

(Pub. L. 101-446, § 3, Oct. 22, 1990, 104 Stat. 1045; Pub. L. 107-296, title XI, § 1112(d), Nov. 25, 2002, 116 Stat. 2276.)

CODIFICATION

Section was enacted as part of the Firefighters' Safety Study Act, and not as part of the Federal Fire Prevention and Control Act of 1974 which comprises this chapter.

AMENDMENTS

2002—Par. (1)(E). Pub. L. 107-296 substituted “the Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice,” for “the Bureau of Alcohol, Tobacco, and Firearms.”

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

§ 2223c. Report and recommendations

The working group established under section 2223b of this title shall, within 1 year after October 22, 1990, submit a report to the Administrator and to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate presenting the results of the review carried out under sections 2223a to 2223e of this title, along with recommendations to ensure that response information disseminated to emergency response personnel is appropriate for operational personnel at the local level.

(Pub. L. 101-446, § 4, Oct. 22, 1990, 104 Stat. 1045.)

CODIFICATION

Section was enacted as part of the Firefighters' Safety Study Act, and not as part of the Federal Fire Prevention and Control Act of 1974 which comprises this chapter.

§ 2223d. Annual revision of recommendations

After the submission of the report cited in section 2223c of this title, the working group established under section 2223b of this title shall meet as needed, but at least once every 12 months, to review and recommend changes and additions to the report cited in section 2223c of this title, that are necessary and appropriate for operational personnel at the local level.

(Pub. L. 101-446, § 5, Oct. 22, 1990, 104 Stat. 1046.)

CODIFICATION

Section was enacted as part of the Firefighters' Safety Study Act, and not as part of the Federal Fire Prevention and Control Act of 1974 which comprises this chapter.

§ 2223e. “Emergency response personnel” defined

As used in sections 2223a to 2223e of this title, the term “emergency response personnel” means personnel responsible for mitigation activities in a medical emergency, fire emergency, hazardous material emergency, or natural disaster.

(Pub. L. 101-446, § 6, Oct. 22, 1990, 104 Stat. 1046.)

CODIFICATION

Section was enacted as part of the Firefighters' Safety Study Act, and not as part of the Federal Fire Pre-

vention and Control Act of 1974 which comprises this chapter.

§ 2224. Listings of places of public accommodation

(a) Submissions by States

(1) Not later than 2 years after September 25, 1990, each State (acting through its Governor or the Governor's designee) shall, under procedures formulated by the Director, submit to the Director a list of those places of public accommodation affecting commerce located in the State which meet the requirements of the guidelines described in section 2225 of this title.

(2) The Director shall formulate procedures under which each State (acting through its Governor or the Governor's designee) shall periodically update the list submitted pursuant to paragraph (1).

(b) Compilation and distribution of master list

(1) Not later than 60 days after the expiration of the 2-year period referred to in subsection (a) of this section, the Director shall compile and publish in the Federal Register a national master list of all of the places of public accommodation affecting commerce located in each State that meet the requirements of the guidelines described in section 2225 of this title, and shall distribute such list to each agency of the Federal Government and take steps to make the employees of such agencies aware of its existence and contents.

(2) The Director shall periodically update the national master list compiled pursuant to paragraph (1) to reflect changes in the State lists submitted to the Director pursuant to subsection (a) of this section, and shall periodically redistribute the updated master list to each agency of the Federal Government.

(3) For purposes of this subsection, the term “agency” has the meaning given to it under section 5701(1) of title 5.

(Pub. L. 93-498, § 28, as added Pub. L. 101-391, § 3(a), Sept. 25, 1990, 104 Stat. 747; amended Pub. L. 102-522, title I, § 104, Oct. 26, 1992, 106 Stat. 3411.)

AMENDMENTS

1992—Pub. L. 102-522, § 104(1), struck out “certified” before “places” in section catchline.

Subsec. (a). Pub. L. 102-522, § 104(2), inserted “(acting through its Governor or the Governor's designee)” after “each State” in pars. (1) and (2) and struck out “the Governor of the State or his designee certifies” after “in the State which” in par. (1).

TRANSFER OF FUNCTIONS

For transfer of all functions, personnel, assets, components, authorities, grant programs, and liabilities of the Federal Emergency Management Agency, including the functions of the Under Secretary for Federal Emergency Management relating thereto, to the Federal Emergency Management Agency, see section 315(a)(1) of Title 6, Domestic Security.

