

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

SECOND REGULAR SESSION-2004

Legislative Document

No. 1789

H.P. 1311

House of Representatives, December 22, 2003

An Act To Revise the Minimum Firefighter Safety Standards

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 17, 2003. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative DUPLESSIE of Westbrook.
Cosponsored by Senator EDMONDS of Cumberland and
Representatives: BLANCHETTE of Bangor, BULL of Freeport, RICHARDSON of
Brunswick, SMITH of Van Buren, TREADWELL of Carmel, Senator: NASS of York.

Be it enacted by the People of the State of Maine as follows:

2
4 **Sec. 1. 26 MRSA §2101, sub-§§3 and 4** are enacted to read:

6 **3. Education.** "Education" means the process of imparting
8 knowledge or skill through systematic instruction, but not
10 necessarily formal classroom instruction.

12 **4. Training.** "Training" means the process of making a
14 firefighter proficient through instruction and hands-on practice
16 in the operation of equipment, including respiratory protection
18 equipment, that is expected to be used in the performance of the
20 firefighter's assigned duties.

22 **Sec. 2. 26 MRSA §2102**, as corrected by RR 1997, c. 1, §25, is
24 amended to read:

26 **§2102. Firefighter training and education**

28 **1. Training and education requirements.** Each fire
30 department shall provide a training and education program which
32 that meets the fire department's needs and includes the following:

34 A. Training and education in accordance with Title 30-A,
36 section 3154, subsection 2;

38 B. Training and education in the use of protective
40 equipment required by this chapter;

42 C. Training and education by the fire chief or ~~his~~ the fire
44 chief's designee in accordance with National Fire Protection
46 Association standards;

48 D. Training and education to prevent occupational
50 accidents, deaths, injuries and illnesses;

 E. Training and education for all firefighters commensurate
 with the duties that they are expected to perform prior to
 performing those duties;

~~F. Training to ensure that the firefighters are able to~~
 ~~perform their assigned duties in a manner safe to themselves~~
 ~~and others;~~

~~G. Basic training covering all areas specified by this~~
 ~~chapter provided to firefighters before performing interior~~
 ~~structural fire fighting;~~

 H. Training and education in the safe handling and use of
 hazardous substances for firefighters required to handle the

2 substances. Training and education must include the
potential hazards involved and the required personal hygiene
and protective measures; and

4
6 I. Training and education in the care, use, inspection,
maintenance and limitations of the protective equipment
8 assigned to ~~fire--department~~ firefighters ~~or--available~~ for
their use.

10 2. **Records.** Each fire department shall maintain complete
records of individual training and education for firefighters.

12
14 **Sec. 3. 26 MRSA §2103**, as amended by PL 1987, c. 552, §§1 to
3 and c. 769, Pt. B, §7, is further amended to read:

16 **§2103. Standards for equipment and clothing**

18 Any Unless otherwise specified, any reference in this
section to a standard is to the most recent standard in effect.

20
22 1. **Protective equipment.** ~~Except-as-provided-in-subsection~~
2,--~~the~~ The fire department shall provide each firefighter with
the appropriate equipment to protect the firefighter from the
24 hazards of the work environment to which the firefighter is
likely to be exposed. The firefighter shall use the protective
26 equipment whenever exposed to the hazards for which that
equipment is provided. If a fire department purchases new
28 protective equipment, that equipment must meet the standard in
effect at the time of the purchase. If a fire department
30 acquires protective clothing that is not new, that protective
32 clothing must, at a minimum, meet the standards that were in
34 effect in 1987. Any protective clothing that was purchased or
acquired prior to 1987 that does not meet National Fire
Protection Association standards must be replaced. Protective
equipment must consist of:

36 A. Protective clothing;

38 B. ~~Head protection;~~

40 B-1. Helmet ensemble, including eye and face protection;

42 C. Foot protection;

44 D. Hand protection;

46 E. ~~Eye and face protection;~~

48 F. Hearing protection; and

50 G. Self-contained breathing apparatus.

2 ~~2. Protective equipment, volunteer fire association. A~~
3 ~~volunteer fire association shall provide protective equipment for~~
4 ~~at least 2 firefighters. A firefighter shall use protective~~
5 ~~equipment whenever exposed to the hazards for which that~~
6 ~~equipment is provided.~~

