

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

Senate Bill 636

BY SENATORS BOSO, STOLLINGS, MARONEY, SYPOLT AND

CLINE

[Introduced March 17, 2017; Referred
to the Committee on Government Organization]

1 A BILL to amend and reenact §29-3-5d of the Code of West Virginia, 1931, as amended, relating
 2 to authorizing the State Fire Commission to establish a pilot project program to address
 3 problems facing volunteer fire departments; and requiring annual reports.

Be it enacted by the Legislature of West Virginia:

1 That §29-3-5d of the Code of West Virginia, 1931, as amended, be amended and
 2 reenacted to read as follows:

ARTICLE 3. FIRE PREVENTION AND CONTROL ACT.

§29-3-5d. Volunteer firefighters' training.

1 (a) On or before July 30, 2012, the State Fire Commission shall propose rules for
 2 legislative approval in accordance with the provisions of article three, chapter twenty-nine-a of
 3 this code, to establish training requirements for firefighters which:

4 (1) Provide for:

5 (A) Minimum training levels for rescue and firefighting;

6 (B) Minimum levels of equipment needed to protect life and property within fire service
 7 areas;

8 (C) Minimum performance standards the departments must meet in response times,
 9 communications, levels of water flow and pressure; and

10 (D) Other performance measures as considered necessary to meet the overall goals of
 11 improved fire prevention and control.

12 (2) Allow the training to be offered in segments, blocks or modules: *Provided*, That no
 13 firefighter may engage in firefighting activities, except in response to wildland fires, until he or she
 14 has completed all firefighter one training: *Provided*, however, That support members may provide
 15 ancillary assistance to firefighters as defined by the rule;

16 (3) Provide for online training;

17 (4) Allow testing to be done in person or online; and

18 (5) Establish the testing requirements which include:

19 (A) If the individual is required to test in person, then the tests must be given regionally at
20 various times throughout the year; or

21 (B) If the individual is authorized to test online, then the requirements for online testing
22 must be established.

23 (b) The State Fire Commission may promulgate emergency rules pursuant to the
24 provisions of section fifteen, article three, chapter twenty-nine-a of this code to effectuate the
25 provisions of this section.

26 (c) The training policies in effect as of the effective date of the enactment of this section
27 during the Regular Session of 2012 will remain in effect until superceded by the emergency rule
28 or legislative rule promulgated pursuant to this section.

29 (d) Notwithstanding any provision of this code to the contrary, the State Fire Commission
30 has the authority to establish a pilot project program that implements changes to standards
31 imposed to address problems facing volunteer fire departments in the state.

32 (1) The State Fire Commission may limit the number of participating volunteer fire
33 departments in the pilot project program.

34 (2) The State Fire Commission shall set the rules and conditions for participating volunteer
35 fire departments by policies adopted and ratified by the commission.

36 (3) Commencing July 1, 2018, and each year thereafter, the State Fire Commission shall
37 provide a full summary report of the status of the program to the Joint Standing Committee on
38 Government and Finance.

NOTE: The purpose of this bill is to authorize the State Fire Commission to establish a pilot project program to address problems facing volunteer fire departments. The bill requires annual reports.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.