

Title 26: LABOR AND INDUSTRY

Chapter 28: MINIMUM SAFETY STANDARDS FOR FIREFIGHTERS

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Maine Revised Statutes
Title 26: LABOR AND INDUSTRY
Chapter 28: MINIMUM SAFETY STANDARDS FOR FIREFIGHTERS

§2101. DEFINITIONS

As used in this chapter, unless the context indicates otherwise, the following terms have the following meanings. [1987, c. 356, (NEW).]

1. Fire department. "Fire department" means a municipal fire department, as defined in Title 30-A, section 3151, subsection 1, or a volunteer fire association, as defined in Title 30-A, section 3151, subsection 3.

[1997, c. 683, Pt. A, §15 (AMD) .]

2. Firefighter. "Firefighter" means a municipal firefighter, as defined in Title 30-A, section 3151, subsection 2, or a volunteer firefighter, as defined in Title 30-A, section 3151, subsection 4.

[1997, c. 683, Pt. A, §15 (AMD) .]

3. Education. "Education" means the process of imparting knowledge or skill through systematic instruction, but not necessarily formal classroom instruction.

[2003, c. 570, §1 (NEW); 2003, c. 570, §7 (AFF) .]

4. Training. "Training" means the process of making a firefighter proficient through instruction and hands-on practice in the operation of equipment, including respiratory protection equipment, that is expected to be used in the performance of the firefighter's assigned duties.

[2003, c. 570, §1 (NEW); 2003, c. 570, §7 (AFF) .]

SECTION HISTORY

1987, c. 356, (NEW). 1997, c. 683, §A15 (AMD). 2003, c. 570, §1 (AMD). 2003, c. 570, §7 (AFF).

§2102. FIREFIGHTER TRAINING AND EDUCATION

1. Training and education requirements. Each fire department shall provide a training and education program that meets the fire department's needs and includes the following:

A. Training and education in accordance with Title 30-A, section 3154, subsection 2; [2003, c. 570, §2 (AMD); 2003, c. 570, §7 (AFF).]

B. Training and education in the use of protective equipment required by this chapter; [2003, c. 570, §2 (AMD); 2003, c. 570, §7 (AFF).]

C. Training and education by the fire chief or the fire chief's designee in accordance with National Fire Protection Association standards; [2003, c. 570, §2 (AMD); 2003, c. 570, §7 (AFF).]

D. Training and education to prevent occupational accidents, deaths, injuries and illnesses; [2003, c. 570, §2 (AMD); 2003, c. 570, §7 (AFF).]

E. Training and education for all firefighters commensurate with the duties that they are expected to perform prior to performing those duties; [2003, c. 570, §2 (AMD); 2003, c. 570, §7 (AFF).]

F. [2003, c. 570, §7 (AFF); 2003, c. 570, §2 (RP).]

G. [2003, c. 570, §7 (AFF); 2003, c. 570, §2 (RP).]

H. Training and education in the safe handling and use of hazardous substances for firefighters required to handle the substances. Training and education must include the potential hazards involved and the required personal hygiene and protective measures; and [2003, c. 570, §2 (AMD); 2003, c. 570, §7 (AFF).]

I. Training and education in the care, use, inspection, maintenance and limitations of the protective equipment assigned to firefighters for their use. [2003, c. 570, §2 (AMD); 2003, c. 570, §7 (AFF).]

[2003, c. 570, §2 (AMD); 2003, c. 570, §7 (AFF).]

2. Records. Each fire department shall maintain complete records of individual training and education for firefighters.

[2003, c. 570, §2 (AMD); 2003, c. 570, §7 (AFF).]

SECTION HISTORY

1987, c. 356, (NEW). RR 1997, c. 1, §25 (COR). 2003, c. 570, §2 (AMD). 2003, c. 570, §7 (AFF).

§2103. STANDARDS FOR EQUIPMENT AND CLOTHING

Unless otherwise specified, any reference in this section to a standard is to the most recent standard in effect. [2003, c. 570, §3 (AMD); 2003, c. 570, §7 (AFF).]

