., listing mark or similar mark from an independent product safety certification organization satisfies the requirements of this subsection.
   a. fire alarm
   b. smoke alarm
   c. carbon monoxide detector
   d. all of the above

14. The owner shall install every carbon monoxide detector required by this subsection according to the ______________ of the manufacturer of the carbon monoxide detector.
   a. directions
   b. specifications
   c. none of the above
   d. both a & b

15. “_________” means a part of a residential building that is occupied by one or more persons as a home, residence, or sleeping place.
   a. Unit
   b. Sleeping area
   c. none of the above
   d. both a & b

16. “_________” means the area of the unit in which the bedrooms or sleeping rooms are located. Bedrooms or sleeping rooms separated by another use area such as a kitchen or living room are separate sleeping areas but bedrooms or sleeping rooms separated by a bathroom are not separate sleeping areas.
   a. Unit
   b. Sleeping area
   c. none of the above
   d. both a & b
Summary of Proposed Rules
The rules establish minimum requirements for the installation and maintenance of carbon monoxide alarms in buildings accommodating residential type occupancies where people sleep or lodge, excluding hospitals and nursing homes, that reflect the statutory mandates of 2007 Wisconsin Act 205. Specifically, the rules would:

For new tourist rooming houses (cabins under the scope of Uniform Dwelling Code) (October 1, 2008), Comm 21.095
• Require the installation of carbon monoxide alarms where any type of fuel burning appliances are installed.
• Require the carbon monoxide alarms to be continuously powered by the building’s electrical service with battery backups.

For new commercial buildings: (October 1, 2008),
• Require the installation of carbon monoxide alarms where any type of fuel burning appliances are installed. Comm 62.1200 (2) (a)
• Require the carbon monoxide alarms to be continuously powered by the building’s electrical service with battery backups. Comm 62.1200 (2) (c)

For existing commercial buildings (Buildings existing on October 1, 2008 or reviewed and receiving department plan approval under the rules effective prior to October 1, 2008)
• Require the installation of carbon monoxide alarms by April 1, 2010.
• Do not dictate the type of power sources for the carbon monoxide alarms, thereby allowing batteries, electrical outlet plug-ins or wired to the building’s electrical service.
• Allow the omission of carbon monoxide alarms provided there are no attached garages and all of the fuel burning appliances are of sealed combustion type either under warranty or annually inspected for carbon monoxide emissions. Comm 62.1200 (2) (a) 4.

The rules require carbon monoxide alarms to be listed and labeled identifying conformance to UL 2034, Underwriters Laboratories Inc, Standard for Safety Single and Multiple Station Carbon Monoxide Alarms.

Under the federal Americans with Disabilities Act, ADA, and the federal Fair Housing Law certain carbon monoxide alarms may be required to have both audible and visual alarm features.

Owners of existing tourist rooming houses will need to install and maintain carbon monoxide alarms in accordance with s. 101.149 (2) and (3), Stats., by April 1, 2010.

17. The rules establish minimum requirements for the installation and maintenance of carbon monoxide alarms in buildings accommodating residential type occupancies where people -

a. eat
b. sleep
c. lodge
d. both b & c

18. The rules establish minimum requirements for the installation and maintenance of carbon monoxide alarms in buildings accommodating residential type occupancies excluding -

a. hospitals
b. nursing homes
c. neither a or b
d. both a & b

19. For new tourist rooming houses (cabins under the scope of Uniform Dwelling Code) (October 1, 2008), Comm 21.095. require the installation of carbon monoxide alarms only where any certain types of fuel burning appliances are installed.

a. true
b. false
20. For new tourist rooming houses (cabins under the scope of Uniform Dwelling Code) (October 1, 2008), Comm 21.095. require the carbon monoxide alarms to be continuously powered by the building’s electrical service with or without battery backups.
   a. true
   b. false

21. For new commercial buildings: (October 1, 2008). Require the installation of carbon monoxide alarms where gas or oil burning appliances are installed.
   a. true
   b. false

22. Require the carbon monoxide alarms to be continuously powered by the building’s electrical service with battery backups.
   a. true
   b. false

23. For existing commercial buildings (Buildings existing on October 1, 2008 or reviewed and receiving department plan approval under the rules effective prior to October 1, 2008)
   a. Require the installation of carbon monoxide alarms by April 1, 2010.
   b. Do not dictate the type of power sources for the carbon monoxide alarms, thereby allowing batteries, electrical outlet plug-ins or wired to the building’s electrical service.
   c. Allow the omission of carbon monoxide alarms provided there are no attached garages and all of the fuel burning appliances are of sealed combustion type either under warranty or annually inspected for carbon monoxide emissions.
   d. all of the above

24. Owners of existing tourist rooming houses will need to install and maintain carbon monoxide alarms in accordance with s. 101.149 (2) and (3), Stats., by__________.
   a. October 1, 2008
   b. April 1, 2010
   c. February 1, 2011
   d. none of the above

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(2) INSTALLATION REQUIREMENTS. (a) Except as provided in par. (b), the owner of a residential building shall install a carbon monoxide detector in all of the following places not later than the date specified under par. (c):

1. In the basement of the building if the basement has a fuel burning appliance.
2. Within 15 feet of each sleeping area of a unit that has a fuel burning appliance.
3. Within 15 feet of each sleeping area of a unit that is immediately adjacent to a unit that has a fuel burning appliance.
4. In each room that has a fuel−burning appliance and that is not used as a sleeping area. A carbon monoxide detector shall be installed under this subdivision not more than 75 feet from the fuel−burning appliance.
5. In each hallway leading from a unit that has a fuel− burning appliance, in a location that is within 75 feet from the unit, except that, if there is no electrical outlet within this distance, the owner shall place the carbon monoxide detector at the closest available electrical outlet in the hallway.