8 **3. Protective clothing.** Protective clothing consists of a
9 coat and trousers ~~or a coverall designed to provide body~~
10 ~~protection from moisture, flames, radiant heat, contact with~~
11 ~~caustic or toxic materials and other harmful exposures to a~~
12 ~~firefighter. Purchases of new protective clothing by a fire~~
13 ~~department must meet or exceed the National Fire Protection~~
14 ~~Association standards.~~

16 ~~4. Head protection. A firefighter's helmet must be a~~
17 ~~light-colored, nonconductive material. Dark-colored,~~
18 ~~nonconductive helmets may be used if reflective tape is applied~~
19 ~~to the exterior sides of the helmet. Purchases of new helmets by~~
20 ~~a fire department must meet or exceed 29 Code of Federal~~
21 ~~Regulations, Part 1910, General Industry Standards of the~~
22 ~~Occupational Safety and Health Administration, subpart L.~~

24 4-A. Helmet ensemble. Purchases of new helmet ensembles by
25 a fire department must meet or exceed National Fire Protection
26 Association standards.

28 **5. Foot protection.** All firefighters' boots must have a
29 puncture-resistant, slip-resistant sole. Purchases of new boots
30 by fire departments must meet or exceed the American National
31 Standards Institute standard Z41.1 and 29 Code of Federal
32 Regulations, Part 1910, General Industry Standards of the
33 Occupational Safety and Health Administration and National Fire
34 Protection Association standards.

36 **6. Hand protection.** Hand protection consists of heat
37 insulating gloves or mittens which that are not readily
38 flammable. Purchases of new hand protection by a fire department
39 must meet or exceed 29 Code of Federal Regulations, Part 1910,
40 ~~General Industry Standards of the Occupational Safety and Health~~
41 ~~Administration and National Fire Protection Association standards.~~

42 **7. Self-contained breathing apparatus.** Purchases of new
43 respiratory apparatus by a department must be ~~classified as~~
44 ~~pressure demand, self-contained~~ meet National Fire Protection
45 Association standards and have a minimum of 1/2 hour normal
46 service life plus an additional 1/2 hour capacity in a spare
47 cylinder. The entire unit must meet ~~the Mine Safety Health~~
48 ~~Administration, the National Institute for Occupational Safety~~

2 and Health and the National Fire Protection Association
standards.

4 Self-contained breathing apparatus must contain a minimum air
supply of 80% 90% of the rated capacity of the cylinder to be
6 considered in-service.

8 ~~Purchases of new harnesses for respiratory apparatus by a fire
department must be constructed of fabric that provides thermal
10 protection consistent with the minimum requirements for
protective clothing. Harnesses must be certified by the National
12 Institute for Occupational Safety and Health.~~

14 **8. Personal alert safety system.** Each firefighter wearing
a self-contained breathing apparatus must be provided with and
16 shall use a personal alert safety system device in a hazardous
area. The device must meet National Fire Protection Association
18 standards. Purchases of new personal alert safety system
systems, PASS, by a fire department must meet or exceed the
20 National Fire Protection Association standards.

22 **9. Fire service life safety rope, harness and hardware.**
Purchases of new fire service life safety rope, harness and
24 hardware by a fire department must meet National Fire Protection
Association standards.

26 **10. Hearing protection.** Each fire department shall provide
28 and each firefighter shall use hearing protection when the
firefighter is operating or riding on fire apparatus and is
30 subject to noise in excess of 90 decibels. Hearing protection
must be provided and used when the firefighter is exposed to
32 noise in excess of 90 decibels from power tools or equipment,
except in situations when the use of the protective equipment
34 would create an additional hazard to the user. Hearing
protection must conform to Occupational Safety and Health
36 Administration standards, 29 Code of Federal Regulations, Section
1910.95.

38 **Sec. 4. 26 MRSA §2104, sub-§1,** as enacted by PL 1987, c. 356,
40 is amended to read:

42 **1. Eye, face protection.** Each fire department shall provide
and each firefighter shall use eye and or face protection, or
44 both, when the firefighter is engaged in fire suppression and
other operations involving hazards to the eyes and face at all
46 times when the face is not protected by the full facepiece of
self-contained breathing apparatus.

