

§ 2230. Surplus and excess Federal equipment

The Administrator shall make publicly available, including through the Internet, information on procedures for acquiring surplus and excess equipment or property that may be useful to State and local fire, emergency, and hazardous material handling service providers.

(Pub. L. 93-498, §35, formerly §33, as added Pub. L. 106-503, title I, §105, Nov. 13, 2000, 114 Stat. 2301; renumbered §35, Pub. L. 108-136, div. A, title X, §1057, Nov. 24, 2003, 117 Stat. 1616.)

§ 2231. Cooperative agreements with Federal facilities

The Administrator shall make publicly available, including through the Internet, information on procedures for establishing cooperative agreements between State and local fire and emergency services and Federal facilities in their region relating to the provision of fire and emergency services.

(Pub. L. 93-498, §36, formerly §34, as added Pub. L. 106-503, title I, §106, Nov. 13, 2000, 114 Stat. 2301; renumbered §36, Pub. L. 108-136, div. A, title X, §1057, Nov. 24, 2003, 117 Stat. 1616.)

§ 2232. Burn research

(a) Office

The Administrator of the Federal Emergency Management Agency shall establish an office in the Agency to establish specific criteria of grant recipients and to administer grants under this section.

(b) Safety organization grants

The Administrator may make grants, on a competitive basis, to safety organizations that have experience in conducting burn safety programs for the purpose of assisting those organizations in conducting burn prevention programs or augmenting existing burn prevention programs.

(c) Hospital grants

The Administrator may make grants, on a competitive basis, to hospitals that serve as regional burn centers to conduct acute burn care research.

(d) Other grants

The Administrator may make grants, on a competitive basis, to governmental and non-governmental entities to provide after-burn treatment and counseling to individuals that are burn victims.

(e) Report

(1) In general

The Administrator of the Federal Emergency Management Agency shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the results of the grants provided under this section.

(2) Content

The report shall contain the following:

(A) A list of the organizations, hospitals, or other entities to which the grants were

provided and the purpose for which those entities were provided grants.

(B) Efforts taken to ensure that potential grant applicants are provided with information necessary to develop an effective application.

(C) The Administrator's assessment regarding the appropriate level of funding that should be provided annually through the grant program.

(D) The Administrator's assessment regarding the appropriate purposes for such grants.

(E) Any other information the Administrator determines necessary.

(3) Submission date

The report shall be submitted not later than February 1, 2002.

(f) Authorization of appropriations

There are authorized to be appropriated for the purposes of this section amounts as follows:

- (1) \$10,000,000 for fiscal year 2001.
- (2) \$20,000,000 for fiscal year 2002.

(Pub. L. 106-398, §1 [[div. A], title XVII, §1703], Oct. 30, 2000, 114 Stat. 1654, 1654A-364; Pub. L. 109-295, title VI, §612(c), Oct. 4, 2006, 120 Stat. 1410.)

CODIFICATION

Section was enacted as part of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, and not as part of the Federal Fire Prevention and Control Act of 1974 which comprises this chapter.

CHANGE OF NAME

“Administrator” substituted for “Director” and “Administrator’s” substituted for “Director’s” on authority of section 612(c) of Pub. L. 109-295, set out as a note under section 313 of Title 6, Domestic Security. Any reference to the Administrator of the Federal Emergency Management Agency in title VI of Pub. L. 109-295 or an amendment by title VI to be considered to refer and apply to the Director of the Federal Emergency Management Agency until Mar. 31, 2007, see section 612(f)(2) of Pub. L. 109-295, set out as a note under section 313 of Title 6.

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.

§ 2233. Removal of civil liability barriers that discourage the donation of fire equipment to volunteer fire companies

(a) Liability protection

A person who donates qualified fire control or rescue equipment to a volunteer fire company

shall not be liable for civil damages under any State or Federal law for personal injuries, property damage or loss, or death caused by the equipment after the donation.