(b) If a unit is not part of a multiunit building, the owner of the residential building need not install more than one carbon monoxide detector in the unit.

(c) 1. Except as provided under subd. 2., the owner of a residential building shall comply with the requirements of this subsection before the building is occupied.
2. The owner of a residential building shall comply with the requirements of this subsection not later October 1, 2008, except if construction of the building was initiated before October 1, 2008 or if the
(d) Any carbon monoxide detector that bears an Underwriters Laboratories, Inc., listing mark or similar mark from an independent product safety certification organization satisfies the requirements of this subsection.

(e) The owner shall install every carbon monoxide detector required by this subsection according to the directions and specifications of the manufacturer of the carbon monoxide detector.

25. Except as provided in par. (b), the owner of a residential building shall install a carbon monoxide detector in all of the following places not later than the date specified under par. (c):
   a. In the basement of the building if the basement has a fuel burning appliance.
   b. Within 15 feet of each sleeping area of a unit that has a fuel burning appliance.
   c. Within 15 feet of each sleeping area of a unit that is immediately adjacent to a unit that has a fuel burning appliance.
   d. all of the above

26. Except as provided in par. (b), the owner of a residential building shall install a carbon monoxide detector in all of the following places not later than the date specified under par. (c):
   a. In each room that has a fuel−burning appliance and that is not used as a sleeping area. A carbon monoxide detector shall be installed under this subdivision not more than 25 feet from the fuel−burning appliance.
   b. In each hallway leading from a unit that has a fuel−burning appliance, in a location that is within 75 feet from the unit, except that, if there is no electrical outlet within this distance, the owner shall place the carbon monoxide detector at the closest available electrical outlet in the hallway.
   c. In each attached garage located within 75 feet from the unit.
   d. all of the above

27. In each hallway leading from a unit that has a fuel−burning appliance, in a location that is within 75 feet from the unit, except that, if there is no electrical outlet within this distance, the owner shall place the carbon monoxide detector at the closest available electrical outlet in the hallway or add a battery operated carbon monoxide detector.
   a. true
   b. false

28. If a unit is not part of a multiunit building, the owner of the residential building need not install more than one carbon monoxide detector on each floor level within the unit.
   a. true
   b. false

29. The owner of a residential building shall comply with the requirements of this subsection not later ________________.
   a. October 1, 2008
   b. April 1, 2010
   c. February 1, 2011
   d. none of the above

30. The owner of a residential building shall comply with the requirements of this subsection not later (the answer for question 29), except if construction of the building was initiated before ________________.
   a. October 1, 2008
   b. April 1, 2010
   c. February 1, 2011
   d. none of the above
31. The owner of a residential building shall comply with the requirements of this subsection not later (the answer for question 29), except if construction of the building was initiated before (the answer for question 29) or if the department approved the plans for the construction of the building under s. 101.12 before October 1, 2008 the effective date of this subdivision shall be__________.  
   a. October 1, 2008  
   b. April 1, 2010  
   c. February 1, 2011  
   d. none of the above  

32. Carbon monoxide detector shall only bear an Underwriters Laboratories, Inc., listing mark.  
   a. true  
   b. false  

33. The owner shall install every carbon monoxide detector required by this subsection according to the _____________ of the manufacturer of the carbon monoxide detector.  
   a. directions  
   b. specifications  
   c. listings  
   d. only a & b  

(3) MAINTENANCE REQUIREMENTS. (a) The owner of a residential building shall reasonably maintain every carbon monoxide detector in the residential building in the manner specified in the instructions for the carbon monoxide detector.  
   (b) An occupant of a unit in a residential building may give the owner of the residential building written notice that a carbon monoxide detector in the residential building is not functional or has been removed by a person other than the occupant. The owner of the residential building shall repair or replace the nonfunctional or missing carbon monoxide detector within 5 days after receipt of the notice.  
   (c) The owner of a residential building is not liable for damages resulting from any of the following:  
      1. A false alarm from a carbon monoxide detector if the carbon monoxide detector was reasonably maintained by the owner of the residential building.  
      2. The failure of a carbon monoxide detector to operate properly if that failure was the result of tampering with, or removal or destruction of, the carbon monoxide detector by a person other than the owner or the result of a faulty detector that was reasonably maintained by the owner as required under par. (a).  

(4) TAMPERING PROHIBITED. No person may tamper with, remove, destroy, disconnect, or remove batteries from an installed carbon monoxide detector, except in the course of inspection, maintenance, or replacement of the detector.  

