

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 Prevention 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 Administrator of FEMA, submit to the Administrator of FEMA 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 Administrator of FEMA 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 Administrator of FEMA 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 Administrator of FEMA shall periodically update the national master list compiled pursuant to paragraph (1) to reflect changes in the State lists submitted to the Administrator of FEMA 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; Pub. L. 112-239, div. A, title XVIII, §1802(b)(1), Jan. 2, 2013, 126 Stat. 2100.)

#### AMENDMENTS

Pub. L. 112-239 substituted "Administrator of FEMA" for "Director" wherever appearing.

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 Reorganization 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 pres-