1. Protective equipment. The fire department shall provide each firefighter with the appropriate equipment to protect the firefighter from the hazards of the work environment to which the firefighter is likely to be exposed. The firefighter shall use the protective equipment whenever exposed to the hazards for which that equipment is provided. If a fire department purchases new protective equipment, that equipment must meet the standard in effect at the time of the purchase. If a fire department acquires protective clothing that is not new, that protective clothing must, at a minimum, meet the standards that were in effect in 1987. Any protective clothing that was purchased or acquired prior to 1987 that does not meet National Fire Protection Association standards must be replaced. Protective equipment must consist of:

A. Protective clothing; [1987, c. 356, (NEW).]

B. [2003, c. 570, §7 (AFF); 2003, c. 570, §3 (RP).]

B-1. Helmet ensemble, including eye and face protection; [2003, c. 570, §1 (NEW); 2003, c. 570, §7 (AFF).]

C. Foot protection; [1987, c. 356, (NEW).]

D. Hand protection; [1987, c. 356, (NEW).]

E. [2003, c. 570, §7 (AFF); 2003, c. 570, §3 (RP).]

F. Hearing protection; and [1987, c. 552, §1 (AMD).]

G. Self-contained breathing apparatus. [1987, c. 552, §1 (AMD).]

H. [1987, c. 552, §2 (RP).]

I. [1987, c. 552, §2 (RP).]

[2003, c. 570, §3 (AMD); 2003, c. 570, §7 (AFF) .]

2. Protective equipment; volunteer fire association.

[2003, c. 570, §7 (AFF); 2003, c. 570, §3 (RP) .]

3. Protective clothing. Protective clothing consists of a coat and trousers. Purchases of new protective clothing by a fire department must meet or exceed the National Fire Protection Association standards.

[2003, c. 570, §3 (AMD); 2003, c. 570, §7 (AFF) .]

4. Head protection.

[2003, c. 570, §7 (AFF); 2003, c. 570, §3 (RP) .]

4-A. Helmet ensemble. Purchases of new helmet ensembles by a fire department must meet or exceed National Fire Protection Association standards.

[2003, c. 570, §3 (NEW); 2003, c. 570, §7 (AFF) .]

5. Foot protection. Purchases of new boots by fire departments must meet or exceed the American National Standards Institute standard Z41.1 and 29 Code of Federal Regulations, Part 1910, General Industry Standards of the Occupational Safety and Health Administration and National Fire Protection Association standards.

[2003, c. 570, §3 (AMD); 2003, c. 570, §7 (AFF) .]

6. Hand protection. Hand protection consists of heat insulating gloves or mittens that are not readily flammable. Purchases of new hand protection by a fire department must meet or exceed National Fire Protection Association standards.

[2003, c. 570, §3 (AMD); 2003, c. 570, §7 (AFF) .]

7. Self-contained breathing apparatus. Purchases of new respiratory apparatus by a department must meet National Fire Protection Association standards and have a minimum of 1/2 hour normal service life plus an additional 1/2 hour capacity in a spare cylinder. The entire unit must meet National Institute for Occupational Safety and Health and National Fire Protection Association standards.

Self-contained breathing apparatus must contain a minimum air supply of 90% of the rated capacity of the cylinder to be considered in-service.

[2003, c. 570, §3 (AMD); 2003, c. 570, §7 (AFF) .]

8. Personal alert safety system. Each firefighter wearing a self-contained breathing apparatus must be provided with and shall use a personal alert safety system device in a hazardous area. The device must meet National Fire Protection Association standards. Purchases of new personal alert safety systems, PASS, by a fire department must meet or exceed the National Fire Protection Association standards.

[2003, c. 570, §3 (AMD); 2003, c. 570, §7 (AFF) .]

9. Fire service life safety rope, harness and hardware. Purchases of new fire service life safety rope, harness and hardware by a fire department must meet National Fire Protection Association standards.

[1987, c. 356, (NEW) .]

10. Hearing protection. Each fire department shall provide and each firefighter shall use hearing protection when the firefighter is operating or riding on fire apparatus and is subject to noise in excess of 90 decibels. Hearing protection must be provided and used when the firefighter is exposed to noise in excess of 90 decibels from power tools or equipment, except in situations when the use of the protective equipment would create an additional hazard to the user. Hearing protection must conform to Occupational Safety and Health Administration standards, 29 Code of Federal Regulations, Section 1910.95.

[2003, c. 570, §3 (NEW); 2003, c. 570, §7 (AFF) .]

