§ 1910.37 Maintenance, safeguards, and operational features for exit routes.

(a) The danger to employees must be minimized.
(b) Lighting and marking must be adequate and appropriate.
(c) The fire retardant properties of paints or solutions must be maintained.
(d) Exit routes must be maintained during construction, repairs, or alterations.
(e) An employee alarm system must be operable.

§ 1910.38 Emergency action plans.

(a) Application.
(b) Written and oral emergency action plans.
(c) Minimum elements of an emergency action plan.
(d) Employee alarm system.
(e) Training.
(f) Review of emergency action plan.

§ 1910.39 Fire prevention plans.

(a) Application.
(b) Written and oral fire prevention plans.
(c) Minimum elements of a fire prevention plan.
(d) Employee information.

[67 FR 67961, Nov. 7, 2002]

§ 1910.34 Coverage and definitions.

(a) *Every employer is covered.* Sections 1910.34 through 1910.39 apply to workplaces in general industry except mobile workplaces such as vehicles or vessels.

(b) *Exits routes are covered.* The rules in §§1910.34 through 1910.39 cover the minimum requirements for exit routes that employers must provide in their workplace so that employees may evacuate the workplace safely during an emergency. Sections 1910.34 through 1910.39 also cover the minimum requirements for emergency action plans and fire prevention plans.

(c) *Definitions.*

Electroluminescent means a light-emitting capacitor. Alternating current excites phosphor atoms when placed between the electrically conductive surfaces to produce light. This light source is typically contained inside the device.

Exit means that portion of an exit route that is generally separated from other areas to provide a protected way of travel to the exit discharge. An example of an exit is a two-hour fire resistance-rated enclosed stairway that leads from the fifth floor of an office building to the outside of the building.

Exit access means that portion of an exit route that leads to an exit. An example of an exit access is a corridor on the fifth floor of an office building that leads to a two-hour fire resistance-rated enclosed stairway (the Exit).

Exit discharge means the part of the exit route that leads directly outside or to a street, walkway, refuge area, public way, or open space with access to the outside. An example of an exit discharge is a door at the bottom of a two-hour fire resistance-rated enclosed stairway that discharges to a place of safety outside the building.

Exit route means a continuous and unobstructed path of exit travel from any point within a workplace to a place of safety (including refuge areas). An exit route consists of three parts: The exit access; the exit; and, the exit discharge. (An exit route includes all vertical and horizontal areas along the route.)

High hazard area means an area inside a workplace in which operations include high hazard materials, processes, or contents.

Occupant load means the total number of persons that may occupy a workplace or portion of a workplace at any one time. The occupant load of a workplace is calculated by dividing the gross floor area of the workplace or portion of a workplace by the occupant load factor for that particular type of workplace occupancy. Information regarding ''Occupant load'' is located in NFPA 101–2000, Life Safety Code.

Refuge area means either:

(1) A space along an exit route that is protected from the effects of fire by separation from other spaces within the building by a barrier with at least a one-hour fire resistance-rating; or

(2) A floor with at least two spaces, separated from each other by smoke-resistant partitions, in a building protected throughout by an automatic sprinkler system that complies with §1910.159 of this part.

Self-luminous means a light source that is illuminated by a self-contained power source (*e.g.*, tritium) and that operates independently from external power sources. Batteries are not acceptable self-contained power sources.

The light source is typically contained inside the device.

[67 FR 67961, Nov. 7, 2002]

§ 1910.35 Compliance with NFPA 101–2000, Life Safety Code.

An employer who demonstrates compliance with the exit route provisions of NFPA 101–2000, the Life Safety Code, will be deemed to be in compliance with the corresponding requirements in §§ 1910.34, 1910.36, and 1910.37.

[67 FR 67961, Nov. 7, 2002]

§ 1910.36 Design and construction requirements for exit routes.

(a) *Basic requirements.* Exit routes must meet the following design and construction requirements:

(1) *An exit route must be permanent.* Each exit route must be a permanent part of the workplace.

(2) *An exit must be separated by fire resistant materials.* Construction materials used to separate an exit from other parts of the workplace must have a one-hour fire resistance-rating if the exit connects three or fewer stories and a two-hour fire resistance-rating if the exit connects four or more stories.

(3) *Openings into an exit must be limited.* An exit is permitted to have only those openings necessary to allow access to the exit from occupied areas of the workplace, or to the exit discharge. An opening into an exit must be protected by a self-closing fire door that remains closed or automatically closes in an emergency upon the sounding of a fire alarm or employee alarm system. Each fire door, including its frame and hardware, must be listed or approved by a nationally recognized testing laboratory. Section 1910.155(c)(3)(iv)(A) of this part defines ''listed'' and § 1910.7 of this part defines a ''nationally recognized testing laboratory.''

(b) *The number of exit routes must be adequate*—(1) *Two exit routes.* At least two exit routes must be available in a workplace to permit prompt evacuation of employees and other building occupants during an emergency, except as allowed in paragraph (b)(3) of this section. The exit routes must be located as far away as practical from each other so that if one exit route is blocked by fire or smoke, employees can evacuate using the second exit route.

(2) *More than two exit routes.* More than two exit routes must be available in a workplace if the number of employees, the size of the building, its occupancy, or the arrangement of the workplace is such that all employees would not be able to evacuate safely during an emergency.

(3) *A single exit route.* A single exit route is permitted where the number of employees, the size of the building, its occupancy, or the arrangement of the workplace is such that all employees would be able to evacuate safely during an emergency.

NOTE TO PARAGRAPH 1910.36(b): For assistance in determining the number of exit routes necessary for your workplace, consult NFPA 101–2000, Life Safety Code.

(c) *Exit discharge.* (1) Each exit discharge must lead directly outside or to a street, walkway, refuge area, public way, or open space with access to the outside.

(2) The street, walkway, refuge area, public way, or open space to which an exit discharge leads must be large enough to accommodate the building occupants likely to use the exit route.

(3) Exit stairs that continue beyond the level on which the exit discharge is located must be interrupted at that level by doors, partitions, or other effective means that clearly indicate the direction of travel leading to the exit discharge.

(d) *An exit door must be unlocked.* (1) Employees must be able to open an exit route door from the inside at all times without keys, tools, or special knowledge. A device such as a panic bar that locks only from the outside is permitted on exit discharge doors.

(2) Exit route doors must be free of any device or alarm that could restrict emergency use of the exit route if the device or alarm fails.

(3) An exit route door may be locked from the inside only in mental, penal, or correctional facilities and then only if supervisory personnel are continuously on duty and the employer has a plan to remove occupants from the facility during an emergency.

(e) *A side-hinged exit door must be used.* (1) A side-hinged door must be