34. The owner of a residential building shall reasonably maintain every carbon monoxide detector in the residential building in the manner specified in the __________ for the carbon monoxide detector.  
   a. directions  
   b. specifications  
   c. listings  
   d. instructions  

35. The owner of the residential building shall repair or replace the nonfunctional or missing carbon monoxide detector within _____ days after receipt of the notice.  
   a. 2  
   b. 3  
   c. 5  
   d. 30
36. The owner of a residential building is not liable for damages resulting from any of the following:
   a. A false alarm from a carbon monoxide detector if the carbon monoxide detector was
      reasonably maintained by the owner of the residential building.
   b. The failure of a carbon monoxide detector to operate properly if that failure was the result of
      tampering with, or removal or destruction of, the carbon monoxide
      detector by a person other than the owner or the result of a faulty detector that was
      reasonably maintained by the owner as required under par. (a).
   c. A false alarm from a carbon monoxide detector if the detector was recalled and the owner
      was in the process of replacing the detector during the recall period.
   d. both a & b

37. The failure of a carbon monoxide detector to operate properly if that failure was the result of
   ________________________ the carbon monoxide detector by a person other than the owner or the result of
   a faulty detector that was reasonably maintained by the owner.
   a. tampering with
   b. removal of
   c. destruction of
   d. all of the above

38. No person may tamper with, remove, destroy, disconnect, or remove batteries from an installed
   carbon monoxide detector, except in the course of __________ of the detector.
   a. inspection
   b. maintenance
   c. replacement
   d. all of the above

(5) EXCEPTIONS. Subsections (2) and (3) do not apply to the owner of a residential building if the
residential building does not have an attached garage and any of the following applies:
   (a) The residential building does not have any fuel− burning appliances.
   (b) All of the fuel burning appliances in the residential building have sealed combustion units
      that are covered by the manufacturer’s warranty against defects.
   (c) All of the fuel burning appliances in the residential building have sealed combustion units
      that are inspected as provided in the rules promulgated by the department under sub. (6) (b) or in the
      rules promulgated by the department of health and family services under s. 254.74 (1) (am).

(6) RULES.
   (a) The department shall promulgate rules establishing a procedure under which the owner
       of a residential building may apply to the department for a waiver of the requirements under
       sub. (2).
   (b) The department shall promulgate rules, in consultation with the department of health
       and family services, under which the department of commerce shall authorize certified
       heating, ventilating, and air conditioning inspectors to conduct regular inspections of sealed
       combustion units, as required under par. (5)(c), for carbon monoxide emissions in
       residential buildings other than hotels, tourist rooming houses, and bed and breakfast
       establishments. The rules shall specify conditions under which it may issue orders as
       specified under sub.(8) (a). The rules may not require the department of commerce
       to authorize inspection of sealed combustion units during the period in which the sealed
       combustion units are covered by a manufacturer’s warranty against defects.

(7) INSPECTION. To ensure compliance with subs. (2) and (3), the department, or a building
inspector certified by the department, shall inspect the common area of residential buildings other
than hotels, tourist rooming houses, and bed and breakfast establishments and may
inspect a unit within such buildings at the request of the owner or occupant of the unit to be
inspected.
(8) PENALTIES.

(a) If the department of commerce or the department of health and family services determines after an inspection of a building under this section or s. 254.74 (1g) that the owner of the building has violated sub. (2) or (3), the respective department shall issue an order requiring the person to correct the violation within 5 days or within such shorter period as the respective department determines is necessary to protect public health and safety. If the person does not correct the violation within the time required, he or she shall forfeit $50 for each day of violation occurring after the date on which the respective department finds that the violation was not corrected.

(b) If a person is charged with more than one violation of sub. (2) or (3) arising out of an inspection of a building owned by that person, those violations shall be counted as a single violation for the purpose of determining the amount of a forfeiture under par. (a).

(c) Whoever violates sub. (4) is subject to the following penalties:
   1. For a first offense, the person may be fined not more than $10,000 or imprisoned for not more than 9 months, or both.
   2. For a 2nd or subsequent offense, the person is guilty of a Class I felony.

39. EXCEPTIONS. Subsections (2) and (3) do not apply to the owner of a residential building if the residential building does not have an attached garage and any of the following applies:
   a. The residential building does not have any fuel− burning appliances.
   b. All of the fuel burning appliances in the residential building have sealed combustion units that are covered by the manufacturer’s warranty against defects.
   c. All of the fuel burning appliances in the residential building have sealed combustion units that are inspected as provided in the rules promulgated by the department under sub. (6) (b) or in the rules promulgated by the department of health and family services under s. 254.74 (1) (am).
   d. all of the above

40. The department of commerce shall authorize certified heating, ventilating, and air conditioning inspectors to conduct regular inspections of sealed combustion units, as required under par. (5)(c), for carbon monoxide emissions in residential buildings other than 

   a. hotels
   b. tourist rooming houses
   c. bed and breakfast establishments
   d. all of the above

41. The rules may not require the department of commerce to 
   inspection of sealed combustion units during the period in which the sealed combustion units are covered by a manufacturer’s warranty against defects.

   a. require
   b. request
   c. authorize
   d. all of the above

42. To ensure compliance with subs. (2) and (3), shall inspect the common area of residential buildings other than hotels, tourist rooming houses, and bed and breakfast establishments

   a. the department
   b. a building inspector certified by the department
   c. the fire department
   d. a & b
43. Inspections shall be conducted inside units within such buildings without the request of the owner or occupant of the unit to be inspected.
   a. true
   b. false

44. If the department of commerce or the department of health and family services determines after an inspection of a building under this section or s. 254.74 (1g) that the owner of the building has violated sub. (2) or (3), the respective department shall issue an order requiring the person to correct the violation within ____ days
   a. 2
   b. 3
   c. 5
   d. 30

45. If the person does not correct the violation within the time required, he or she shall forfeit $______ for each day of violation occurring after the date on which the respective department finds that the violation was not corrected.
   a. 25
   b. 35
   c. 50
   d. 100

46. If a person is charged with more than one violation of sub. (2) or (3) arising out of an inspection of a building owned by that person, those violations shall be counted as a ________ violation for the purpose of determining the amount of a forfeiture under par.
   a. single
   b. double
   c. triple
   d. none of the above

