

MAINE STATE LEGISLATURE

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(New Draft of H.P. 721, L.D. 972)
FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 1686

H.P. 1234 House of Representatives, May 29, 1987
Reported by Representative PRIEST from the Committee on
Legal Affairs and printed under Joint Rule 2.

EDWIN H. PERT, Clerk

Original bill sponsored by Representative RUHLIN of
Brewer. Cosponsored by Senator BUSTIN of Kennebec,
Representatives HALE of Sanford and GREENLAW of Standish.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT to Create Minimum Safety Standards for
Firefighters.

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

26 MRSA c. 27 is enacted to read:

CHAPTER 27

MINIMUM SAFETY STANDARDS FOR FIREFIGHTERS

§2101. Definitions

As used in this chapter, unless the context indi-
cates otherwise, the following terms have the follow-
ing meanings.

1 1. Fire department. "Fire department" means a
2 fire department funded by any municipality or any
3 volunteer fire association.

4 2. Firefighter. "Firefighter" means any person
5 who aids in the extinguishment of fires or responds
6 to emergencies as an employee or member of a fire de-
7 partment, whether he is a paid career employee or
8 member, on call or a volunteer.

9 §2102. Firefighter training

10 1. Training requirements. Each fire department
11 shall provide a training program which meets the fire
12 department's needs and includes the following:

13 A. Training in accordance with Title 30, section
14 3774;

15 B. Training in the use of protective equipment
16 required by this chapter;

17 C. Training by the fire chief or his designee in
18 accordance with National Fire Protection Associa-
19 tion standards;

20 D. Training to prevent occupational accidents,
21 deaths, injuries and illnesses;

22 E. Training for all firefighters commensurate
23 with the duties that they are expected to per-
24 form;

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

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

31 H. Training in the safe handling and use of haz-
32 ardous substances for firefighters required to
33 handle the substances. Training must include the
34 potential hazards involved and the required per-
35 sonal hygiene and protective measures; and

1 I. Training in the care, use, inspection, main-
2 tenance and limitations of the protective equip-
3 ment assigned to fire department firefighters or
4 available for their use.

5 2. Records. Each fire department shall maintain
6 complete records of individual training for fire-
7 fighters.

8 §2103. Standards for equipment and clothing

9 Any reference in this section to a standard is to
10 the most recent standard in effect.

11 1. Protective equipment. The fire department
12 shall provide each firefighter with the appropriate
13 equipment to protect the firefighter from the hazards
14 of the work environment to which the firefighter is
15 likely to be exposed. The firefighter shall use the
16 protective equipment whenever exposed to the hazards
17 for which that equipment is provided. Protective
18 equipment must consist of:

19 A. Protective clothing;

20 B. Head protection;

21 C. Foot protection;

22 D. Hand protection;

23 E. Eye and face protection;

24 F. Hearing protection;

25 G. Self-contained breathing apparatus;

26 H. Personal alert safety system; and

27 I. Fire service life safety rope, harness and
28 hardware.

29 2. Protective clothing. Protective clothing con-
30 sists of a coat and trousers or a coverall designed
31 to provide body protection from moisture, flames,
32 radiant heat, contact with caustic or toxic materials
33 and other harmful exposures to a firefighter. Pur-

1 chases of new protective clothing by a fire depart-
2 ment must meet or exceed the National Fire Protection
3 Association standards.

4 3. Head protection. A firefighter's helmet must
5 be a light-colored, nonconductive material.
6 Dark-colored, nonconductive helmets may be used if
7 reflective tape is applied to the exterior sides of
8 the helmet. Purchases of new helmets by a fire de-
9 partment must meet or exceed 29 Code of Federal Regu-
10 lations, Part 1910, General Industry Standards of the
11 Occupational Safety and Health Administration,
12 subpart L.

13 4. Foot protection. All firefighters' boots must
14 have a puncture resistant, slip resistant sole. Pur-
15 chases of new boots by fire departments must meet or
16 exceed the American National Standards Institute
17 Z89.1 and 29 Code of Federal Regulations, Part 1910,
18 General Industry Standards of the Occupational Safety
19 and Health Administration.

