

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-ONE

—
H.P. 911 - L.D. 1245

**An Act To Ensure the Provision of Appropriate Personal Protective
Equipment to Firefighters**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, firefighters must remain ever vigilant as fires and other emergencies happen every day; and

Whereas, firefighters are exposed to toxic fumes and substances regularly in the course of their firefighting duties; and

Whereas, immediate enactment of this Act is necessary to help prevent the negative effects of such exposure for the many firefighters who have only ill-fitting gear to protect them in their firefighting duties; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 26 MRSA §2103, sub-§1, as amended by PL 2003, c. 570, §3 and affected by c. 570, §7, is repealed.

Sec. 2. 26 MRSA §2103, sub-§1-A is enacted to read:

1-A. 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.

A. All protective equipment must fit properly and must meet or exceed the requirements of the United States Department of Labor, Occupational Safety and Health Administration or the National Fire Protection Association, whichever are more stringent, that are in effect at the time of purchase. Proper fit is determined by selecting the best-fitting protective equipment after reviewing design options specific to the firefighter's sex and options for sizing and tailoring the protective equipment.

B. The firefighter shall use the protective equipment whenever exposed to the hazards for which that equipment is provided.

C. Protective equipment, as provided in this section, must consist of protective clothing, helmet ensemble, foot, hand and hearing protection, self-contained breathing apparatus, personal alert safety systems and fire service life safety rope, harness and hardware.

Sec. 3. Notice to fire departments and volunteer fire associations. The Department of Labor, Bureau of Labor Standards shall notify all municipal fire departments and volunteer fire departments and associations of the requirements of this Act and the commercial availability of firefighting protective equipment appropriately sized for firefighters who are females.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.