

Wisconsin Administrative Code

DEPARTMENT OF COMMERCE

Chapter Comm 30

FIRE DEPARTMENT SAFETY AND HEALTH

DEPARTMENT OF COMMERCE
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INTRODUCTION

Purpose and Structure

The Legislature, by s. 35.93 and ch. 227, Stats., directed the publication of the rules of executive agencies having rule-making authority in a loose-leaf, continual revision system known as the Wisconsin Administrative Code. The Code is kept current by means of new and replacement pages. The pages are issued monthly, together with notices of hearings, notices of proposed rules, notices of emergency rules, instructions for insertion of new material, and other information relating to administrative rules and the administrative rulemaking process. This service is called the Wisconsin Administrative Register, and comes to the subscriber near the middle and at the end of each month. Code pages are issued to subscribers only with the end of the month Register. The editing and publishing of the Register and Code is done by the Revisor of Statutes Bureau, Suite 800, 131 W. Wilson St., Madison, Wisconsin, 53703. E-mail—gary.poulson@legis.state.wi.us Telephone (608-266-7275).

Availability

The complete code and the upkeep service are distributed to the county law libraries; to the libraries of the University of Wisconsin Law School and Marquette University Law School; to the State Historical Society; to the Legislative Reference Bureau and to the State Law Library, and to certain designated public libraries throughout the state.

The sale and distribution of the printed Register, Code and of its parts is handled by Department of Administration, Document Sales, P.O. Box 7840, Madison, Wisconsin 53707. (608-266-3358 information) (1-800-362-7253 or 608 264-9419 charge card orders).

The entire Code and Registers from January, 1996, can be found on the WisLaw[®] CD-ROM. End-user license and subscription order forms are available from Document Sales and Distribution.

The Code and Register can also be found on the internet at www.legis.state.wi.us/rsb

Arrangement and Table of Contents

The Code is arranged in the complete set alphabetically by agency. Certain descriptors such as “Department” and “Wisconsin” are ignored for arrangement purposes. Several agencies further subdivide their rules either by program e.g. Department of Commerce – Plumbing or by division within the agency e.g. Department of Health & Family Services – Health, chs. HFS 110-. These Codes are arranged in numerical order within the appropriate alphabetical arrangement for the agency.

Each agency adopts a prefix to identify their rules. For example, the Department of Natural Resources uses “NR” before each chapter number.

Each Code with more than one chapter will have a table of chapters. After the title of each chapter will be the page numbers on which the chapter begins. Each chapter will have a table of sections.

History Notes

Each page of the Code as it was originally filed and printed pursuant to the 1955 legislation, had a date line “1-2-56”. A rule which is revised or created subsequent to the original printing date is followed by a history note indicating the date and number of the Register in which it was published and the date on which the revision or creation of the rule became effective. Additions to a section’s history note will be shown in bold face when those affected code sections are first released. The absence of a history note at the end of a section indicates that the rule has remained unchanged since the original printing in 1956. The date line at the bottom of the page indicates the month in which the page was released, but does not necessarily mean a substantive change has occurred on that page. Some common abbreviations used in the history notes are: cr. - created, am. - amend, r. - repeal, recr. - recreate, renum. - renumber, eff. - effective and emerg. - emergency.

In some instances an *entire* chapter has been repealed and recreated or renumbered subsequent to the original printing date. When this occurs a note has been placed at the beginning of the chapter after the table of sections to contain this information. A separate history note appears after each section indicating the date when the revision or creation became effective.

Beginning July 2001, history notes will indicate the Clearinghouse Rule number associated with a rule revision. The Clearinghouse Rule number is assigned by the Legislative Council Rules Clearinghouse to a proposed rule near the start of the rulemaking process. This number is portrayed in a history note as, for example, the following: **CR 01-041**. The first 2 numbers indicate the year the rule proposal was initiated and the last 3 numbers refer to a sequential numbering of proposals as the rule proposals are received by the Legislative Council during the course of the year.

Emergency Rules

The Legislature has granted state agencies the authority to enact rules without using the normal rule-making process by publishing those rules in the official state newspaper. To justify the use of the emergency rule process, an agency must find that the preservation of the public peace, health, safety or welfare will be jeopardized without the emergency rule. Readers should review the current Wisconsin Administrative Register to see if a particular published rule is also affected by an emergency rule. Most emergency rules are eventually adopted as permanent rules and published in the Code.