(b) Exceptions

Subsection (a) does not apply to a person if—

- (1) the person’s act or omission causing the injury, damage, loss, or death constitutes gross negligence or intentional misconduct;
- (2) the person is the manufacturer of the qualified fire control or rescue equipment; or
- (3) the person or agency modified or altered the equipment after it had been recertified by an authorized technician as meeting the manufacturer’s specifications.

(c) Preemption

This section preempts the laws of any State to the extent that such laws are inconsistent with this section, except that notwithstanding subsection (b) this section shall not preempt any State law that provides additional protection from liability for a person who donates fire control or fire rescue equipment to a volunteer fire company.

(d) Definitions

In this section:

(1) Person

The term “person” includes any governmental or other entity.

(2) Fire control or rescue equipment

The term “fire control or fire rescue equipment” includes any fire vehicle, fire fighting tool, communications equipment, protective gear, fire hose, or breathing apparatus.

(3) Qualified fire control or rescue equipment

The term “qualified fire control or rescue equipment” means fire control or fire rescue equipment that has been recertified by an authorized technician as meeting the manufacturer’s specifications.

(4) State

The term “State” includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Virgin Islands, any other territory or possession of the United States, and any political subdivision of any such State, territory, or possession.

(5) Volunteer fire company

The term “volunteer fire company” means an association of individuals who provide fire protection and other emergency services, where at least 30 percent of the individuals receive little or no compensation compared with an entry level full-time paid individual in that association or in the nearest such association with an entry level full-time paid individual.

(6) Authorized technician

The term “authorized technician” means a technician who has been certified by the manufacturer of fire control or fire rescue equipment to inspect such equipment. The technician need not be employed by the State or local agency administering the distribution of the fire control or fire rescue equipment.

(e) Effective date

This section applies only to liability for injury, damage, loss, or death caused by equipment that, for purposes of subsection (a), is donated on or after the date that is 30 days after March 9, 2006.

(Pub. L. 109–177, title I, §125, Mar. 9, 2006, 120 Stat. 226.)

CODIFICATION

Section was enacted as part of the USA PATRIOT Improvement and Reauthorization Act of 2005, and not as part of the Federal Fire Prevention and Control Act of 1974 which comprises this chapter.

§ 2234. Encouraging adoption of standards for firefighter health and safety

The Administrator shall promote adoption by fire services of national voluntary consensus standards for firefighter health and safety, including such standards for firefighter operations, training, staffing, and fitness, by—

- (1) educating fire services about such standards;
- (2) encouraging the adoption at all levels of government of such standards; and
- (3) making recommendations on other ways in which the Federal Government can promote the adoption of such standards by fire services.

(Pub. L. 93–498, §37, as added Pub. L. 110–376, §7, Oct. 8, 2008, 122 Stat. 4060.)

CHAPTER 50—CONSUMER PRODUCT WARRANTIES

| | |
|-------|--|
| Sec. | |
| 2301. | Definitions. |
| 2302. | Rules governing contents of warranties. |
| 2303. | Designation of written warranties. |
| 2304. | Federal minimum standards for warranties. |
| 2305. | Full and limited warranting of a consumer product. |
| 2306. | Service contracts; rules for full, clear and conspicuous disclosure of terms and conditions; addition to or in lieu of written warranty. |
| 2307. | Designation of representatives by warrantor to perform duties under written or implied warranty. |
| 2308. | Implied warranties. |
| 2309. | Procedures applicable to promulgation of rules by Commission. |
| 2310. | Remedies in consumer disputes. |
| 2311. | Applicability to other laws. |
| 2312. | Effective dates. |

§ 2301. Definitions

For the purposes of this chapter:

- (1) The term “consumer product” means any tangible personal property which is distributed in commerce and which is normally used for personal, family, or household purposes (including any such property intended to be attached to or installed in any real property without regard to whether it is so attached or installed).
- (2) The term “Commission” means the Federal Trade Commission.
- (3) The term “consumer” means a buyer (other than for purposes of resale) of any consumer product, any person to whom such product is transferred during the duration of an