

UNIFORMED PROFESSIONAL FIRE FIGHTERS ASSOCIATION OF CONNECTICUT

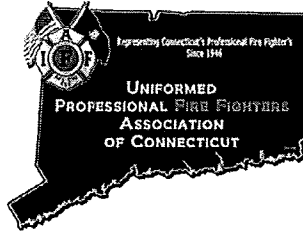
AFFILIATED WITH INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS

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Good afternoon, Honorable Chairmen Rep. Guerrero, Sens. Leone and Boucher members of the Transportation Committee, my name is Richard Hart. I represent the Uniformed Professional Firefighters Association of Connecticut which represents 60 Local affiliates of the International Association of Firefighters. Membership in the UPFFA is comprised of approximately 4,000 Union firefighters in Connecticut.

I am submitting testimony in **support** of HB 6049, AN ACT CONCERNING ANNUAL INSPECTIONS FOR FIRE DEPARTMENT APPARATUS.

In 2014, I was a member of an apparatus safety working group here and was disappointed this initiative was never introduced, despite the working group coming to a consensus. Last session, SB 423 was proposed and passed the Senate, but failed in the House. There is a need for this common sense legislation.

An aerial apparatus costs anywhere from \$800,000 to upwards of \$1.2 million, and a pumping apparatus costs approximately \$550,000. These are the backbone of the fire service and these capital expenditures are expected to last at least 20 years. The most integral part of these apparatus is the aerial ladder and pump. At 100', an aerial ladder is constantly placed under stress and strain accomplishing its life and property saving function. A pumper is tasked with efficiently delivering adequate water to extinguish fire, protect lives, and save property. Any failure of these two critical components means lives will be either lost, or at least severely burned or injured, be they civilian or firefighters.

The National Fire Protection Association (NFPA) is the consensus standard utilized to direct fire departments across the country. NFPA 1911 Standard for the Inspection, Maintenance, Testing, and Retirement of In-Service Automotive Fire Apparatus contains, in Chapter 18 and 19, the requirements for conducting performance testing of fire pumps and aerial ladders along with the Non-destructive Test (NDT) for aerial ladders. The NDT is critical to identify any cracks, metal fatigue, or deformities in the structural components of the aerial ladder. The NFPA standards do not have the force of law as a statute

or regulation, but are considered the “industry standard” for the fire service. NFPA 1911 is cited in all apparatus accident or apparatus failures in any National Institute of Occupational Safety and Health (NIOSH) investigation.

According to CCM’s reporting to the 2014 working group, approximately 80% of municipalities abide by the standard. This legislation would bring the remaining 20% into compliance, thus ensuring all the apparatus responding to any fire in Connecticut will function as required. This should be viewed as necessary to make certain the critical components of fire apparatus are functioning and operating as designed for the safety of all.

In any municipal public works garage, dump trucks and garbage trucks sit side by side with fire apparatus. The dump truck and garbage is required to comply with the Federal Motor Carrier Safety Regulations (FMCSR) while the fire apparatus is not, this makes no sense. Title 49 passes the “reasonably prudent person” criteria if a department adopts the regulations as their own. The one factor that poses a problem to the fire service in the Code is Part 390.3 Para f no. 5, exemptions. It states, “The operation of fire trucks and rescue vehicles while involved in emergency and related operations” (Federal Motor Carrier Safety Administration, 2007, p. 247). This exemption muddies the water in the State of Connecticut. On one hand, the State has adopted in law, Title 49 Parts 396.17, 396.19, 396.21, and 396.25, which standardizes the inspection criteria statewide. It fails to address the out-of-service criteria, and the lack of standardization within the state motor vehicle laws, along with the overall exemption from DOT.

As far as requiring fire apparatus to comply with the FMCSR contrary to the exemption allowed within 49 CFR 390.3 para (f)(5), it is common sense to have 55,000-80,000 lb. fire apparatus comply with the safety regulations stated within. There have been numerous mechanical failures in apparatus that may have been prevented had they been maintained, inspected, repaired or placed out of service as required by the FMCSR. Fire apparatus has to be running at 100% in order to ensure timely and effective responses for the protection of firefighters and the public.

Please move HB 6049 forward with corrections.

Thank you,

Richard Hart

DIRECTOR

Legislative/Political Affairs

Uniformed Professional Firefighters Association