

---

**SUBSTITUTE HOUSE BILL 1756**

---

**State of Washington**

**59th Legislature**

**2005 Regular Session**

**By** House Committee on Commerce & Labor (originally sponsored by Representatives P. Sullivan, B. Sullivan, Miloscia, Simpson, Nixon, Curtis, Conway and Wood)

READ FIRST TIME 03/07/05.

1 AN ACT Relating to the occupational safety and health of fire  
2 department employees; adding a new chapter to Title 35 RCW; adding a  
3 new chapter to Title 35A RCW; adding a new chapter to Title 52 RCW;  
4 adding a new chapter to Title 53 RCW; and creating a new section.

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

6 **PART I - CITY FIRE DEPARTMENTS**

7 NEW SECTION. **Sec. 101.** The legislature intends to set standards  
8 for addressing the reporting and accountability of substantially career  
9 fire departments, and to specify performance measures applicable to  
10 response time objectives for certain major services. The legislature  
11 acknowledges the efforts of the international city/county management  
12 association, the international association of fire chiefs, and the  
13 national fire protection association for the organization and  
14 deployment of resources for fire departments. The arrival of first  
15 responders with automatic external defibrillator capability before the  
16 onset of brain death, and the arrival of adequate fire suppression  
17 resources before flash-over is a critical event during the mitigation  
18 of an emergency, and is in the public's best interest. For these

1 reasons, this chapter contains performance measures, comparable to that  
2 research, relating to the organization and deployment of fire  
3 suppression operations, emergency medical operations, and special  
4 operations by substantially career fire departments. This chapter does  
5 not, and is not intended to, in any way modify or limit the authority  
6 of cities and towns to set levels of service.

7 NEW SECTION. **Sec. 102.** The definitions in this section apply  
8 throughout this chapter unless the context clearly requires otherwise.

9 (1) "Advanced life support" means functional provision of advanced  
10 airway management, including intubation, advanced cardiac monitoring,  
11 manual defibrillation, establishment and maintenance of intravenous  
12 access, and drug therapy.

13 (2) "Aircraft rescue and fire fighting" means the fire fighting  
14 actions taken to rescue persons and to control or extinguish fire  
15 involving or adjacent to aircraft on the ground.

16 (3) "Brain death" as defined by the American heart association  
17 means the irreversible death of brain cells that begins four to six  
18 minutes after cardiac arrest.

19 (4) "City" means a first class city or a second class city that  
20 provides fire protection services in a specified geographic area.

21 (5) "Fire department" means a city or town fire department  
22 responsible for fire fighting actions, emergency medical services, and  
23 other special operations in a specified geographic area. The  
24 department must be a substantially career fire department, and not a  
25 substantially volunteer fire department.

26 (6) "Fire suppression" means the activities involved in controlling  
27 and extinguishing fires.

28 (7) "First responder" means provision of initial assessment and  
29 basic first-aid intervention, including cardiac pulmonary resuscitation  
30 and automatic external defibrillator capability.

31 (8) "Flash-over" as defined by national institute of standards and  
32 technology means when all combustibles in a room burst into flame and  
33 the fire spreads rapidly.

34 (9) "Marine rescue and fire fighting" means the fire fighting  
35 actions taken to prevent, control, or extinguish fire involved in or  
36 adjacent to a marine vessel and the rescue actions for occupants using  
37 normal and emergency routes for egress.

1 (10) "Response time" means the time immediately following the  
2 turnout time that begins when units are en route to the emergency  
3 incident and ends when units arrive at the scene.

4 (11) "Special operations" means those emergency incidents to which  
5 the fire department responds that require specific and advanced  
6 training and specialized tools and equipment.

7 (12) "Town" means a town that provides fire protection services,  
8 which may include fire fighting actions, emergency medical services,  
9 and other special operations, in a specified geographic area.

10 (13) "Turnout time" means the time beginning when units receive  
11 notification of the emergency to the beginning point of response time.

12 NEW SECTION. **Sec. 103.** (1) Every city and town shall maintain a  
13 written statement or policy that establishes the following:

- 14 (a) The existence of a fire department;  
15 (b) Services that the fire department is required to provide;  
16 (c) The basic organizational structure of the fire department;  
17 (d) The expected number of fire department employees; and  
18 (e) Functions that fire department employees are expected to  
19 perform.

20 (2) Every city and town shall include service delivery objectives  
21 in the written statement or policy required under subsection (1) of  
22 this section. These objectives shall include specific response time  
23 objectives for the following major service components, if appropriate:

- 24 (a) Fire suppression;  
25 (b) Emergency medical services;  
26 (c) Special operations;  
27 (d) Aircraft rescue and fire fighting;  
28 (e) Marine rescue and fire fighting; and  
29 (f) Wild land fire fighting.

