

FINAL BILL REPORT

HB 1908

C 208 L 97

Synopsis as Enacted

Brief Description: Establishing a fire fighting technical review committee.

Sponsors: Representatives Thompson and McMorris.

House Committee on Commerce & Labor

Senate Committee on Commerce & Labor

Background: The Washington Industrial Safety and Health Act (WISHA) applies to most private and public work places, and is administered and enforced by the Department of Labor and Industries. Washington is a state plan state– under the federal Occupational Safety and Health Act (OSHA) and as such, is authorized to assume responsibility for occupational safety and health standards in the state. The safety and health standards must be at least as effective as the standards adopted under the OSHA.

The WISHA standards include general safety and health standards that apply to firefighting. The specific standards for firefighting govern all activities related to fire protection services, and require the use of appropriate safety devices and safeguards in all aspects of firefighting, including fire combat scenes and emergency medical or rescue situations.

A covered fire department or fire district employer may be cited, and penalties assessed if the employer violates the WISHA, the rules adopted under the WISHA, an order granting a variance, or a standard published by the National Fire Protection Association.

Summary: An eight-member firefighting technical review committee is established. The director of the Department of Labor and Industries appoints the committee members for three-year staggered terms. The composition of the committee is (1) four members representing firefighters, two of whom are members of the law enforcement officers' and firefighters' retirement system; (2) two members representing fire chiefs; and (3) two members representing fire commissioners. The director or designee is an ex officio member and chair of the committee.

The committee provides advisory technical assistance to the department if an inspection or investigation of an emergency response situation reveals a violation of the WISHA or possible noncompliance with an industry consensus standard. After the

department issues a citation based on events in an emergency situation, the department has a duty to consult with the committee before issuing a citation that includes a penalty. The committee's recommendations are advisory only and do not limit the department's authority to cite and assess a penalty for violations of the WISHA.

Emergency response situation– includes situations in which employees of a fire department or fire district are involved in a fire combat scene, a hazardous materials response situation, a rescue, or a response involving emergency medical services.

The committee expires July 1, 2001.

Votes on Final Passage:

House 95 0

Senate 40 0

Effective: July 27, 1997