

2011 -- H 5103

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO HEALTH AND SAFETY -- PROGRAMS FOR FIRE DEPARTMENTS

Introduced By: Representatives Gallison, Martin, Guthrie, San Bento, and Menard

Date Introduced: January 20, 2011

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 23-28.4-5 and 23-28.4-5.1 of the General Laws in Chapter 23-28.4
2 entitled "Safety and Health Programs for Fire Departments" are hereby amended to read as
3 follows:

4 **23-28.4-5. Implementation plan.** -- ~~Each applicable fire department in the state shall~~
5 ~~formulate a written plan to implement the requirements of NFPA 1500 not more than one~~
6 ~~hundred twenty days (120) after July 10, 1990 which shall be updated annually and a copy shall~~
7 ~~be given to the director of labor and training to be kept on file, and a copy shall be given to the~~
8 ~~bargaining agent representing employees within the fire department. A copy of each applicable~~
9 ~~fire department's NFPA 1500 implementation plan shall be forwarded by the department of labor~~
10 ~~and training to the NFPA 1500 Implementation Plan Review Committee, as established pursuant~~
11 ~~to section 23-28.4-5.1, within thirty (30) days after its receipt by the department of labor and~~
12 ~~training. The plan shall identify each specific requirement of NFPA 1500 for which the fire~~
13 ~~department currently complies and each specific requirement for which corrective action must be~~
14 ~~initiated for compliance. The plan shall include a timetable for corrective action. The written plan~~
15 ~~shall be made available for review by any fire department employee and/or employee~~
16 ~~representative. Compliance for each specific requirement of NFPA 1500 shall be accomplished~~
17 ~~not later than three (3) years after June 9, 1988. (a) Every fire department, except volunteer fire~~
18 ~~departments, in the state shall formulate a written plan to implement the requirements of NFPA~~
19 ~~1500 no later than one hundred eighty (180) days after the effective date of this act, which shall~~

1 be updated annually, and a copy shall be given to the director of the department of labor and
2 training to be kept on file, and a copy shall be given to the bargaining agent representing the
3 employees within the fire department. A copy of each applicable fire department's NFPA 1500
4 implementation plan shall be forwarded by the department of labor and training to the NFPA
5 1500 implementation plan review committee within thirty (30) days after its receipt by the
6 department of labor and training. The plan shall identify each specific requirement of NFPA 1500
7 for which the fire department currently complies and each specific requirement for which
8 corrective action must be initiated for compliance. The plan shall include a timetable for
9 corrective action. The written plan shall be made available for review by any fire department
10 employee and/or employee representative. Compliance for each specific requirement of NFPA
11 1500 shall be accomplished no later than three (3) years after the effective date of this act.

12 **23-28.4-5.1. NFPA 1500 Implementation Plan Review Committee -- Creation and**
13 **membership. --** ~~There is hereby created a NFPA-1500 Implementation Plan Review Committee~~
14 ~~consisting of three (3) members: one (1) of whom shall be appointed by the Rhode Island League~~
15 ~~of Cities and Towns, one (1) of whom shall be appointed by the Rhode Island State Association~~
16 ~~of Fire Fighters, and one (1) of whom shall be appointed by the Rhode Island Fire Chiefs'~~
17 ~~Association. The terms of all members shall be for four (4) years.~~

18 ~~The NFPA Implementation Plan Review Committee shall meet at the call of the~~
19 ~~chairperson, but not less than bi-monthly to review the implementation plans as submitted by the~~
20 ~~applicable fire departments pursuant to section 23-28.4-5. The Implementation Plan Review~~
21 ~~Committee, after reviewing each fire department's implementation plan, shall make a report~~
22 ~~available as to the progress of each applicable department's compliance or noncompliance with~~
23 ~~NFPA 1500 by January 1, 2007. (a) There is hereby created a NFPA 1500 implementation plan~~

24 review committee consisting of five (5) members: one of whom shall be appointed by the
25 governor; one of whom shall be appointed by the senate majority leader; one of whom shall be
26 appointed by the speaker of the house; one of whom shall be appointed by the Rhode Island state
27 association of fire fighters; and one of whom shall be appointed by the Rhode Island fire chiefs
28 association. The terms of all members shall be for four (4) years. From the non-legislative
29 members the governor shall appoint one member to serve as chairperson, and one member to
30 serve as vice-chairperson. The terms of the chairperson and vice-chairperson shall be for four (4)
31 years, or until their successors are appointed.

32 (b) The implementation plan review committee shall meet at the call of the chairperson,
33 but not less than bi-monthly, to review the implementation plans as submitted by the applicable
34 fire departments. The implementation plan review committee, after reviewing each fire

1 [departments implementation plan, shall make recommendations to the department of labor and](#)
2 [training as to the progress of each applicable department's compliance or non-compliance with](#)
3 [NFPA 1500.](#)

4 SECTION 2. This act shall take effect on January 1, 2012.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO HEALTH AND SAFETY -- PROGRAMS FOR FIRE DEPARTMENTS

1 This act would amend the process by which fire departments implement the requirements
2 of NFPA 1500. The act would also amend the composition of the NFPA (National Fire Protection
3 Association) 1500 Implementation Plan Review Committee.

4 This act would take effect on January 1, 2012.

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