30 (3) Every city and town, in order to measure the ability to arrive  
31 and begin mitigation operations before the critical events of brain  
32 death or flash-over, shall establish time objectives for the following  
33 measurements:

- 34 (a) Turnout time;  
35 (b) Response time for the arrival of the first arriving engine  
36 company at a fire suppression incident and response time for the

1 deployment of a full first alarm assignment at a fire suppression  
2 incident;

3 (c) Response time for the arrival of a unit with first responder or  
4 higher level capability at an emergency medical incident; and

5 (d) Response time for the arrival of an advanced life support unit  
6 at an emergency medical incident, where this service is provided by the  
7 fire department.

8 (4) Every city and town shall also establish a performance  
9 objective of not less than ninety percent for the achievement of each  
10 response time objective established under subsection (3) of this  
11 section.

12 NEW SECTION. **Sec. 104.** (1) Every city and town shall evaluate its  
13 level of service and deployment delivery and response time objectives  
14 on an annual basis. The evaluations shall be based on data relating to  
15 level of service, deployment, and the achievement of each response time  
16 objective in each geographic area within the jurisdiction of the city  
17 or town.

18 (2) Beginning in 2007, every city and town shall issue an annual  
19 written report which shall be based on the annual evaluations required  
20 by subsection (1) of this section.

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

24 (b) The annual report shall explain the predictable consequences of  
25 any deficiencies and address the steps that are necessary to achieve  
26 compliance.

27 **PART II - CODE CITY FIRE DEPARTMENTS**

28 NEW SECTION. **Sec. 201.** The legislature intends to set standards  
29 for addressing the reporting and accountability of substantially career  
30 fire departments, and to specify performance measures applicable to  
31 response time objectives for certain major services. The legislature  
32 acknowledges the efforts of the international city/county management  
33 association, the international association of fire chiefs, and the  
34 national fire protection association for the organization and  
35 deployment of resources for fire departments. The arrival of first

1 responders with automatic external defibrillator capability before the  
2 onset of brain death, and the arrival of adequate fire suppression  
3 resources before flash-over is a critical event during the mitigation  
4 of an emergency, and is in the public's best interest. For these  
5 reasons, this chapter contains performance measures, comparable to that  
6 research, relating to the organization and deployment of fire  
7 suppression operations, emergency medical operations, and special  
8 operations by substantially career fire departments. This chapter does  
9 not, and is not intended to, in any way modify or limit the authority  
10 of code cities to set levels of service.

11 NEW SECTION. **Sec. 202.** The definitions in this section apply  
12 throughout this chapter unless the context clearly requires otherwise.

13 (1) "Advanced life support" means functional provision of advanced  
14 airway management, including intubation, advanced cardiac monitoring,  
15 manual defibrillation, establishment and maintenance of intravenous  
16 access, and drug therapy.

17 (2) "Aircraft rescue and fire fighting" means the fire fighting  
18 actions taken to rescue persons and to control or extinguish fire  
19 involving or adjacent to aircraft on the ground.

20 (3) "Brain death" as defined by the American heart association  
21 means the irreversible death of brain cells that begins four to six  
22 minutes after cardiac arrest.

23 (4) "Code city" means a code city that provides fire protection  
24 services, which may include fire fighting actions, emergency medical  
25 services, and other special operations, in a specified geographic area.

26 (5) "Fire department" means a code city fire department responsible  
27 for fire fighting actions, emergency medical services, and other  
28 special operations in a specified geographic area. The department must  
29 be a substantially career fire department, and not a substantially  
30 volunteer fire department.

31 (6) "Fire suppression" means the activities involved in controlling  
32 and extinguishing fires.

33 (7) "First responder" means provision of initial assessment and  
34 basic first-aid intervention, including cardiac pulmonary resuscitation  
35 and automatic external defibrillator capability.

36 (8) "Flash-over" as defined by national institute of standards and

1 technology means when all combustibles in a room burst into flame and  
2 the fire spreads rapidly.

3 (9) "Marine rescue and fire fighting" means the fire fighting  
4 actions taken to prevent, control, or extinguish fire involved in or  
5 adjacent to a marine vessel and the rescue actions for occupants using  
6 normal and emergency routes for egress.

7 (10) "Response time" means the time immediately following the  
8 turnout time that begins when units are en route to the emergency  
9 incident and ends when units arrive at the scene.

