



State of Connecticut
HOUSE OF REPRESENTATIVES
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PLANNING AND DEVELOPMENT COMMITTEE

February 17, 2009

The Honorable Eric Coleman, Chair
The Honorable Brendan Sharkey, Chair
The Honorable Len Fasano, Ranking Member
The Honorable William Aman, Ranking Member

RE: HB 5532 – An Act Concerning Fire Police Officers

Dear Sirs:

Thank you for agreeing to hear the above referenced bill. I have attached herewith some information pertaining to the reasons and justifications for the changes to the existing statute.

It is my understanding that these changes are by no means presented to “overstep” any authority, but rather to clarify and to protect that which is already being done and accepted practice.

I believe the attached documentation is self-explanatory, but I would be most happy to answer any questions or concerns that you may have. Thank you, once again, for hearing this bill and it is my hope that your committee will issue a favorable report for the passage of this bill.

Very truly yours,

A handwritten signature in cursive script that reads "Linda".

Linda M. Gentile, State Representative – 104th District (Ansonia/Derby)
Enc.

Rep. Gentile, Linda

From: Blancato, Allison
Sent: Tuesday, February 17, 2009 2:40 PM
To: Rep. Gentile, Linda
Subject: FW: Changes State Statute Sec.7-313a

From: michael egan [mailto:megan3908@att.net]
Sent: Monday, December 29, 2008 3:48 PM
To: Blancato, Allison
Subject: Changes State Statute Sec.7-313a

Sec. 7-313a. Fire Police. The authorities having the supervision of the fire department of any town, city, borough or district may appoint such number of ~~(persons)~~ **Fire Department members**, within available appropriations, as they deem necessary to be fire police officers of such municipality or district, who shall have the powers and perform the duties in such municipality or district as designated and authorized by the fire chief of such municipality or district, and such fire police officers may exercise such powers and duties in any (adjoining) municipality or district while on duty with the fire department or with a cooperating fire department, where the department is engaged in mutual assistance. Such powers and duties shall include traffic control and regulation and may be exercised by such fire police during any fire drill or fire call or at any other time when such fire police are serving with the fire department, with any other fire department in any (adjoining) municipality or district or with any fire department rendering mutual assistance. Each such fire police officer while in the performance of fire police duties shall wear the badge of office in plain view of any observer. Each such fire police officer, while directing traffic in performance of the duties of fire police, (1) shall wear a (white) helmet with the words "Fire Police" in red letters on the front thereof, **or any headgear that meets national, state and local traffic safety standards** or regulation fire-police dress uniform cap and (after dark or in inclement weather,) (a) traffic safety (vest) **apparel**, orange or lime green raincoat or any reflectorized orange or lime green outer clothing, that meets national, state and local traffic safety standards, (2) carry a flashlight, which shall have a red or orange wand and be capable of projecting a clear light for the purpose of illumination at nighttime, and (3) utilize hand-held or portable traffic control devices appropriate for the time of day, weather and traffic flow. Such helmet, cap, vest, raincoat or outer clothing, badge, traffic control equipment and flashlight (may) **shall** be supplied by the appointing municipality or district.

CONNECTICUT FIRE POLICE ASSOCIATION

The CFPA wishes to present our recommendations for changes in Connecticut State Statute Section 7-313a, thank you for this opportunity.

Justifications for these changes are:

1st sentence: delete "persons", add "Fire Department Members"

It is important for Fire Police Officers to have an understanding of the workings of the Fire Department to properly perform their duties as a Fire Police Officer. The Fire Police Officer works under the command of the Fire Chief. For Fire Police Officers to be covered in other areas such as benefits 7-314a and 7-314b we must be active members of a volunteer Fire Department.

1st and 2nd sentence: delete "adjoining"

With inter and intra state agreements fire police officers as well as other members of the fire departments in Connecticut already work beyond adjoining municipalities.

4th sentence: delete "white" and after "on the front thereof," add "or any headgear that meets national, state and local traffic safety standards"

Also, delete "after dark or in inclement weather, a" and "vest" adding "apparel".

Headgear that meets national, state and local standards should be permitted.

The Federal Highway Administration states safety apparel not just restricted to safety vests. This safety apparel should be worn at all times not just after dark or in inclement weather.

5th (last) sentence: delete "may" add "shall"

This was the wording and for some reason it was changed a few years ago perhaps under the impression that it is an unfunded mandate. If fire police officers and other fire department personnel are involved in their duties, it is the municipality's responsibility to see that they have and use the proper gear and equipment. This would and is a liability issue. 7-301 "equipment necessary".