

1 HB215
2 173668-2
3 By Representatives Baker, Davis, Faust, McCutcheon, Jones,
4 Shiver, Polizos, Standridge and Rowe
5 RFD: Public Safety and Homeland Security
6 First Read: 11-FEB-16

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8 SYNOPSIS: Under existing law, volunteer fire
9 departments are certified by the Alabama Forestry
10 Commission based on minimum requirements specified
11 by law.

12 This bill would further specify the minimum
13 requirements for certification of volunteer fire
14 departments and authorizing decertification of
15 departments. The bill would also authorize the
16 Forestry Commission to adopt rules providing
17 procedures for certification of volunteer fire
18 departments and for the decertification of
19 departments which do not continue to meet the
20 minimum requirements for certification.

21
22 A BILL
23 TO BE ENTITLED
24 AN ACT

25
26 Relating to volunteer fire departments; to amend
27 Section 9-3-17, Code of Alabama 1975, relating to

1 certification by the Alabama Forestry Commission; to further
2 provide for the minimum standards for certification, to
3 authorize decertification of departments, and to authorize the
4 commission to adopt rules providing procedures for
5 certification and decertification of volunteer fire
6 departments.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Section 9-3-17, Code of Alabama 1975, is
9 amended to read as follows:

10 "§9-3-17.

11 "(a) The term "volunteer fire department" shall
12 apply to and be used to define an organized group of area
13 residents who meet the following requirements for personnel,
14 training and equipment:

15 "(1) The group shall be organized and incorporated
16 under the laws of the State of Alabama as a nonprofit
17 organization or as an authority of a municipality, fire
18 district, or other legal subdivision. The group shall actively
19 respond to fires and other emergencies and shall have a
20 clearly defined coverage area recognized by the Alabama
21 Forestry Commission and the county fire association where the
22 group is located as the primary fire protection provider for
23 the coverage area. The group shall be comprised of not less
24 than four members and shall provide monthly emergency response
25 reports to the commission. All persons who are members of said
26 group shall be known as "volunteer fire fighters," and shall
27 have been qualified as such by participating in organized fire

1 protection and suppression training programs. All fire
2 fighters must attend regularly scheduled meetings, drill, and
3 training classes within the department and same shall be
4 documented and kept on file at the department location for one
5 year.

6 "(2) A "volunteer fire department" shall have no
7 less than 80 percent unsalaried membership.

8 "(3) Each volunteer fire department shall have as a
9 minimum of fire fighting apparatus the following:

10 "a. One ~~tanker~~ truck capable of carrying ~~and pumping~~
11 no less than 500 gallons of water ~~with adequate nozzle~~
12 ~~pressure to suppress wildfire, structural fire and other fires~~
13 and capable of pumping a minimum of 250 gallons per minute at
14 150 pounds per square inch.

15 "b. Motorized apparatus shall be equipped with the
16 following minimum required equipment:

17 "1. ~~One booster reel with 150 feet of 3/4 or one~~
18 ~~inch rubber hose with suitable nozzle attached; or~~ Four
19 self-contained breathing apparatus (SCBA) units.

20 "2. ~~150~~ Four hundred feet of pre-connected 1 1/2, 1
21 3/4, or two inch fire hose with ~~suitable fog/stream nozzle~~
22 attached a minimum of two 95 gallon per minute handline
23 nozzles.

24 "c. In areas where a sufficient number of fire
25 hydrants are provided, the ~~tanker~~ truck shall also carry 200
26 feet of 2 1/2 inch fire hose together with a 2 1/2 to 1 1/2

1 inch wye connector for use with smaller hose and other
2 equipment.

3 "d. One 24 foot extension ladder ~~with~~ and a 12 foot
4 roof ladder.

5 "e. Hand tools - spanner wrenches, ~~axes,~~ one
6 pick-head axe, one flat-head axe, pike pole, ~~bolt cutter,~~
7 forcible entry tool, flashlights, two portable hand lights, a
8 first aid kit, ~~and one each~~ one 2.5 gallon pressure water
9 extinguisher, and ~~a~~ one ABC dry chemical fire extinguisher
10 with a minimum size of 80B:C.

11 "(4) An alerting system must be set up and
12 maintained, which will be capable of alerting the greatest
13 number of fire fighters in the shortest possible time.

14 "~~(5) Communications between the tanker and other~~
15 ~~units, including the base station are to be installed at the~~
16 ~~earliest possible time; however, the use of citizen band radio~~
17 ~~equipment is not recommended~~ One two-way radio assigned to the
18 apparatus.

19 "(6) Housing for motorized equipment shall be
20 provided at the department location, which shall be owned,
21 leased, or otherwise under the lawful control of the
22 department and shall be of such type and size as to provide
23 virtually freezeproof conditions for vehicles. A training room
24 should also be provided at the earliest possible time.

25 "(b) All of the aforementioned items shall
26 consummately define a "volunteer fire department," for
27 purposes of legal recognition, ~~but are not to be construed as~~

1 ~~standards set for any insurance classification by insurance~~
2 ~~services office or any other local, state or other agency.~~

3 "(c) The Alabama Forestry Commission may assist any
4 fire department needing additional equipment to meet the
5 standards for certification.

6 "(d) The Alabama Forestry Commission shall be the
7 state agency delegated as certifying authority under this
8 section and shall certify all departments which ~~are~~
9 cooperators with that commission meet minimum requirements for
10 certification and actively respond to emergencies. The
11 commission may decertify any department that does not continue
12 to meet minimum requirements for certification and actively
13 respond to emergencies.

14 "(e) ~~All noncooperating departments which request~~
15 ~~certification shall be reviewed by the Alabama Association of~~
16 ~~Volunteer Fire Departments and a recommendation for~~
17 ~~certification shall be made by the association to the Alabama~~
18 ~~Forestry Commission. The commission may adopt rules necessary~~
19 ~~to establish a procedure for certification and decertification~~
20 ~~of volunteer fire departments as provided in subsection (d).~~

21 "(f) The provisions of this section shall supersede
22 and take precedence over any local law or municipal ordinance
23 in conflict herewith. This section shall not be construed to
24 alter or diminish the jurisdiction of the Alabama
25 Firefighters' Personnel Standards and Education Commission to
26 establish minimum standards for firefighters, as is provided

1 in Section 36-32-7. All other laws or parts of laws in
2 conflict herewith are hereby repealed."

3 Section 2. This act shall become effective on the
4 first day of the third month following its passage and
5 approval by the Governor, or its otherwise becoming law.