

On August 1, 2007, the New York State Legislature passed a law requiring all fire departments (except in cities of 1 million or more) to provide firefighters with safety ropes and system components that meet standards set forth by the National Fire Protection Association (NFPA). The legislation takes effect 60 days after passage. Information on the legislation and complete text follow:

Bill Summary - A07785

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See Bill Text A07785 Summary:

BILL NO A07785

SAME AS Same as S 2307-A

SPONSOR John

COSPNSR Lupardo, Schroeder, Perry, Stirpe

MLTSPNSR

Amd S27-a, Lab L

Requires any employer who employs a firefighter to provide safety ropes and system components for use by such firefighter; requires the employer to routinely inspect such safety ropes and system components; exempts employers in the city of New York.

A07785 Actions:

BILL NO A07785

04/25/2007 referred to labor

05/15/2007 reported referred to ways and means

06/18/2007 reported referred to rules

06/18/2007 reported

06/18/2007 rules report cal.436

06/18/2007 ordered to third reading rules cal.436

06/20/2007 substituted by s2307a

S02307A AMEND= MAZIARZ

02/02/2007 REFERRED TO LABOR

02/12/2007 1ST REPORT CAL.123

02/13/2007 AMENDED 2307A

02/13/2007 2ND REPORT CAL.

02/14/2007 ADVANCED TO THIRD READING
04/17/2007 LOCAL FISCAL IMPACT NOTE
04/17/2007 PASSED SENATE
04/17/2007 DELIVERED TO ASSEMBLY
04/17/2007 referred to labor
06/20/2007 substituted for a7785
06/20/2007 ordered to third reading rules cal.436
06/20/2007 passed assembly
06/20/2007 returned to senate
07/20/2007 DELIVERED TO GOVERNOR
08/01/2007 SIGNED CHAP.433

A07785 Votes:

A07785 Memo:

BILL NUMBER:A7785

TITLE OF BILL: An act to amend the labor law, in relation to requiring employers to provide safety ropes and system components to firefighters

PURPOSE:

This bill would require public employers except those in a city of one million or more to provide firefighters with safety ropes and system components that meet standards set forth by the National Fire Protection Association (NFPA)

SUMMARY OF PROVISIONS:

This bill amends Section 27-a of the New York State Labor Law.

Section 1 of the bill amends subdivision 1 by defining "system components" as life safety harnesses, belts, ascending devices, carbiners, descent control devices, rope grab devices and snap-links.

Section 2 adds a new paragraph (c) to subdivision 4, which provides that public employers provide firefighters with safety ropes and system components that meet the standards, codes and recommended practices established by the most recent edition of the NFPA 1983, Standard for Fire Service Life Safety Ropes and System Components. Moreover, public employers not in a city of a million or more are required to ensure the adequacy of the ropes and the component equipment by inspecting such and ensuring it complies with the established safety standards.

JUSTIFICATION:

On January 23, 2005, six New York City firefighters were caught on the fourth floor of a burning building in the Bronx. Due to a department order dating back to 2000, the firefighters were not equipped with safety ropes and the accompanying equipment. Sadly, the six firefighters were forced to jump from the building, falling four stories to

the street below. As a result, four of the firefighters were seriously injured, and two of the firefighters, Lieutenant Curtis W. Meyran and Firefighter John G. Bellew, died.

This bill must be enacted to prevent similar tragedies from occurring in the future. Safety ropes and accompanying system components can be used to save the lives of victims, as well as provide a means to escape for firefighters of this state that they be equipped with this necessary apparatus.

To date, the Commissioner of the Department of Labor has not made it mandatory that public employers provide safety ropes and system components. This bill addresses this oversight by explicitly requiring the Commissioner to adopt standards, codes, and recommended practices promulgated by the NFPA in order to ensure the health and safety of the firefighters of this state. By adopting NFPA standards, this bill attempts to avoid uncertainty and ensure uniform application.

LEGISLATIVE HISTORY:

Similar to A.6056A of 2005: veto 11

Similar to A.10694A; of 2006: veto 224

FISCAL IMPLICATIONS:

Minimal.

EFFECTIVE DATE:

Sixty days after having become law.

