



Safety Ropes

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The New York State Labor Department has begun to cite Fire Departments in New York State for violations of a recently enacted statute requiring that proper procedures be in place to prepare for the purchase of bail out and evacuation equipment for interior firefighters.

The statute required a Risk Assessment be accomplished by March 27, equipment be purchased by April 20 and training on the use of such equipment be commenced by June 27 of this year. Fire Departments and volunteer emergency response groups have sought clarity regarding the law and regulation without success. A lawsuit was initiated by major response groups to declare the law and regulation arbitrary and capricious.

While for some departments bail out ropes are the clear choice for proper protection, other departments have limited multi story structures in their coverage area. This new statute makes no distinction between the requirements of sparse versus dense population, and effectively precludes many existing mutual aid agreements.

Litigation continues which would strike down the statute, but another remedy, supported by The New York State Association of Fire Chiefs, Fireman's Association of the State of New York and the Association of Fire Districts of New York State, is legislation sponsored by Senator Craig Johnson and Assemblyman Marc Alessi.

Senate Bill 6045 and Assembly Bill 9000 would add a new dimension to existing law allowing for the continued protection of firefighters trapped above grade while allowing Departments to use a variety of solutions to adapt their specific needs to a panoply of equipment choices, training, and response tactics including but not limited to bail out ropes.

FASNY is asking our members to communicate with their legislators expressing their support and to urge swift passage. This legislation does not remove the old requirements, but would mitigate them, and create a period whereby a new assessment could include existing and new solutions to firefighter safety above grade.

Swift passage of this statute is necessary to protect those that have been cited. Labor Department officials are required to enforce the statute but are unable to interpret the law when specific situations dictate a consideration of coverage diversity.

You can help us by clicking on the Take Action! link at the top of this message to contact your state legislators and urge them to support the passage of these bills.