10 (11) "Special operations" means those emergency incidents to which  
11 the fire department responds that require specific and advanced  
12 training and specialized tools and equipment.

13 (12) "Turnout time" means the time beginning when units receive  
14 notification of the emergency to the beginning point of response time.

15 NEW SECTION. **Sec. 203.** (1) Every code city shall maintain a  
16 written statement or policy that establishes the following:

- 17 (a) The existence of a fire department;
- 18 (b) Services that the fire department is required to provide;
- 19 (c) The basic organizational structure of the fire department;
- 20 (d) The expected number of fire department employees; and
- 21 (e) Functions that fire department employees are expected to  
22 perform.

23 (2) Every code city shall include service delivery objectives in  
24 the written statement or policy required under subsection (1) of this  
25 section. These objectives shall include specific response time  
26 objectives for the following major service components, if appropriate:

- 27 (a) Fire suppression;
- 28 (b) Emergency medical services;
- 29 (c) Special operations;
- 30 (d) Aircraft rescue and fire fighting;
- 31 (e) Marine rescue and fire fighting; and
- 32 (f) Wild land fire fighting.

33 (3) Every code city, in order to measure the ability to arrive and  
34 begin mitigation operations before the critical events of brain death  
35 or flash-over, shall establish time objectives for the following  
36 measurements:

- 37 (a) Turnout time;

1 (b) Response time for the arrival of the first arriving engine  
2 company at a fire suppression incident and response time for the  
3 deployment of a full first alarm assignment at a fire suppression  
4 incident;

5 (c) Response time for the arrival of a unit with first responder or  
6 higher level capability at an emergency medical incident; and

7 (d) Response time for the arrival of an advanced life support unit  
8 at an emergency medical incident, where this service is provided by the  
9 fire department.

10 (4) Every code city shall also establish a performance objective of  
11 not less than ninety percent for the achievement of each response time  
12 objective established under subsection (3) of this section.

13 NEW SECTION. **Sec. 204.** (1) Every code city shall evaluate its  
14 level of service and deployment delivery and response time objectives  
15 on an annual basis. The evaluations shall be based on data relating to  
16 level of service, deployment, and the achievement of each response time  
17 objective in each geographic area within the code city's jurisdiction.

18 (2) Beginning in 2007, every code city shall issue an annual  
19 written report which shall be based on the annual evaluations required  
20 by subsection (1) of this section.

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

24 (b) The annual report shall explain the predictable consequences of  
25 any deficiencies and address the steps that are necessary to achieve  
26 compliance.

27 **PART III - FIRE PROTECTION DISTRICTS AND**  
28 **REGIONAL FIRE PROTECTION SERVICE AUTHORITIES**

29 NEW SECTION. **Sec. 301.** The legislature intends to set standards  
30 for addressing the reporting and accountability of substantially career  
31 fire departments, and to specify performance measures applicable to  
32 response time objectives for certain major services. The legislature  
33 acknowledges the efforts of the international city/county management  
34 association, the international association of fire chiefs, and the  
35 national fire protection association for the organization and

1 deployment of resources for fire departments. The arrival of first  
2 responders with automatic external defibrillator capability before the  
3 onset of brain death, and the arrival of adequate fire suppression  
4 resources before flash-over is a critical event during the mitigation  
5 of an emergency, and is in the public's best interest. For these  
6 reasons, this chapter contains performance measures, comparable to that  
7 research, relating to the organization and deployment of fire  
8 suppression operations, emergency medical operations, and special  
9 operations by substantially career fire departments. This chapter does  
10 not, and is not intended to, in any way modify or limit the authority  
11 of fire protection districts and regional fire protection service  
12 authorities to set levels of service.

13 NEW SECTION. **Sec. 302.** The definitions in this section apply  
14 throughout this chapter unless the context clearly requires otherwise.

15 (1) "Advanced life support" means functional provision of advanced  
16 airway management, including intubation, advanced cardiac monitoring,  
17 manual defibrillation, establishment and maintenance of intravenous  
18 access, and drug therapy.

19 (2) "Aircraft rescue and fire fighting" means the fire fighting  
20 actions taken to rescue persons and to control or extinguish fire  
21 involving or adjacent to aircraft on the ground.

22 (3) "Brain death" as defined by the American heart association  
23 means the irreversible death of brain cells that begins four to six  
24 minutes after cardiac arrest.

25 (4) "Fire department" means a fire protection district or a  
26 regional fire protection service authority responsible for fire  
27 fighting actions, emergency medical services, and other special  
28 operations in a specified geographic area. The department must be a  
29 substantially career fire department, and not a substantially volunteer  
30 fire department.

