



**House
Legislative
Analysis
Section**

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HOTELS: FIRE SAFETY

Senate Bill 367 as passed by the Senate
First Analysis (9-27-88)

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Sponsor: Senator Richard D. Fessler
Senate Committee: State Affairs, Tourism, and Transportation
House Committee: Tourism and Recreation

Mich. State Law Library

THE APPARENT PROBLEM:

Recent hotel fires, notably the tragic fire at the MGM Hotel in Las Vegas, have underscored the need for fire safety equipment to prevent needless death, injury, and loss of property. Many believe that Michigan law lacks the specific requirements necessary to ensure that Michigan hotels and their lodgers are adequately protected against fire.

THE CONTENT OF THE BILL:

The bill would amend Public Act 188 of 1913, which regulates hotels, to extend the act to apply to bed and breakfasts, and to require each hotel (the term would include bed and breakfasts) to have the following:

- portable fire extinguishers in "hazardous areas," installed and maintained in accordance with National Fire Protection Association Standards. (A "hazardous area" would be one having a degree of hazard greater than that normal to the general occupancy of the building, such as an area where combustibles are stored or heat-producing appliances are used.)
- at least one smoke detector in each sleeping room.
- starting 12 months after the bill took effect, at least one smoke detector within the means of egress of each inside corridor, installed in accordance with National Fire Protection Association standards. Hotels meeting certain recognized construction code standards, in which corridor smoke detection is exempted due to the installation of a total automatic sprinkler system, would be exempt from this requirement.
- if the hotel had an elevator, at least one sign by each elevator warning people to take the stairs in case of fire.
- at least one clearly written fire safety evacuation plan posted in each sleeping room.
- a fire safety operation plan in which each employee is drilled annually in the duties to be performed in the event of a fire or other emergency.
- numbers on the stairwell side of the exit door at the landing of each stairwell indicating the level of the floor.
- starting 24 months after the bill took effect, a fire alarm system in accordance with National Fire Protection Association standards. The alarm system would have to be initiated by both a manual fire alarm station and a smoke detection system (except that a sleeping room smoke detector would not have to initiate an alarm system).
- starting 24 months after the bill took effect, a system of occupant notification, to be provided automatically and without delay by an internal audible alarm system in compliance with National Fire Protection Association standards.

The bill would take effect 12 months after enactment.

MCL 427.1 and 427.3

FISCAL IMPLICATIONS:

The House Fiscal Agency says that the bill would have no fiscal implications. (9-26-88)

ARGUMENTS:

For:

The bill would enact sensible minimum fire safety standards for all public accommodations. Smoke detectors, fire alarms, posted signs, and trained staff are essential to preventing fatalities in the event of fire, and are no less appropriate for small facilities than they are for large hotels. The bill's requirements would greatly improve fire safety in hotels which do not now meet those standards, and those improvements would come without undue burden for smaller establishments. All lodgers deserve the sort of minimum fire protection to be provided under the bill.

Against:

The bill would subject bed and breakfasts to the whole of the hotel regulatory act, from which they were only just exempted last year by Public Act 113 of 1987 (enrolled Senate Bill 146), which was part of the bed and breakfast package. That package created what were thought to be sound regulations for bed and breakfasts while exempting them from the unreasonable application of regulations designed for hotels. Bed and breakfasts, which basically are people's homes opened to paying guests, are required by definition to have a smoke alarm in every room and a fire extinguisher on every floor. It is unclear why the bill seeks to bring them back into the scope of hotel regulation.

POSITIONS:

The State Fire Marshall's Office supports the bill. (9-22-88)

The Michigan Lodging Association supports the bill. (9-22-88)

The Michigan Retailers Association supports the bill. (9-22-88)

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