

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3505

FISCAL
NOTE

By Delegates Westfall, Shamblin and Crouse

[Introduced February 14, 2023; Referred to the
Committee on Government Organization]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §15A-11-12, relating to establishing response requirements for all fire
3 departments; stating purpose; requiring fire commission establish predetermined
4 assignments for response to emergency; prohibiting fire departments from dismissing fire
5 departments to request one outside of predetermined assignments; and authorizing
6 rulemaking.

Be it enacted by the Legislature of West Virginia:

ARTICLE 11. FIRE COMMISSION.

§15A-11-12. Response to emergency; findings and purpose; authorizing Fire Commission to create predetermined alarm assignments for assistance to emergencies; prohibiting knowing dismissal of a req; and rulemaking.

1 (a) In order for fire departments, both volunteer and professional, to fulfill their primary
2 obligation of protecting the lives and property of their citizens, they must respond to the emergency
3 scene in the shortest amount of time possible. Due to West Virginia's rural nature and low-density
4 population, in many instances it is at a disadvantage in accomplishing rapid response times. In
5 addition, some emergencies require the response of multiple fire departments to adequately
6 control a fire or other emergency.

7 (b) Since requests for mutual aid, or backup, from other fire departments are initiated by
8 the department that received the initial contact, there is some discretion by the officer in charge
9 regarding backup assistance. As such, the fire department that may be able to respond as backup
10 the most quickly is not always notified. Since any delay in response can increase the severity of
11 the damage on human life and property, the goal of all fire departments should be to respond in the
12 shortest amount of time possible.

13 (c) The Fire Commission shall create a system of predetermined alarm assignments to be
14 utilized by fire departments when requesting assistance for an emergency. The assignments shall
15 be selected based upon which fire department is closest to the emergency, and shall be

16 established in a fixed, organized deployment model.

17 (f) No fire officer, or other person authorized to request assistance from another fire
18 department, shall dismiss an automatic notification to a fire department in order to request another
19 fire departments' assistance to the same emergency.

20 (g) The Fire Commission shall propose rules for legislative approval in accordance with the
21 provisions of §29A-3-1 et seq. of this code in order to effectuate the purposes of this section.

NOTE: The purpose of this bill is to require that the fire commission establish a system of predetermined alarm assignments to assist fire departments with backup assistance based upon distance to an emergency.

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