Complete text:

STATE OF NEW YORK

2307--A

Cal. No. 123

2007-2008 Regular Sessions

IN SENATE

February 2, 2007

Introduced by Sens. MAZIARZ, ALESİ, LITTLE, MORAHAN, ROBACH,
TRUNZO --

read twice and ordered printed, and when printed to be committed to
the Committee on Labor -- reported favorably from said committee,
ordered to first report, amended on first report, ordered to a second
report, and to be reprinted as amended, retaining its place in the
order of second report

AN ACT to amend the labor law, in relation to requiring employers to
provide safety ropes and system components to firefighters

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Subdivision 1 of section 27-a of the labor law is amended
2 by adding a new paragraph e to read as follows:
3 e. "System components" means life safety harness, belts, ascending
4 devices, carabiners, descent control devices, rope grab devices and
5 snap-links.
6 § 2. Subdivision 4 of section 27-a of the labor law, as amended by
7 chapter 706 of the laws of 1990, is amended to read as follows:
8 4. Safety and health standards. a. The commissioner shall by rule
9 adopt all safety and health standards promulgated under the United
10 States Occupational Safety and Health Act of 1970 (Public Law, 91-596)
11 which are in effect on the effective date of this section, in order to
12 provide reasonable and adequate protection to the lives, safety and
13 health of public employees and shall promulgate and repeal such rules
14 and regulations as may be necessary to conform to the standards estab-

15 lished pursuant to such act or pursuant to paragraph b of this subdivi-
16 sion.

17 b. Notwithstanding the provisions of paragraph a of this subdivision,
18 the commissioner, in consultation with the state occupational safety and
19 health hazard abatement board, shall promulgate rules and regulations
20 recommended to him by such board which establish standards whenever such
21 board finds (i) that no federal standard exists for the particular

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 condition being addressed and that such a standard is necessary for the
2 protection of the public employees at risk, or (ii) a federal standard
3 exists, but conditions in public workplaces in this state require a
4 different standard, and such state standard will be at least as effec-
5 tive in providing safe and healthful places of employment as the federal
6 standard.

7 c. Except for an employer located in a city with a population of over
8 one million, any employer who employs a firefighter shall provide safety
9 ropes and system components for use by such firefighter. The commission-
10 er shall by rule adopt the codes, standards and recommended practices
11 promulgated by the most recent edition of National Fire Protection Asso-
12 ciation 1983, Standard on Fire Service Life Safety Rope and System
13 Components, and as are appropriate to the nature of the risk to which
14 the firefighter shall be exposed. Such safety ropes and system compo-
15 nents shall be adequate to protect the health and safety of the fire-
16 fighter. The employer shall ensure that the firefighter is instructed in
17 the proper use of the safety ropes and system components.

18 In order to ensure the adequacy of the safety ropes and system compo-
19 nents, the employer must routinely inspect and ensure that:

20 (1) Existing safety ropes and system components meet the codes, stand-
21 ards and recommended practices adopted by the commissioner.

22 (2) Existing safety ropes and system components still perform their
23 function and to identify any of their limitations such as but not limit-
24 ed to:

25 (i) Checking the labels or stamps on the equipment; and

26 (ii) Checking any documentation or equipment specifications; and

27 (iii) Contacting the supplier or the approval agency;

28 (3) Firefighters are informed of the limitations of any safety ropes
29 and system components;

30 (4) Firefighters are not allowed or required to use any safety ropes
31 or system components beyond their limitations;

32 (5) Existing and new safety ropes and system components have no visi-
33 ble defects that limit their safe use;

34 (6) Safety ropes and system components are used, cleaned, maintained
35 and stored according to manufacturer's instructions;

36 (7) The firefighter is instructed in identifying to the employer any
37 defects that the firefighter may find in safety ropes and system compo-
38 nents; and

39 (8) Any identified defects are corrected or immediate action is taken
40 by the employer to eliminate the use of this equipment.

41 d. Any person who may be adversely affected by a standard issued under
42 this section may, within thirty days after the effective date of such
43 standard, commence a proceeding for judicial review pursuant to article
44 seventy-eight of the civil practice law and rules.

45 § 3. This act shall take effect on the sixtieth day after it shall
46 have become a law.