31 (5) "Fire suppression" means the activities involved in controlling  
32 and extinguishing fires.

33 (6) "First responder" means provision of initial assessment and  
34 basic first-aid intervention, including cardiac pulmonary resuscitation  
35 and automatic external defibrillator capability.

36 (7) "Flash-over" as defined by national institute of standards and

1 technology means when all combustibles in a room burst into flame and  
2 the fire spreads rapidly.

3 (8) "Marine rescue and fire fighting" means the fire fighting  
4 actions taken to prevent, control, or extinguish fire involved in or  
5 adjacent to a marine vessel and the rescue actions for occupants using  
6 normal and emergency routes for egress.

7 (9) "Response time" means the time immediately following the  
8 turnout time that begins when units are en route to the emergency  
9 incident and ends when units arrive at the scene.

10 (10) "Special operations" means those emergency incidents to which  
11 the fire department responds that require specific and advanced  
12 training and specialized tools and equipment.

13 (11) "Turnout time" means the time beginning when units receive  
14 notification of the emergency to the beginning point of response time.

15 NEW SECTION. **Sec. 303.** (1) Every fire protection district and  
16 regional fire protection service authority shall maintain a written  
17 statement or policy that establishes the following:

- 18 (a) The existence of a fire department;
- 19 (b) Services that the fire department is required to provide;
- 20 (c) The basic organizational structure of the fire department;
- 21 (d) The expected number of fire department employees; and
- 22 (e) Functions that fire department employees are expected to  
23 perform.

24 (2) Every fire protection district and regional fire protection  
25 service authority shall include service delivery objectives in the  
26 written statement or policy required under subsection (1) of this  
27 section. These objectives shall include specific response time  
28 objectives for the following major service components, if appropriate:

- 29 (a) Fire suppression;
- 30 (b) Emergency medical services;
- 31 (c) Special operations;
- 32 (d) Aircraft rescue and fire fighting;
- 33 (e) Marine rescue and fire fighting; and
- 34 (f) Wild land fire fighting.

35 (3) Every fire protection district and regional fire protection  
36 service authority, in order to measure the ability to arrive and begin

1 mitigation operations before the critical events of brain death or  
2 flash-over, shall establish time objectives for the following  
3 measurements:

4 (a) Turnout time;

5 (b) Response time for the arrival of the first arriving engine  
6 company at a fire suppression incident and response time for the  
7 deployment of a full first alarm assignment at a fire suppression  
8 incident;

9 (c) Response time for the arrival of a unit with first responder or  
10 higher level capability at an emergency medical incident; and

11 (d) Response time for the arrival of an advanced life support unit  
12 at an emergency medical incident, where this service is provided by the  
13 fire department.

14 (4) Every fire protection district and regional fire protection  
15 service authority shall also establish a performance objective of not  
16 less than ninety percent for the achievement of each response time  
17 objective established under subsection (3) of this section.

18 NEW SECTION. **Sec. 304.** (1) Every fire protection district and  
19 regional fire protection service authority shall evaluate its level of  
20 service and deployment delivery and response time objectives on an  
21 annual basis. The evaluations shall be based on data relating to level  
22 of service, deployment, and the achievement of each response time  
23 objective in each geographic area within the jurisdiction of the fire  
24 protection district and regional fire protection service authority.

25 (2) Beginning in 2007, every fire protection district and regional  
26 fire protection service authority shall issue an annual written report  
27 which shall be based on the annual evaluations required by subsection  
28 (1) of this section.

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

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

35 **PART IV - PORT DISTRICTS**

1        NEW SECTION.    **Sec. 401.**    The legislature intends to set standards  
2 for addressing the reporting and accountability of substantially career  
3 fire departments, and to specify performance measures applicable to  
4 response time objectives for certain major services.    The legislature  
5 acknowledges the efforts of the international city/county management  
6 association, the international association of fire chiefs, and the  
7 national fire protection association for the organization and  
8 deployment of resources for fire departments.    The arrival of first  
9 responders with automatic external defibrillator capability before the  
10 onset of brain death, and the arrival of adequate fire suppression  
11 resources before flash-over is a critical event during the mitigation  
12 of an emergency, and is in the public's best interest.    For these  
13 reasons, this chapter contains performance measures, comparable to that  
14 research, relating to the organization and deployment of fire  
15 suppression operations, emergency medical operations, and special  
16 operations by substantially career fire departments.    This chapter does  
17 not, and is not intended to, in any way modify or limit the authority  
18 of port districts to set levels of service.