Index

The index for the complete Wisconsin Administrative Code will be found in the last volume of the complete set. It will be recompiled, reprinted and distributed at least 3 times a year. Some Codes have a separate index prepared by the agency involved. Agency prepared indexes tend to be more comprehensive than the general index prepared by the Revisor of Statutes. See the Uniform Dwelling Code (chs. Comm 20-25) as an example.

Table of Contents

DEPARTMENT OF COMMERCE

Chapter

Comm 30 Fire department safety and health (p. 1)

Chapter Comm 30

FIRE DEPARTMENT SAFETY AND HEALTH STANDARDS

Subchapter I — Purpose and Scope

Comm 30.001 Purpose.
Comm 30.002 Scope.
Comm 30.003 Application.

Subchapter II — Definitions

Comm 30.01 Definitions.

Subchapter III — Administration and Enforcement

Comm 30.011 Inspections.
Comm 30.012 Posting department order.
Comm 30.013 Variances.
Comm 30.014 Notices.
Comm 30.015 Penalties.

Subchapter IV — Adopted Standards

Comm 30.02 Incorporation of standards by reference.

Subchapter V — Organization

Comm 30.03 Fire department safety position.
Comm 30.05 Occupational safety and health committee.
Comm 30.06 Records.

Subchapter VI — Training and Education

Comm 30.07 Training and education.
Comm 30.08 Employment standards.

Subchapter VII — Vehicles and Equipment

Comm 30.09 Vehicles.
Comm 30.10 Portable equipment.

Subchapter VIII — Protective Clothing and Protective Equipment

Comm 30.11 Protective clothing and equipment.
Comm 30.12 Self-contained breathing apparatus.
Comm 30.13 Personal alert safety system; life safety ropes, harnesses and hardware; eye, face and hearing protection.

Subchapter IX — Emergency Operations

Comm 30.14 Emergency operations.

Subchapter X — Facility Safety

Comm 30.145 Facility safety.

Subchapter XI — Medical

Comm 30.15 Physical and medical capabilities.

Subchapter XII — Member Assistance Referral Program

Comm 30.16 Member assistance referral program.

Subchapter XIII — Miscellaneous Activities

Comm 30.20 Hazardous materials.
Comm 30.21 Confined spaces.
Comm 30.22 Diving operations.
Comm 30.23 Miscellaneous hazardous situations.

Note: Chapter ILHR 30 as it existed on August 31, 1995, was repealed and a new chapter ILHR 30 was created effective September 1, 1995. Chapter ILHR 30 was renumbered Chapter Comm 30 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 6. and 7., Stats., Register, February, 1999, No. 518.

Subchapter I — Purpose and Scope

Comm 30.001 Purpose. Pursuant to s. 101.055 (3) (a), Stats., the purpose of this chapter is to establish minimum safety and health standards for public sector fire department employees.

History: Cr. Register, August, 1995, No. 476, eff. 9-1-95; CR 01-044: r. and recr. Register December 2001 No. 552, eff. 1-1-02.

Comm 30.002 Scope. In addition to the requirements in ch. Comm 32, this chapter contains minimum requirements for an occupational safety and health program for public sector fire department employees involved in fire department operations.

Note: Chapter Comm 32 contains additional safety and health requirements for all public employees.

History: Cr. Register, August, 1995, No. 476, eff. 9-1-95; CR 01-044: r. and recr. Register December 2001 No. 552, eff. 1-1-02.

Comm 30.003 Application. (1) COVERED. This chapter applies to all fire departments having public employees, whether existing prior to the effective date of this chapter or subsequently established.

(2) NOT COVERED. This chapter does not apply to private sector employer fire companies and fire departments either of which are organized as non-stock, non-profit corporations under ch. 181, Stats., or under ch. 213, Stats., without the input of a municipality.

Note: Private sector employer fire companies and fire departments are regulated under 29 CFR 1910, especially section CFR 1910.156, of the federal Occupational Safety and Health Administration (OSHA) regulations.

Note: Most of the requirements of this chapter are based upon the National Fire Protection Association Standard NFPA No. 1500 – Standard on Fire Department Occupational Safety and Health Program. The requirements of subch. XI are based upon 29 CFR section 1910.156 (b) (2) of the OSHA regulations.