20 5. Hand protection. Hand protection consists of
21 heat insulating gloves or mittens which are not read-
22 ily flammable. Purchases of new hand protection by a
23 fire department must meet or exceed 29 Code of Feder-
24 al Regulations, Part 1910, General Industry Standards
25 of the Occupational Safety and Health Administration
26 and National Fire Protection Association standards.

27 6. Self-contained breathing apparatus. Purchases
28 of new respiratory apparatus by a department must be
29 classified as pressure demand, self-contained and
30 have a minimum of 1/2 hour normal service life plus
31 an additional 1/2 hour capacity in a spare cylinder.
32 The entire unit must meet the Maine Safety Health Ad-
33 ministration, the National Institute for Occupational
34 Safety and Health and the National Fire Protection
35 Association standards.

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

39 Purchases of new harnesses for respiratory apparatus
40 by a fire department must be constructed of aramid or
41 other fabric that provides thermal protection con-

1 sistent with the minimum requirements for protective
2 clothing. Harnesses must be certified by the National
3 Institute for Occupational Safety and Health.

4 7. Personal alert safety system. Purchases of
5 new personal alert safety system, PASS, by a fire de-
6 partment must meet or exceed the National Fire Pro-
7 tection Association standards.

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

12 §2104. Required provision and use of protective
13 equipment

14 1. Eye and face protection. Each fire department
15 shall provide and each firefighter shall use eye and
16 face protection when the firefighter is engaged in
17 fire suppression and other operations involving haz-
18 ards to the eyes and face at all times when the face
19 is not protected by the full facepiece of
20 self-contained breathing apparatus.

21 2. Hearing protection. Each fire department
22 shall provide and each firefighter shall use hearing
23 protection when the firefighter is operating or
24 riding on fire apparatus and is subject to noise in
25 excess of 90 decibels. Hearing protection must be
26 provided and used when the firefighter is exposed to
27 noise in excess of 90 decibels from power tools or
28 equipment, except in situations when the use of the
29 protective equipment would create an additional haz-
30 ard to the user.

31 3. Self-contained breathing apparatus. Each fire
32 department shall provide and each firefighter shall
33 use self-contained breathing apparatus when the
34 firefighter enters structural fires or when proximity
35 hazards require that protection. Each fire department
36 shall establish a program of maintenance and repair
37 to ensure that self-contained breathing apparatus re-
38 tains its original effectiveness as recommended by
39 the manufacturer.

1 4. Personal alert safety system. Each fire de-
2 partment shall provide a personal alert safety system
3 or PASS, with every self-contained breathing appara-
4 tus.

5 §2105. Inspection procedure

6 The Bureau of Labor Standards shall adopt an in-
7 spection procedure for self-contained breathing appa-
8 ratus. The procedure must include at least the fol-
9 lowing, as specified in the American National Stan-
10 dards Institute Z88.5:

11 1. All components, air supply and warning de-
12 vices. A complete inspection of all components, air
13 supply and warning devices to be performed after each
14 use and:

15 A. For volunteer associations and on-call fire
16 departments, every month; and

17 B. For full-time fire departments, every week;

18 2. Facepiece. Cleansing and sanitizing the
19 facepiece after each use; and

20 3. Record. A record of the date of each inspec-
21 tion and findings for each self-contained breathing
22 apparatus.

23 §2106. Inspection by and assistance of Bureau of La-
24 bor Standards

25 The Bureau of Labor Standards shall inspect each
26 fire department at least once every 2 years to deter-
27 mine compliance with this chapter. The bureau shall
28 assist fire departments in complying with this chap-
29 ter.

30 §2106. Rules

31 The Bureau of Labor Standards shall adopt rules
32 to carry out and enforce this chapter.

33 §2107. Inconsistent rules

1 Nothing in this new draft is intended to restrict
2 any jurisdiction from exceeding these minimum stan-
3 dards.

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