19        NEW SECTION.    **Sec. 402.**    The definitions in this section apply  
20 throughout this chapter unless the context clearly requires otherwise.

21        (1) "Advanced life support" means functional provision of advanced  
22 airway management, including intubation, advanced cardiac monitoring,  
23 manual defibrillation, establishment and maintenance of intravenous  
24 access, and drug therapy.

25        (2) "Aircraft rescue and fire fighting" means the fire fighting  
26 actions taken to rescue persons and to control or extinguish fire  
27 involving or adjacent to aircraft on the ground.

28        (3) "Brain death" as defined by the American heart association  
29 means the irreversible death of brain cells that begins four to six  
30 minutes after cardiac arrest.

31        (4) "Fire department" means a port district fire department  
32 responsible for fire fighting actions, emergency medical services, and  
33 other special operations in a specified geographic area.    The  
34 department must be a substantially career fire department, and not a  
35 substantially volunteer fire department.

36        (5) "Fire suppression" means the activities involved in controlling  
37 and extinguishing fires.

1 (6) "First responder" means provision of initial assessment and  
2 basic first-aid intervention, including cardiac pulmonary resuscitation  
3 and automatic external defibrillator capability.

4 (7) "Flash-over" as defined by national institute of standards and  
5 technology means when all combustibles in a room burst into flame and  
6 the fire spreads rapidly.

7 (8) "Marine rescue and fire fighting" means the fire fighting  
8 actions taken to prevent, control, or extinguish fire involved in or  
9 adjacent to a marine vessel and the rescue actions for occupants using  
10 normal and emergency routes for egress.

11 (9) "Port" means a port district that provides fire protection  
12 services, which may include fire fighting actions, emergency medical  
13 services, and other special operations, in a specified geographic area.

14 (10) "Response time" means the time immediately following the  
15 turnout time that begins when units are en route to the emergency  
16 incident and ends when units arrive at the scene.

17 (11) "Special operations" means those emergency incidents to which  
18 the fire department responds that require specific and advanced  
19 training and specialized tools and equipment.

20 (12) "Turnout time" means the time beginning when units receive  
21 notification of the emergency to the beginning point of response time.

22 NEW SECTION. **Sec. 403.** (1) Every port 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 port shall include service delivery objectives in the  
31 written statement or policy required under subsection (1) of this  
32 section. These objectives shall include specific response time  
33 objectives for the following major service components, if appropriate:

- 34 (a) Fire suppression;  
35 (b) Emergency medical services;  
36 (c) Special operations;  
37 (d) Aircraft rescue and fire fighting;

1 (e) Marine rescue and fire fighting; and

2 (f) Wild land fire fighting.

3 (3) Every port, in order to measure the ability to arrive and begin  
4 mitigation operations before the critical events of brain death or  
5 flash-over, shall establish time objectives for the following  
6 measurements:

7 (a) Turnout time;

8 (b) Response time for the arrival of the first arriving engine  
9 company at a fire suppression incident and response time for the  
10 deployment of a full first alarm assignment at a fire suppression  
11 incident;

12 (c) Response time for the arrival of a unit with first responder or  
13 higher level capability at an emergency medical incident; and

14 (d) Response time for the arrival of an advanced life support unit  
15 at an emergency medical incident, where this service is provided by the  
16 fire department.

17 (4) Every port shall also establish a performance objective of not  
18 less than ninety percent for the achievement of each response time  
19 objective established under subsection (3) of this section.

20 NEW SECTION. Sec. 404. (1) Every port shall evaluate its level of  
21 service and deployment delivery and response time objectives on an  
22 annual basis. The evaluations shall be based on data relating to level  
23 of service, deployment, and the achievement of each response time  
24 objective in each geographic area within the port's jurisdiction.

25 (2) Beginning in 2007, every port shall issue an annual written  
26 report which shall be based on the annual evaluations required by  
27 subsection (1) of this section.

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

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

34 **PART V - MISCELLANEOUS PROVISIONS**

1        NEW SECTION.   **Sec. 501.**   Part headings used in this act are not any  
2 part of the law.

3        NEW SECTION.   **Sec. 502.**   (1) Sections 101 through 104 of this act  
4 constitute a new chapter in Title 35 RCW.

5        (2) Sections 201 through 204 of this act constitute a new chapter  
6 in Title 35A RCW.

7        (3) Sections 301 through 304 of this act constitute a new chapter  
8 in Title 52 RCW.

9        (4) Sections 401 through 404 of this act constitute a new chapter  
10 in Title 53 RCW.

--- END ---