SECTION HISTORY

1987, c. 356, (NEW). 1987, c. 552, §§1-3 (AMD). 1987, c. 769, §B7 (AMD). 2003, c. 570, §3 (AMD). 2003, c. 570, §7 (AFF).

§2104. REQUIRED PROVISION AND USE OF PROTECTIVE EQUIPMENT

1. Eye, face protection. Each fire department shall provide and each firefighter shall use eye or face protection, or both, when the firefighter is engaged in fire suppression and other operations involving hazards to the eyes and face at all times when the face is not protected by the full facepiece of self-contained breathing apparatus.

[2003, c. 570, §4 (AMD); 2003, c. 570, §7 (AFF) .]

2. Hearing protection.

[2003, c. 570, §7 (AFF); 2003, c. 570, §5 (RP) .]

3. Self-contained breathing apparatus. Each fire department shall provide and each firefighter shall use self-contained breathing apparatus when the firefighter enters structural fires or when proximity hazards require that protection. Each fire department shall establish a program of maintenance and repair to ensure that self-contained breathing apparatus retains its original effectiveness as recommended by the manufacturer.

This subsection is effective beginning October 1, 1988.

[1987, c. 552, §4 (RPR) .]

4. Personal alert safety system. Each fire department shall provide a personal alert safety system with every self-contained breathing apparatus.

This subsection is effective beginning October 1, 1988.

[1987, c. 552, §5 (RPR) .]

SECTION HISTORY

1987, c. 356, (NEW). 1987, c. 552, §§4,5 (AMD). 2003, c. 570, §§4,5 (AMD). 2003, c. 570, §7 (AFF).

§2105. INSPECTION PROCEDURE

The Bureau of Labor Standards shall adopt an inspection procedure for self-contained breathing apparatus. The procedure must include at least the following, as specified in the American National Standards Institute Z88.5: [1987, c. 356, (NEW) .]

1. All components, air supply devices, personal alert safety system devices and warning devices. A complete inspection of all components, air supply devices, personal alert safety system devices and warning devices to be performed after each use and:

A. For volunteer associations and on-call fire departments, every month; and [1987, c. 356, (NEW).]

B. For full-time fire departments, every week; [1987, c. 356, (NEW).]

[2003, c. 570, §6 (AMD); 2003, c. 570, §7 (AFF) .]

2. Facepiece. Cleansing and sanitizing the facepiece after each use; and

[1987, c. 356, (NEW) .]

3. Record. A record of the date of each inspection and findings for each self-contained breathing apparatus.

[1987, c. 356, (NEW) .]

SECTION HISTORY

1987, c. 356, (NEW). 2003, c. 570, §6 (AMD). 2003, c. 570, §7 (AFF).

§2106. INSPECTION BY AND ASSISTANCE OF BUREAU OF LABOR STANDARDS

The Bureau of Labor Standards shall inspect fire departments to determine compliance with this chapter. The bureau shall assist fire departments in complying with this chapter. [1995, c. 560, Pt. H, §11 (AMD); 1995, c. 560, Pt. H, §17 (AFF).]

SECTION HISTORY

1987, c. 356, (NEW). 1987, c. 552, §6 (RPR). 1987, c. 769, §A110 (RPR). 1995, c. 560, §H11 (AMD). 1995, c. 560, §H17 (AFF).

§2106-A. RULES

(REPEALED)

SECTION HISTORY

1987, c. 769, §A111 (NEW). 1989, c. 502, §B25 (RP).

§2107. RULES

The Board of Occupational Safety and Health shall adopt rules to carry out and enforce this chapter. [1993, c. 50, §1 (AMD).]

The Board of Occupational Safety and Health may issue advisory rulings in accordance with Title 5, section 9001 with respect to the applicability of this chapter. [1993, c. 285, §1 (NEW).]

SECTION HISTORY

1987, c. 356, (NEW). 1987, c. 552, §6 (RPR). 1993, c. 50, §1 (AMD). 1993, c. 285, §1 (AMD).

§2108. INCONSISTENT RULES

Any rules or portions of rules adopted by the Department of Labor that are inconsistent with this chapter are void and unenforceable. [1987, c. 552, §7 (NEW).]

SECTION HISTORY

1987, c. 552, §7 (NEW).

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