

---

HOUSE BILL 1517

---

State of Washington                      58th Legislature                      2003 Regular Session

By Representatives Cooper, Simpson, Conway, Sullivan and Wallace

Read first time 01/29/2003.      Referred to Committee on Commerce & Labor.

1            AN ACT Relating to the occupational safety and health of fire  
2 department employees; amending RCW 49.17.020; and adding new sections  
3 to chapter 49.17 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 49.17 RCW  
6 to read as follows:

7            The legislature intends to specify the minimum criteria for  
8 addressing the occupational safety and health of fire department  
9 employees, and to establish response time objectives for certain major  
10 services. The legislature acknowledges the efforts of the national  
11 fire protection association to develop standard 1710 for the  
12 organization and deployment of substantially career fire departments,  
13 and standard 1720 as the standard for substantially volunteer fire  
14 departments. For these reasons, this act contains minimum  
15 requirements, comparable to those standards, relating to the  
16 organization and deployment of fire suppression operations, emergency  
17 medical operations, and special operations to the public.

1       **Sec. 2.** RCW 49.17.020 and 1997 c 362 s 2 are each amended to read  
2 as follows:

3       (~~For the purposes of~~) The definitions in this section apply  
4 throughout this chapter(~~(+)~~) unless the context clearly requires  
5 otherwise.

6       (1) (~~The term~~) "Advanced life support" means functional provision  
7 of advanced airway management, including intubation, advanced cardiac  
8 monitoring, manual defibrillation, establishment and maintenance of  
9 intravenous access, and drug therapy.

10       (2) "Agriculture" means farming and includes, but is not limited  
11 to:

12       (a) The cultivation and tillage of the soil;

13       (b) Dairying;

14       (c) The production, cultivation, growing, and harvesting of any  
15 agricultural or horticultural commodity;

16       (d) The raising of livestock, bees, fur-bearing animals, or  
17 poultry; and

18       (e) Any practices performed by a farmer or on a farm, incident to  
19 or in connection with such farming operations, including but not  
20 limited to preparation for market and delivery to:

21       (i) Storage;

22       (ii) Market; or

23       (iii) Carriers for transportation to market.

24       The term "agriculture" does not mean a farmer's processing for sale  
25 or handling for sale a commodity or product grown or produced by a  
26 person other than the farmer or the farmer's employees.

27       (~~(2) The term~~) (3) "Aircraft rescue and fire fighting" means the  
28 fire fighting actions taken to rescue persons and to control or  
29 extinguish fire involving or adjacent to aircraft on the ground.

30       (4) "Authority having jurisdiction" means the fire protection  
31 district, or the county, city, or other municipal fire department  
32 responsible for fire fighting actions, emergency medical services, and  
33 other special operations in a specified geographic area.

34       (5) "Director" means the director of the department of labor and  
35 industries, or (~~his~~) the director's designated representative.

36       (~~(3) The term~~) (6) "Department" means the department of labor and  
37 industries.

1       (~~(4) The term~~) (7) "Employer" means any person, firm,  
2 corporation, partnership, business trust, legal representative, or  
3 other business entity which engages in any business, industry,  
4 profession, or activity in this state and employs one or more employees  
5 or who contracts with one or more persons, the essence of which is the  
6 personal labor of such person or persons and includes the state,  
7 counties, cities, and all municipal corporations, public corporations,  
8 political subdivisions of the state, and charitable organizations:  
9 PROVIDED, That any person, partnership, or business entity not having  
10 employees, and who is covered by the industrial insurance act shall be  
11 considered both an employer and an employee.

12       (~~(5) The term~~) (8) "Employee" means an employee of an employer  
13 who is employed in the business of his or her employer whether by way  
14 of manual labor or otherwise and every person in this state who is  
15 engaged in the employment of or who is working under an independent  
16 contract the essence of which is his or her personal labor for an  
17 employer under this chapter whether by way of manual labor or  
18 otherwise.

19       (~~(6) The term~~) (9) "Fire department" means a fire protection  
20 district, or a county, city, or other municipal fire department.

21       (10) "Fire suppression" means the activities involved in  
22 controlling and extinguishing fires.

23       (11) "First responder" means provision of initial assessment and  
24 basic first-aid intervention, including cardiac pulmonary resuscitation  
25 and automatic external defibrillator capability.