47. Whoever violates sub. (4) is subject to the following penalties:
   a. For a first offense, the person may be fined not more than $10,000 or imprisoned for not more than 9 months, or both.
   b. For a 2nd or subsequent offense, the person is guilty of a Class I felony.
   c. both a or b
   d. none of the above

SECTION 3. 254.74 (1) (am) of the statutes is created to read: 254.74 (1) (am) Promulgate rules, in consultation with the department of commerce, under which the department of health and family services shall conduct regular inspections of sealed combustion units, as required under s. 101.149 (5) (c), for carbon monoxide emissions in hotels, tourist rooming houses, and bed and breakfast establishments. The rules shall specify conditions under which it may issue orders as specified under s. 101.149 (8) (a). The rules may not require the department of health and family services to inspect sealed combustion units during the period in which the sealed combustion units are covered by a manufacturer’s warranty against defects.

SECTION 3m. 254.74 (1g) of the statutes is created to read: 254.74 (1g) The department shall inspect hotels, tourist rooming houses, and bed and breakfast establishments to ensure compliance with s. 101.149 (2) and (3).

SECTION 4. Nonstatutory provisions. (1) EMERGENCY RULES. Using the procedure under section 227.24 of the statutes, the department of commerce shall promulgate as emergency rules the rules required under section 101.149 (6) of the statutes, as created by this act and the department of health and family services shall promulgate as emergency rules the rules
required under section 254.74 (1) (am) of the statutes, as created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, the emergency rules promulgated under this subsection may remain in effect until January 1, 2009, or until the date on which the permanent rules required under sections 101.149 (6) and 254.74 (1) (am) of the statutes, as created by this act, take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, neither the department of commerce or the department of health and family services is required to provide evidence that promulgating rules under this subsection as emergency rules is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for the rules promulgated under this subsection.

SECTION 5. Effective dates. This act takes effect on the first day of the 6th month beginning after publication, except as follows: (1) EMERGENCY RULES. SECTION 4 (1) of this act takes effect on the day after publication.

48. Promulgate rules, in consultation with the department of commerce, under which the department of health and family services shall conduct regular inspections of sealed combustion units, as required under s. 101.149 (5) (c), for carbon monoxide emissions in_____________.
   a. hotels
   b. tourist rooming houses
   c. bed and breakfast establishments
   d. all of the above

49. The rules may not require the department of health and family services to inspect sealed combustion units during the period in which the sealed combustion units are covered by a manufacturer’s warranty against defects.
   a. true
   b. false

50. The department may inspect hotels, tourist rooming houses, and bed and breakfast establishments to ensure compliance with s. 101.149 (4) and (5).
   a. true
   b. false

1 & 2 Family Section

Comm 21.095 Carbon monoxide alarms. (1) (a) Listed and labeled carbon monoxide alarms with battery secondary power supplies shall be installed and maintained in dwellings to be utilized as licensed tourist rooming houses and which contain fuel-burning appliances in accordance with s. 101.149 (2) and (3), Stats.

Note: Section 101.149 (2) and (3), Stats., reads:

(2) INSTALLATION REQUIREMENTS. (a) Except as provided in par. (b), the owner of a residential building shall install a carbon monoxide detector in all of the following places not later than the date specified under par. (c):
1. In the basement of the building if the basement has a fuel-burning appliance.
2. Within 15 feet of each sleeping area of a unit that has a fuel-burning appliance.
3. Within 15 feet of each sleeping area of a unit that is immediately adjacent to a unit that has a fuel-burning appliance.
4. In each room that has a fuel-burning appliance and that is not used as a sleeping area a carbon monoxide detector shall be installed under this subdivision not more than 75 feet from the fuel-burning appliance.
5. In each hallway leading from a unit that has a fuel-burning appliance, in a location that is within 75 feet from the unit, except that, if there is no electrical outlet within this distance, the owner shall place the carbon monoxide detector at the closest available electrical outlet in the hallway.
(b) If a unit is not part of a multiunit building, the owner of the residential building need not install more than one carbon monoxide detector in the unit.

(c) 1. Except as provided under subd. 2., the owner of a residential building shall comply with the requirements of this subsection before the building is occupied.

2. The owner of a residential building shall comply with the requirements of this subsection not later than April 1, 2010, if construction of the building was initiated before October 1, 2008, or if the department approved the plans for the construction of the building under s. 101.12, Stats., before October 1, 2008.

(d) Any carbon monoxide detector that bears an Underwriters Laboratories, Inc., listing mark or similar mark from an independent product safety certification organization satisfies the requirements of this subsection.

(e) The owner shall install every carbon monoxide detector required by this subsection according to the directions and specifications of the manufacturer of the carbon monoxide detector.