(3) CONFLICTS. If requirements of the statutes, this chapter or other Wisconsin administrative code chapters specify varying requirements, the requirement more protective of employee safety and health shall apply.

History: CR 01-044: cr. Register December 2001 No. 552, eff. 1-1-02.

Subchapter II — Definitions

Comm 30.01 Definitions. In this chapter:

(1) “Aerial device” means any extendable or articulating device that is designed to position fire fighters and handle fire fighting equipment.

(2) “Approved” means acceptable to the department.

(3) “Authority having jurisdiction” means the department.

(4) “Basic life support” means emergency medical treatment at a level authorized to be performed by emergency medical personnel, as defined in s. 941.37 (1) (c), Stats.

Note: Section 941.37 (1) (c), Stats., defines “emergency medical personnel” to be: “...An emergency medical technician licensed under s. 146.50, Stats., peace officer or fire fighter, or other person operating or staffing an ambulance or an authorized emergency vehicle.”

(5) “Department” means the department of commerce.

(6) “Emergency operation” means the provision of fire fighting, law enforcement, medical or other emergency service.

(6h) “Employee” or “public employee”, as defined in s. 101.055 (2) (b), Stats., means any employee of the state, of any state agency or of any political subdivision of the state.

(6m) “Employer” or “public employer”, as defined in s. 101.055 (2) (d), Stats., means the state, any state agency or any political subdivision of the state.

(7) “Fire apparatus” means a vehicle used for emergency operations.

(8) “Fire chief” means the highest ranking officer in charge of a fire department.

(9) “Fire department” means any public organization engaged in fire fighting.

(10) “Fire fighter” means any person performing the powers and duties of a fire department, whether or not that person is engaged in emergency operations. “Fire fighter” includes full-time and part-time employees and paid and unpaid volunteers.

(11) “Fire fighter organization” means an organization that represents the collective and individual rights and interests of fire fighters, such as a collective bargaining group or a fire fighters association. “Fire fighter organization” includes any organization

that fire fighters authorize to represent their interests in negotiations with fire department managers.

(12) "Fire fighting" means any activity related to controlling and extinguishing an unwanted fire or a fire set for training fire fighters, including any activity that exposes a fire fighter to the danger of heat, flame, smoke or any other product of combustion, explosion or structural collapse, but does not include any activities pertaining to fighting wildland fires.

(13) "Fire vehicle" means any vehicle operated by a fire department, including fire apparatus.

(14) "Hazardous atmosphere" means any atmosphere that is oxygen deficient or that contains a toxic or disease producing contaminant, whether or not it is immediately dangerous to life or health.

(15) "Imminent hazard" means an act or condition that presents a danger to persons or property that is so urgent and severe that it requires immediate corrective or preventive action.

(16) "Incident command system" means an organized system of roles, responsibilities and suggested operating guidelines used to manage and direct emergency operations.

(17) "Member" means a person involved in performing the duties and responsibilities of a fire department, under the auspices of the organization. For the purposes of this chapter, a fire department member:

(a) May be a full-time or part-time employee, or a paid or unpaid volunteer;

(b) May occupy any position or rank within the fire department; and

(c) May or may not engage in emergency operations.

(18) "New", as it relates to s. Comm 30.08, means a person hired, appointed or promoted to a position within an individual fire department after April 1, 1991.

(19) "Occupational illness" means an illness or disease caused or aggravated by serving as a fire fighter.

(20) "Occupational injury" means an injury sustained during the performance of the duties, responsibilities and functions of a fire fighter.

(21) "Officer in command" means a fire fighter assigned to direct emergency operations or manage the activities of a group of fire fighters.

(22) "Service test" means the regular, periodic inspection and testing of apparatus and equipment, according to an established schedule and procedure, to ensure that it is in safe and functional operating condition.

(23) "Special hazard" means a substance, device, event, circumstance or condition that presents an unusual and severe danger to fire fighters or an abnormally high level of fire danger. Special hazards include water rescue, confined space entry, high-angle rescue, and operations requiring specialized training.

(24) "Suggested operating guideline" means an organizational directive that establishes a standard course of action.

(25) "Structural fire fighting" means fire fighting that involves buildings, enclosed structures, enclosed vehicles or enclosed vessels.