26       (12) "Marine rescue and fire fighting" means the fire fighting  
27 actions taken to prevent, control, or extinguish fire involved in or  
28 adjacent to a marine vessel and the rescue actions for occupants using  
29 normal and emergency routes for egress.

30       (13) "Person" means one or more individuals, partnerships,  
31 associations, corporations, business trusts, legal representatives, or  
32 any organized group of persons.

33       (~~(7) The term~~) (14) "Response time" means the time beginning when  
34 units are en route to the emergency incident and ending when units  
35 arrive at the scene.

36       (15) "Safety and health standard" means a standard which requires  
37 the adoption or use of one or more practices, means, methods,

1 operations, or processes reasonably necessary or appropriate to provide  
2 safe or healthful employment and places of employment.

3 ~~((8) The term))~~ (16) "Special operations" means those emergency  
4 incidents to which the fire department responds that require specific  
5 and advanced training and specialized tools and equipment.

6 (17) "Turnout time" means the time beginning when units acknowledge  
7 notification of the emergency to the beginning point of response time.

8 (18) "Work place" means any plant, yard, premises, room, or other  
9 place where an employee or employees are employed for the performance  
10 of labor or service over which the employer has the right of access or  
11 control, and includes, but is not limited to, all work places covered  
12 by industrial insurance under Title 51 RCW, as now or hereafter  
13 amended.

14 ~~((9) The term))~~ (19) "Working day" means a calendar day, except  
15 Saturdays, Sundays, and all legal holidays as set forth in RCW  
16 1.16.050, as now or hereafter amended, and for the purposes of the  
17 computation of time within which an act is to be done under the  
18 provisions of this chapter, shall be computed by excluding the first  
19 working day and including the last working day.

20 NEW SECTION. Sec. 3. A new section is added to chapter 49.17 RCW  
21 to read as follows:

22 (1) Every authority having jurisdiction shall maintain a written  
23 statement or policy that establishes the following:

- 24 (a) The existence of a fire department;  
25 (b) Services that the fire department is required to provide;  
26 (c) The basic organizational structure of the fire department;  
27 (d) The expected number of fire department employees; and  
28 (e) Functions that fire department employees are expected to  
29 perform.

30 (2) Every authority having jurisdiction shall include service  
31 delivery objectives in the written statement or policy required under  
32 subsection (1) of this section. These objectives shall include  
33 specific response time objectives for the following major service  
34 components, if appropriate:

- 35 (a) Fire suppression;  
36 (b) Emergency management services;  
37 (c) Special operations;

- 1 (d) Aircraft rescue and fire fighting;
- 2 (e) Marine rescue and fire fighting; and
- 3 (f) Wild land fire fighting.

4 NEW SECTION. **Sec. 4.** A new section is added to chapter 49.17 RCW  
5 to read as follows:

6 (1) Every fire department shall establish the following time  
7 objectives:

8 (a) One minute for turnout time;

9 (b) Four minutes or less for the arrival of the first arriving  
10 engine company at a fire suppression incident, or eight minutes or less  
11 for the deployment of a full first alarm assignment at a fire  
12 suppression incident;

13 (c) Four minutes or less for the arrival of a unit with first  
14 responder or higher level capability at an emergency medical incident;  
15 and

16 (d) Eight minutes or less for the arrival of an advanced life  
17 support unit at an emergency medical incident, where this service is  
18 provided by the fire department.

19 (2) Every fire department shall also establish a performance  
20 objective of not less than ninety percent for the achievement of each  
21 response time objective specified in subsection (1) of this section.

22 (3) Every fire department shall evaluate its level of service and  
23 deployment delivery and response time objectives on an annual basis.  
24 The evaluations shall be based on data relating to level of service,  
25 deployment, and the achievement of each response time objective in each  
26 geographic area within the jurisdiction of the fire department.

27 (4) Beginning in 2005, every fire department shall issue an annual  
28 written report which shall be based on the annual evaluations required  
29 by subsection (3) of this section.

30 (a) The annual report shall define the geographic areas and  
31 circumstances in which the requirements of this standard are not being  
32 met.

33 (b) The annual report shall explain the predictable consequences of  
34 these deficiencies and address the steps that are necessary to achieve  
35 compliance.

--- END ---