51. ____________ carbon monoxide alarms with battery secondary power supplies shall be installed and maintained in dwellings to be utilized as licensed tourist rooming houses and which contain fuel-burning appliances.
   a. Approved
   b. Listed
   c. Labeled
   d. both b & c

52. The owner of a residential building shall install a carbon monoxide detector in all of the following places not later than the date specified under par. (c):
   a. In the basement of the building if the basement has a fuel-burning appliance.
   b. Within 15 feet of each sleeping area of a unit that has a fuel-burning appliance.
   c. Within 15 feet of each sleeping area of a unit that is immediately adjacent to a unit that has a fuel-burning appliance.
   d. all of the above

53. The owner of a residential building shall install a carbon monoxide detector in all of the following places not later than the date specified under par. (c):
   a. In each room that has a fuel-burning appliance and that is not used as a sleeping area a carbon monoxide detector shall be installed under this subdivision not more than 75 feet from the fuel-burning appliance.
   b. In each hallway leading from a unit that has a fuel-burning appliance, in a location that is within 75 feet from the unit, except that, if there is no electrical outlet within this distance, the owner shall place the carbon monoxide detector at the closest available electrical outlet in the hallway.
   c. a. In each room that has a fuel-burning appliance and that is used as a sleeping area a carbon monoxide detector shall be installed under this subdivision 75 feet from the fuel-burning appliance to prevent false alarms.
   d. only a & b

54. If a unit is not part of a multiunit building, the owner of the residential building need not install any carbon monoxide detector in the unit.
   a. true
   b. false
55. The owner of a residential building shall comply with the requirements of this subsection not later than _____________.
   a. October 1, 2008
   b. April 1, 2010
   c. February 1, 2011
   d. none of the above

56. The owner of a residential building shall comply with the requirements of this subsection not later than (the answer from 29 above), if construction of the building was initiated before _____.
   a. October 1, 2008
   b. April 1, 2010
   c. February 1, 2011
   d. none of the above

57. Only carbon monoxide detector that bears an Underwriters Laboratories, Inc. satisfies the requirements of this subsection.
   a. true
   b. false

58. The owner shall install every carbon monoxide detector required by this subsection according to the __________ of the manufacturer of the carbon monoxide detector.
   a. directions
   b. specifications
   c. general rule of thumb
   d. only a & b
As of October 1, 2008, there are Wisconsin requirements for both smoke alarms and carbon monoxide alarms in almost all one- and two-family dwellings, regardless of the building’s age. The new carbon monoxide safety net is for dwellings with fuel burning appliances, fireplaces or attached garages.

 Owners and Renters Have Responsibilities

Owners are responsible for alarm installations and occupants have responsibility to maintain the alarms. Owners must repair or replace alarms within five days of written notice from an occupant or an inspector. Authorized inspectors may enter dwellings to inspect alarms when requested by owners or occupants.

Tampering with alarms is illegal, dangerous, and can cause serious liability concerns.

Where and What Kinds?

Alarms must be installed in the basement, and on each floor level. The alarms need not be installed in attics, garages, or storage areas.

The alarms may be separate or combination units, powered by batteries, or in the case of new construction, tied into the home’s electrical system, interconnected with battery backup.

Installation must follow manufacturers’ instructions. Those instructions are provided with new alarms and usually can be found on the manufacturers’ Web sites. The manufacturer should be identified on the alarm. Alarms used in Wisconsin must be approved by Underwriters Laboratories.


b. April 1, 2010
c. February 1, 2011
d. none of the above

60. The new carbon monoxide safety net is for dwellings with________________________.
   a. fuel burning appliances
   b. fireplaces
   c. attached garages
   d. all of the above

61. Owners are responsible for alarm installations and occupants have responsibility to maintain the alarms.
   a. true
   b. false

62. Owners must repair or replace alarms within five days of written notice from an________.
   a. occupant
   b. inspector
   c. both a & b
   d. none of the above

63. Authorized inspectors may enter dwellings to inspect alarms when requested by ________.
   a. occupant
   b. inspector
   c. both a & b
   d. none of the above

64. Tampering with alarms__________.
   a. is illegal
   b. is dangerous
   c. can cause serious liability concerns
   d. all of the above

65. Alarms must be installed in the________.
   a. basement
   b. on each floor level
   c. both a & b
   d. none of the above

66. The alarms need not be installed in ____________.
   a. attics
   b. garages
   c. storage areas
   d. all of the above

67. The alarms may be separate or combination units, powered by batteries, or in the case of new construction, tied into the home’s electrical system, interconnected with battery backup.
   a. true
   b. false

68. Installation must follow ___________ instructions.
   a. inspectors
   b. building code
   c. manufacturers
   d. all of the above

69. The manufacturer should be identified on the alarm. Alarms used in Wisconsin must be approved by__________.
   a. State of Wisconsin
   b. local inspector
Smoke Alarms - Save Lives and Property - Carbon Monoxide Alarms

Carbon monoxide is a gas created by incomplete burning of fuels. Carbon monoxide is colorless, odorless and tasteless, but highly toxic. It can build up over time, with unrecognized symptoms such as headaches, nausea, disorientation, or irritability eventually building to unconsciousness and fatal poisoning. Carbon monoxide alarms warn of the gas before it reaches dangerous levels.

Examples of some carbon monoxide sources are garages, heaters, fireplaces, furnaces, appliances or cooking sources using coal, wood, oil, kerosene, or other fuels. Electric appliances are not carbon monoxide sources.

Alarms do not guarantee safety
Alarms must be tested regularly and should have batteries changed at least annually, or when a low-battery warning sounds. The alarms must not be painted over and should be kept clean. Alarms should be replaced when they reach the end of their life span.

Multifamily buildings
Buildings with more than two residential units also need smoke and carbon monoxide alarms. The installation requirements for those multifamily dwellings are different. Rules for alarms in multifamily dwellings and other public buildings are in the Wisconsin Commercial Building Code, Comm 61-66.

