

VCOS VISION: Project – Lane #6 Legislation & Regulations

Virginia

The VCOS VISION Project is a product of the Volunteer & Combination Officers Section of the IAFC Summit, which was conducted in the spring of 2011. The Summit developed a draft strategic plan to address the nationwide dwindling volunteer force, which our emergency service organizations depend on. The strategic plan identified components that needed to be explored further such as:

- 1) Capabilities & Competencies
- 2) Community Relationships
- 3) Recruitment & Retention of Organizational Members
- 4) Retention of Organizational Members
- 5) Organizational Structure, Strategic and Financial Planning
- 6) Legislation & Regulations
- 7) Reputation Management
- 8) Fire based Emergency Medical Services

Once the information is gathered for each of these components it will be posted on the Knowledge Network for the use by any fire department on the Knowledge Network.

The component that I'm gathering information on is #6 Legislation & Regulations or better known as Lane #6. I hope to identify a representative from each of the 50 states and each of the providences in Canada that will help me identify regulations controlling that states fire service. At the same time we want to identify laws and regulations that impede the operation of volunteer emergency service organizations in your state. When a Chief Officer from a particular state has a question regarding how a fire department is regulated in their state that Chief will be able to go to the Knowledge Network and search the regulations for that states fire service.

Virginia

Survey of state legislative and regulatory requirements for the fire service.

Please provide a brief description explaining the agency responsible for the information and how to access that information for each inquiry below. If you have a link that would take the person inquiring to a web site that provided all the needed info for each of these inquiries please provide that web link that is applicable to each question.

If there is no web link to the info it may take additional paper to answer each inquiry. Please provide as much detail as possible.

1. Please provide the state agency, statute and/or rule that fire departments are required to follow when organizing a new fire department in your state.

Code of Virginia Title 27 Chapter 2 Section 1

2. Please provide the state agency, statute and/or rule that has regulatory oversight of the fire department in your state.

Code of Virginia / Local government ordinances

3. Please provide the state agency, statute and/or rule that has oversight of fire training in your state.

Somewhat by the Virginia Department of Fire Programs, but in many cases local departments set their own training criteria

4. What state agency, statute and/or rules determine who is responsible for fire investigations in your state?

Code of Virginia Title 27 Chapter 30. Local jurisdictions are to appoint a fire marshal for investigation fires. In the absence of a local fire marshal, the State Police have this responsibility.

5. Does your local and/or state government provide an incentive for volunteer firefighter recruitment and retention?

None from state government. Some local governments have incentives and they vary widely.

6. What state agency, statute and/or rule provides the state fire safety and building code in your state?

Board of Housing and Community Development, by code, has the authority to set the fire and building regulations. The fire service tries to have input for fire safety, etc., but this board is controlled by builders and there is very little success

7. What regulations if any does your state have on volunteer compensation?

None

8. Does your state have workers compensation regulations that address the unique circumstances of a volunteer firefighter who has been injured while serving as a volunteer?

Workers Compensation only applies to volunteers that are covered under this by their local jurisdiction...which is unusual in Virginia. There are State benefits for volunteer firefighters injured or killed in the line of duty.

9. Does your state have rules in place regulating or restricting structure burns for training purposes?

Please explain if yes.

No state rules with respect to the Code of Virginia. The Department of Fire Programs has some policies and procedures for structure burns that are conducted with state funding and/or resources. These are based on the NFPA standards.

10. What statutes and/or regulations at the state and local level create impediments to volunteer fire service organizations in your state?

None

11. Please provide any additional information that would be beneficial to understanding the make-up and challenges of the volunteer emergency service organization in your state.

12. Do you have any "Best Practices" with mutual aid and/or automatic aid in your state? If so please provide examples or a link.

The Northern Virginia area is one example of aggressive automatic mutual aid between jurisdictions to ensure the closest resources respond to calls for assistance. They share their resources in a number of ways. Here is a link to their information:

<http://www.novaregion.org/index.aspx?nid=186>

Legislative Efforts

- 1) Please provide a brief description of state or local legislation that has passed and you feel will benefit your state in the recruitment and retention of volunteers.

Line of Duty Act - provides benefits for public safety personnel who are either killed in the line of duty or are disabled. Provides health insurance for individual and family for life, pay benefits for life and medical coverage for heart/lung related illness. Is for career and volunteer law enforcement, fire and EMS.

Volunteer Firefighters' and Rescue Squad Workers' Service Award Fund. "The Fund is established to provide service awards to eligible volunteer firefighters and rescue squad workers who elect to become members of the Fund". A board is also set up to set regulations, etc., for distribution of funds, how much each member pays into the system, etc. Unfortunately, the state government has not put any matching funds into the fund other than for administrative costs since the fund was developed.

- 2) Please describe legislation that your state is currently working to pass through the legislative process that will benefit recruitment and retention of volunteers.

Line of Duty Act - This was moved to local governments to pay for in 2010 and through legislative action in 2011 and 2012 the actual approval of LODA applications has stayed within the state system. Currently we are meeting with legislators to find a funding stream that will return full control to the state. This is an uphill battle, but we are making some progress.

In 2013 we will be attempting to regain interest money on a fire training fund and an EMS fund. In 2009, these funds along with many others were swept into the General Fund. Both of the interest accounts are used for grants, training, conferences, and so forth.

- 3) Do you have any suggestions for national legislation that should be introduced that would benefit recruitment and retention of volunteer firefighters?

National fitness requirements for all firefighters.

The information you have provided will be valuable to the fire service organizations in your state. Thank you for participating in gathering this information.

When the survey is complete please return to:

e-mail - bloomd@town.madison.wi.us
or mail to - Dave Bloom
5387 Mariners Cove Dr. #314
Madison, WI 53704
or phone - 608-444-3324