For transfer of functions, personnel, assets, and liabilities of the Federal Emergency Management Agency, including the functions of the Director of the Federal Emergency Management Agency relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see former section 313(1) and sections 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reor-

ganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 2225. Fire prevention and control guidelines for places of public accommodation

(a) Contents of guidelines

The guidelines referred to in sections 2224 and 2226 of this title consist of—

(1) a requirement that hard-wired, single-station smoke detectors be installed in accordance with National Fire Protection Association Standard 74 or any successor standard to that standard in each guest room in each place of public accommodation affecting commerce; and

(2) a requirement that an automatic sprinkler system be installed in accordance with National Fire Protection Association Standard 13 or 13-R, or any successor standard to that standard, whichever is appropriate, in each place of public accommodation affecting commerce except those places that are 3 stories or lower.

(b) Exceptions

(1) The requirement described in subsection (a)(2) of this section shall not apply to a place of public accommodation affecting commerce with an automatic sprinkler system installed before October 25, 1992, if the automatic sprinkler system is installed in compliance with an applicable standard (adopted by the governmental authority having jurisdiction, and in effect, at the time of installation) that required the placement of a sprinkler head in the sleeping area of each guest room.

(2) The requirement described in subsection (a)(2) of this section shall not apply to a place of public accommodation affecting commerce to the extent that such place of public accommodation affecting commerce is subject to a standard that includes a requirement or prohibition that prevents compliance with a provision of National Fire Protection Association Standard 13 or 13-R, or any successor standard to that standard. In such a case, the place of public accommodation affecting commerce is exempt only from that specific provision.

(c) Effect on State and local law

The provisions of this section shall not be construed to limit the power of any State or political subdivision thereof to implement or enforce any law, rule, regulation, or standard concerning fire prevention and control.

(d) Definitions

For purposes of this section, the following definitions shall apply:

(1) The term “smoke detector” means an alarm that is designed to respond to the presence of visible or invisible particles of combustion.

(2) The term “automatic sprinkler system” means an electronically supervised, integrated system of piping to which sprinklers are attached in a systematic pattern, and which, when activated by heat from a fire, will protect human lives by discharging water over the fire area, and by providing appropriate warning signals (to the extent such signals are required by Federal, State, or local laws or

regulations) through the building’s fire alarm system.

(3) The term “governmental authority having jurisdiction” means the Federal, State, local, or other governmental entity with statutory or regulatory authority for the approval of fire safety systems, equipment, installations, or procedures within a specified locality.

(Pub. L. 93-498, §29, as added Pub. L. 101-391, §3(a), Sept. 25, 1990, 104 Stat. 748; amended Pub. L. 102-522, title I, §105, Oct. 26, 1992, 106 Stat. 3411; Pub. L. 105-108, §3(1)-(3), Nov. 20, 1997, 111 Stat. 2264.)

AMENDMENTS

1997—Subsec. (a)(1). Pub. L. 105-108, §3(1), inserted “or any successor standard to that standard” after “Association Standard 74”.

Subsec. (a)(2). Pub. L. 105-108, §3(2), inserted “, or any successor standard to that standard” before “, whichever is appropriate,”.

Subsec. (b)(2). Pub. L. 105-108, §3(3), inserted “, or any successor standard to that standard” after “Association Standard 13 or 13-R”.

1992—Subsecs. (b) to (d). Pub. L. 102-522, §105(a), added subsec. (b) and redesignated former subsecs. (b) and (c) as (c) and (d), respectively.

Subsec. (d)(3). Pub. L. 102-522, §105(b), added par. (3).

§ 2225a. Prohibiting Federal funding of conferences held at non-certified places of public accommodation

(a) In general

No Federal funds may be used to sponsor or fund in whole or in part a meeting, convention, conference, or training seminar that is conducted in, or that otherwise uses the rooms, facilities, or services of, a place of public accommodation that does not meet the requirements of the fire prevention and control guidelines described in section 2225 of this title.

(b) Waiver

(1) In general

The head of an agency of the Federal Government sponsoring or funding a particular meeting, convention, conference, or training seminar may waive the prohibition described in subsection (a) of this section if the head of such agency determines that a waiver of such prohibition is necessary in the public interest in the case of such particular event.

(2) Delegation of authority

The head of an agency of the Federal Government may delegate the authority provided under paragraph (1) to waive the prohibition described in subsection (a) of this section and to determine whether such a waiver is necessary in the public interest to an officer or employee of the agency if such officer or employee is given such authority with respect to all meetings, conventions, conferences, and training seminars sponsored or funded by the agency.

(c) Notice requirements

(1) Advertisements and applications

(A) Any advertisement for or application for attendance at a meeting, convention, conference, or training seminar sponsored or