70. Smoke alarms detect the presence of smoke even before you can _____ it, especially when flames might not be in your line of sight.
   a. see
   b. smell
   c. both a & b
   d. none of the above

71. Carbon monoxide is a gas created by ________ burning of fuels.
   a. complete
   b. incomplete
   c. both a & b
   d. none of the above

72. Carbon monoxide is colorless, odorless and tasteless, but ______ toxic.
   a. slightly
   b. possibly
   c. highly
   d. all of the above

73. Carbon monoxide can build up over time, with unrecognized symptoms such as headaches, nausea, disorientation, or irritability eventually building to ________.
   a. unconsciousness
   b. fatal poisoning
   c. both a & b
   d. none of the above

74. Carbon monoxide alarms warn of the gas before it reaches dangerous levels. Examples of some carbon monoxide sources are garages, heaters, fireplaces, furnaces, appliances or cooking sources using coal, wood, oil, kerosene, or other fuels.
   a. true
   b. false

75. Electric appliances are carbon monoxide sources.
   a. true
   b. false

76. Alarms must be tested regularly and should have batteries changed at least bi-annually, or when a low-battery warning sounds.
   a. true
   b. false

77. The alarms must not be painted over and should be kept clean.
   a. true
   b. false

78. Alarms should be replaced when they reach 12 years of service.
   a. true
   b. false

79. Multifamily buildings. Buildings with more than two residential units also need smoke and carbon monoxide alarms. The installation requirements for those multifamily dwellings are different. Rules for alarms in multifamily dwellings and other public buildings are in the Wisconsin Commercial Building Code ________.
   a. Comm 21
   b. Comm 82
   c. Comm 61-66
   d. all of the above
Use the date of building permit or construction as your reference date

80. Smoke alarms installed in a 1 & 2 family dwellings before 4/1/92 must be _________________.
   a. battery powered only
   b. building electrical system powered
   c. building power and battery backup
   d. interconnected between alarms

81. Smoke alarms installed in a Uniform Dwelling Code home after 4/1/92 and before 12/1/95 must be _________________.
   a. battery powered only
   b. building electrical system powered
   c. building power and battery backup
   d. interconnected between alarms

82. Smoke alarms installed in a Uniform Dwelling Code home after 12/1/95 and before 4/1/01 must be _________________.
   a. both b & d
   b. building electrical system powered
   c. building power and battery backup
   d. interconnected between alarms

83. Smoke alarms installed in a Uniform Dwelling Code home after 4/1/01 must be _________________.
   a. both c & d
   b. building electrical system powered
   c. building power and battery backup
   d. interconnected between alarms

84. Carbon monoxide alarms installed before 2/1/11 must be _________________.
   a. battery powered only
   b. building electrical system powered
   c. building power and battery backup
   d. interconnected between alarms
85. Carbon monoxide alarms installed after 2/1/11 must be ________________.
   a. all of the below
   b. building electrical system powered
   c. building power and battery backup
   d. interconnected between alarms

86. Required carbon monoxide alarms must be installed ____________.
   a. in attic areas
   b. inside each sleeping room
   c. on every floor level
   d. in garages

87. Smoke alarms installed in 1 & 2 family dwellings before 4/1/92 must be ________________.
   a. outside of sleeping rooms
   b. in each sleeping room
   c. on every floor level
   d. garage and attic areas

88. Smoke alarms installed in a Uniform Dwelling Code home after 4/1/92 and before 12/1/95 must be ________________.
   a. outside of sleeping rooms
   b. in each sleeping room
   c. on every floor level
   d. garage and attic areas

89. Smoke alarms installed in a Uniform Dwelling Code home after 12/1/95 and before 4/1/01 must be ________________.
   a. outside of sleeping rooms
   b. in each sleeping room
   c. on every floor level
   d. both a & c

90. Smoke alarms installed in a Uniform Dwelling Code home after 4/1/01 must be ________________.
   a. outside of sleeping rooms
   b. in each sleeping room
   c. on every floor level
   d. all of the above
91. Using the above diagram a carbon monoxide detector would be required in the attic.
   a. true
   b. false

92. Using the above diagram a carbon monoxide detector would be required in the basement.
   a. true
   b. false

93. Using the above diagram a carbon monoxide detector would be required on the 1st floor.
   a. true
   b. false

94. Using the above diagram a carbon monoxide detector would be required on the 2nd floor.
   a. true
   b. false

95. Using the above diagram a carbon monoxide detector would be required in the garage.
   a. true
   b. false

96. Installation must follow the _________ instructions.

Installations must follow manufacturers' instructions. Those instructions are provided with new alarms and usually can be found on manufacturers' Web sites. The manufacturer is identified on the alarm. Alarms in Wisconsin must be approved by Underwriters Laboratories.

You can direct questions to your local building inspector or fire department. There are many Internet and library sources of info about keeping your family safe.


Install a smoke alarm and a carbon monoxide alarm (or combination alarms) in the basement and on each floor except the attic or a storage area.
a. inspectors  
b. fire departments  
c. manufacturer’s  
d. all of the above

97. Alarms in Wisconsin must be approved by any testing agency.
   a. true
   b. false

98. Questions can be directed to your local ____________ .
   a. building inspector
   b. fire department
   c. both a and b
   d. none of the above

99. Smoke alarms installed on the ceiling are not allowed within ____ inches of the perimeter corner where the wall and ceiling meet.
   a. 12
   b. 8
   c. 6
   d. 4

100. Smoke alarms installed on the side wall must be installed between ___ & ___ inches from the ceiling finish.
    a. 3 & 12
    b. 2 & 12
    c. 4 & 16
    d. none of the above

101. When installing the smoke alarm on the side wall the measurement must be taken from the:
Comm 21.09 Smoke detectors. (1) A listed and labeled multiple−station smoke alarm with battery backup shall be installed in all of the following locations:
(a) An alarm shall be installed inside each sleeping room.
(b) On floor levels that contain one or more sleeping areas, an alarm shall be installed outside of the sleeping rooms, within 21 feet of the centerline of the door opening to any sleeping room and in an exit path from any sleeping room.
(c) On floor levels that do not contain a sleeping area, an alarm shall be installed in a common area on each floor level.

