

1 HB410
2 158189-3
3 By Representatives Merrill and Ball
4 RFD: Public Safety and Homeland Security
5 First Read: 06-FEB-14

1 (3) EMERGENCY RESPONSE ENGINEER. A broadcast
2 engineer or other technical person certified as an emergency
3 response engineer pursuant to this act who is used exclusively
4 for the purpose of restoring, repairing, or resupplying a
5 facility or equipment critical to the ability of a broadcaster
6 to acquire, produce, and transmit essential emergency public
7 information programming, including, without limitation,
8 repairing and maintaining transmitters and generators and
9 transporting fuel for generators.

10 Section 3. Broadcasters in this state, in
11 cooperation with the Alabama Emergency Management Agency, the
12 Alabama Association of Emergency Managers, and the Alabama
13 Broadcasters Association, or their successor organizations,
14 may develop comprehensive, coordinated plans for granting
15 credentials to emergency response engineers as authorized
16 herein.

17 Section 4. The plans developed as provided in
18 Section 3 may include a program for training and certifying
19 broadcast engineers and technical personnel as emergency
20 response engineers. Each program established pursuant to this
21 subsection shall meet all of the following criteria:

22 (1) Be consistent with federal law and guidelines.

23 (2) Provide training and education, as determined by
24 the Alabama Emergency Management Agency, concerning restoring,
25 repairing, and resupplying any facilities and equipment of a
26 broadcaster in an area affected by an emergency.

1 (3) Provide training and education concerning the
2 personal safety of an emergency response engineer in an area
3 affected by an emergency.

4 (b) To the extent practicable and consistent with
5 not endangering public safety or inhibiting recovery efforts,
6 state and local governmental agencies shall allow properly
7 credentialed emergency response engineers temporary access to
8 an area affected by an emergency for the exclusive purpose of
9 restoring, repairing, or resupplying any facility or equipment
10 critical to the ability of a broadcaster to acquire, produce,
11 and transmit essential emergency public information
12 programming, including, without limitation, repairing and
13 maintaining transmitters and generators and transporting fuel
14 for generators. In addition, when a radio broadcasting station
15 or television broadcasting station is located in an area
16 affected by an emergency, state and local governmental
17 agencies shall allow other essential personnel access to
18 production facilities for the purpose of producing and
19 presenting emergency public information programming. Neither
20 the State of Alabama nor any local government or any employee
21 thereof shall be liable for any action or inaction of the
22 credentialed emergency response broadcaster or any other
23 essential personnel granted access pursuant to this section.

24 Section 5. Nothing in this act shall be construed to
25 do any of the following: (i) restrict or prohibit utility
26 employees or representatives or contractors working for a
27 utility from accessing any pole, tower, equipment, structure

1 or other facilities used in the generation, transmission or
2 distribution of electric power, or (ii) require utility
3 employees or representatives or contractors working for a
4 utility be required to obtain any of the credentials issued
5 under this act, or (iii) authorize credentialed emergency
6 response engineers or other essential personnel to access any
7 pole, tower, equipment, structure or other facility used in
8 the generation, transmission or distribution of electric
9 power.

10 Section 6. This act shall become effective
11 immediately following its passage and approval by the
12 Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Public Safety
and Homeland Security..... 06-FEB-14

Read for the second time and placed
on the calendar with 1 substitute
and 1 amendment..... 12-FEB-14

Read for the third time and passed
as amended..... 20-FEB-14

Yeas 99, Nays 0, Abstains 0

Jeff Woodard
Clerk