Note: Section 50.035 (2), Stats., requires the installation of a complete low voltage, interconnected or radio−transmitting smoke detection system in all community−based residential facilities including those having 8 or fewer beds.

Note: Section 101.645 (3), Stats., requires the owner of a dwelling to install a functional smoke detector in the basement of the dwelling and on each floor level except the attic or storage area of each dwelling unit. The occupant of such a dwelling unit shall maintain any smoke detector in that unit, except that if any occupant who is not the owner, or any state, county, city, village or town officer, agent or employee charged under statute or municipal ordinance with powers or duties involving inspection of real or personal property, gives written notice to the owner that the smoke detector is not functional the owner shall provide, within 5 days after receipt of that notice, any maintenance necessary to make that smoke detector functional.

Note: Section 101.745 (4), Stats., requires the manufacturer of a manufactured building to install a functional smoke detector in the basement of the dwelling and on each floor level except the attic or storage area of each dwelling unit.

(2) (a) Except for dwellings with no electrical service, smoke detectors required by this section shall be continuously powered by the house electrical service, and shall be interconnected so that activation of one detector will cause activation of all detectors.
(b) Dwellings with no electrical service shall be provided with battery−powered smoke detectors in the locations under sub. (1). Interconnection and battery−backup are not required in these dwellings.

(3) For family living units with one or more communicating split levels or open adjacent levels with less than 5 feet of separation between levels, one smoke detector on the upper level shall suffice for an adjacent lower level, including basements. Where there is an intervening door between one level and the adjacent lower level, smoke detectors shall be installed on each level.

(4) Smoke alarms and detectors shall be maintained in accordance with the manufacturer’s specifications.

(5) For envelope dwellings, at least 3 smoke alarms shall be placed in the air passageways. The alarms shall be placed as far apart as possible.

(6) In basements where two required exits are separated by a continuous wall, a smoke detector shall be placed on each side of the wall within 21 feet of each exit.

102. A listed and labeled multiple−station smoke alarm with battery backup shall be installed in all of the following locations:
   a. An alarm shall be installed inside each sleeping room.
b. On floor levels that contain one or more sleeping areas, an alarm shall be installed outside of the sleeping rooms, within 21 feet of the centerline of the door opening to any sleeping room and in an exit path from any sleeping room.
c. On floor levels that do not contain a sleeping area, an alarm shall be installed in a common area on each floor level.
d. all of the above

103. Section 50.035 (2), Stats., requires the installation of a complete low voltage, interconnected or radio-transmitting smoke detection system in all community-based residential facilities including those having ___ or fewer beds.
   a. 2
   b. 4
   c. 6
   d. 8

104. Section 101.645 (3), Stats., requires the owner of a dwelling to install a functional smoke detector in the basement of the dwelling and on each floor level except the __________area of each dwelling unit.
   a. attic
   b. storage area
   c. none of the above
   d. both a & b

105. The occupant of such a dwelling unit shall maintain any smoke detector in that unit.
   a. true
   b. false

106. Except for dwellings with no electrical service, smoke detectors required by this section shall be continuously powered by the house electrical service, and shall be interconnected so that activation of one detector will cause activation of all detectors.
   a. true
   b. false

107. For family living units with one or more communicating split levels or open adjacent levels with less than ___ feet of separation between levels, one smoke detector on the upper level shall suffice for an adjacent lower level, including basements.
   a. 3
   b. 4
   c. 5
   d. none of the above

108. Where there is an intervening door between one level and the adjacent lower level, smoke detectors shall be installed on each level.
   a. true
   b. false

109. In basements where two required exits are separated by a continuous wall, a smoke detector shall be placed on each side of the wall within ___ feet of each exit.
   a. 10
   b. 15
   c. 21
   d. none of the above
The Complete List of CO Levels

1-4 ppm  Normal levels in human tissues produced by body.

3-7 ppm  6% increase in the rate of admission in hospitals of non-elderly for asthma. (Sheppard-1999)

5-6 ppm  Significant risk of low birth rate if exposed during last trimester (Ritz & Yu-1999)

5 ppm  *First visual display on NSI 3000 Low Level CO Monitor*

9 ppm  ASHRAE standard for allowable spillage from vented appliances, indoors, for 8 hours exposure daily.

EPA standard for outdoors for 8 hours and a maximum 3 times per year. (Clean Air Act)

10 ppm  Outdoor level of CO found associated with a significant increase in heart disease deaths and hospital admissions for congestive heart failure. (JAMA, Penny)

*First ambient level occupants should be notified-NCI Protocol*

15-20 ppm  First level World Health Organization lists as causing impaired performance, decrease in exercise time and vigilance

*1st Alarm level for NSI 3000 Low Level CO Monitor-5 minutes*

25 ppm  Maximum allowable in a Parking Garage (International Mechanical Code)

27 ppm  21% increase in cardio respiratory complaints (Kurt-1978)

30 ppm  Earliest onset of exercise induced angina (World Health Organization)

*1st visual display on UL2034 approved CO Alarm-Must not alarm before 30 days*

35 ppm  US NIOSH recommended 8 hour maximum workplace exposure

EPA standard for outdoors for 1 hour and a maximum of 1 time per year

Level many fire departments wear breathing apparatus before entering

*2nd ambient level occupants should be notified and space ventilated*

*2nd Alarm level for NSI 3000 Low Level Monitor-5 minutes*

50 ppm  US OSHA recommended 8 hour maximum workplace exposure

*Maximum NCI level for Unvented appliances*

70 ppm  *1st Alarm level of UL2034 approved CO Alarms- 2-4 hours*

*3rd Alarm level for NSI 3000 - 30 seconds*

NSI 3000 Low Level Monitor cannot be silenced by reset button

100 ppm  *Maximum NCI CO level during run cycle in all vented appliances (stable)*

*Maximum NCI CO for all oil appliances - Start-Run-Shutdown*
### CO Levels, Continued

<table>
<thead>
<tr>
<th>Level</th>
<th>Description</th>
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<tbody>
<tr>
<td>200 ppm</td>
<td>First listed level (established in 1930) healthy adults will have symptoms - headaches, nausea. NIOSH &amp; OSHA recommend evacuation of workplace. Maximum “Air Free” CO for vented water heater and unvented heaters (ANSI Z21). UL approved alarms must sound between 30 – 60 minutes (NSI 3000 – 30 seconds).</td>
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<tr>
<td>400 ppm</td>
<td>Healthy adults will have headaches within 1-2 hours. Life threatening after 3 hours (established in 1930). Maximum “Air Free” CO in all vented heating appliances (ANSI Z21). Maximum EPA levels for industrial flue exhaust. UL Alarms must alarm within 15 minutes (NSI 3000 – 30 seconds). Maximum recommended light-off CO for all appliances – NC1 (except oil).</td>
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<td>800 ppm</td>
<td>Healthy adults will have nausea, dizziness, convulsions within 45 minutes. Unconscious within 2 hours then Death (established in 1930). Maximum “Air Free” CO for unvented gas ovens (ANSI Z21).</td>
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<td>800 ppm+</td>
<td>Death in less than one hour (established in 1930).</td>
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<td>2000 ppm</td>
<td>EPA standard for new vehicle emissions.</td>
</tr>
<tr>
<td>3000 ppm+</td>
<td>Typical emissions from propane lift trucks, gasoline powered tools etc. Death in less than 30 minutes.</td>
</tr>
</tbody>
</table>

110. EPA standard for outdoors for 8 hours and maximum of 3 times per year would be ____ ppm.
   a. 1-4
   b. 3-7
   c. 9
   d. 10

111. Outdoor level of CO found associated with significant increase in heart disease and hospital admissions for congestive heart failure would be ____ ppm.
   a. 1-4
   b. 3-7
   c. 9
   d. 10

112. Significant risk of low birth rate if expose during last trimester would be ____ ppm.
   a. 1-4
   b. 3-7
   c. 5-6
   d. 10

113. Normal levels in human tissues produced by body would be ____ ppm.
   a. 1-4
   b. 3-7
   c. 9
   d. 10

114. ASHRAE standard for allowable spillage from vented appliances, indoors, for 8 hours of exposure daily would be ____ ppm.
   a. 1-4
115. Earliest onset of exercise induced angina (World Health Organization) would be ____ ppm.
   a. 15-20
   b. 25
   c. 27
   d. 30

116. 21% increase in cardio respiratory complaints would be ____ ppm.
   a. 15-20
   b. 25
   c. 27
   d. 30

117. Maximum allowed in parking garages would be ____ ppm.
   a. 15-20
   b. 25
   c. 27
   d. 30

118. First level World Health Organization lists as causing impaired performance, decrease in exercise time and vigilance would be ____ ppm.
   a. 15-20
   b. 25
   c. 27
   d. 30

119. First listed level that healthy adults would develop symptoms of headaches and nausea would be ____ ppm.
   a. 200
   b. 100
   c. 400
   d. 800

120. Healthy adults will have headaches within 2 hours and life threatening after 3 hours would be - ____ ppm.
   a. 200
   b. 100
   c. 400
   d. 800
### CO & Smoke alarm refresher course Answer Sheet

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2. Fill in all fields applicable.
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4. We’ll take care of crediting with the state and mailing back to you the quiz results.

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1. Mail just the answer sheet and keep the quiz for your records.
2. Fill out this form below completely.
3. Applicable fees by check payable to Gary Klinka.
4. Mail to: Gary Klinka at 228 Mandella Ct Neenah WI 54956.

Office: 920-727-9200 Fax: 888-727-5704 Cell: 920-740-6723 or 740-4119 garyklinka@hotmail.com

-------------------------------Educational Course Attendance Verification Form -----------------------------

Attendee’s name_________________________________________ Date _______________________

Address_____________________________________________________________________________

Credential Number__________________________ Phone ________________________________

Course Title and Name CO & Smoke Alarm refresher course Course ID# 12479

List the name of each credential held by attendee_________________________________________

____________________________________________________________________________________

Ceditited_ 4 hrs (elect) or 2 hrs (const)

Email address______________________________________________________________

Fax#__________________________________________ Course Fees: $35 (elect) or $ 20 (const)

Fees: All Electrical is $35 for 4 hours & CBI, DCQ, MHI, UCI is $20 for 2 hours (click here)

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To be completed by Gary Klinka www.garyklinka.com My credential #70172

Attendee passed the course with a greater than 70% score on date______________________________