History: Cr. Register, August, 1995, No. 476, eff. 9-1-95; CR 01-044: cr. (6h) and (6m), r. (22), Register December 2001 No. 552, eff. 1-1-02.

Subchapter III — Administration and Enforcement

Comm 30.011 Inspections. (1) RIGHT OF ENTRY TO INVESTIGATE OR INSPECT. The authorized representatives of the department, upon presentation of the appropriate credentials to an employer, may:

(a) Enter without delay and at reasonable times any building, place of employment or workplace of a public employer, or an environment where work is performed by an employee of the employer; and

(b) Inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and in a reasonable manner, any place of employment and all pertinent conditions, structures, machines, apparatus, devices, equipment, and materials therein, and question privately any employer or employee.

(2) PARTICIPATION IN INSPECTIONS. Pursuant to s. 101.055 (5), Stats., a representative of the employer, an employee, or an employee representative shall be provided an opportunity to accompany a department inspector on any inspection made under this chapter.

(3) REQUESTS FOR INSPECTIONS. (a) Any person who believes a safety or health standard or variance is being violated, or that a situation exists which poses a recognized hazard likely to cause death or serious physical harm, may request the department to conduct an inspection.

(b) If an employee or employee representative requesting an inspection so designates, that person's name may not be disclosed to the employer or any other person, including any state agency except the department.

(c) When determined necessary by the department, a request for inspection shall be made on a form provided by the department.

Note: Copies of the complaint registration form (SBD-192) may be obtained from the Safety and Buildings Division, P.O. Box 7302, Madison, Wisconsin 53707-7302, telephone 608/266-2780 or TTY 608/264-8777. See s. 101.055, Stats., for information regarding the complaint process.

(4) ORDERS. Pursuant to s. 101.055 (6), Stats., the department shall issue orders for violation of this chapter.

History: Cr. Register, August, 1995, No. 476, eff. 9-1-95.

Comm 30.012 Posting department order. Upon issuance of an order of noncompliance, the employer shall post a copy of the order in accordance with s. 101.055 (6) (a) 1., Stats.

History: Cr. Register, August, 1995, No. 476, eff. 9-1-95; CR 01-044: r. and rec. Register December 2001 No. 552, eff. 1-1-02.

Comm 30.013 Variances. Pursuant to s. 101.055 (4), Stats., the department shall consider and may grant a temporary variance, an experimental variance or a permanent variance as specified in s. Comm 3.04 for a safety and health issue affecting public employees.

History: Cr. Register, August, 1995, No. 476, eff. 9-1-95.

Comm 30.014 Notices. Every employer shall post a notice which summarizes the employee's protections and rights as granted under s. 101.055, Stats.

History: Cr. Register, August, 1995, No. 476, eff. 9-1-95.

Comm 30.015 Penalties. Penalties for violations of this chapter may be assessed as specified in s. 101.02, Stats.

Note: Section 101.02 (13) (a), Stats., indicates penalties will be assessed against any employer, employee, owner or other person who fails or refuses to perform any duty lawfully enjoined, within the time prescribed by the department, for which no penalty has been specifically provided, or who fails, neglects or refuses to comply with any lawful order made by the department, or any judgment or decree made by any court in connection with ss. 101.01 to 101.25, Stats. For each such violation, failure or refusal, such employee, owner or other person must forfeit and pay into the state treasury a sum not less than \$10 nor more than \$100 for each violation.

Note: Section 101.02 (12), Stats., indicates that every day during which any person, persons, corporation or any officer, agent or employee thereof, fails to observe and comply with an order of the department will constitute a separate and distinct violation of such order.

History: Cr. Register, August, 1995, No. 476, eff. 9-1-95.

Subchapter IV — Adopted Standards

Comm 30.02 Incorporation of standards by reference. (1) NFPA STANDARDS. The following standards of the National Fire Protection Association, One Batterymarch Park, P.O. Box 9101, Quincy, Massachusetts, 02269-9101 are hereby incorporated by reference into this chapter:

(a) NFPA 1001-1997, Standard for Fire Fighter Professional Qualifications.

(b) NFPA 1002–1998, Standard for Fire Apparatus Driver/Operator Professional Qualifications.

(c) NFPA 1021–1997 Standard for Fire Officer Professional Qualifications.

(d) NFPA 1403–1997, Standard on Live Fire Training Evolutions in Structures.

(e) NFPA 1901–1999, Standard for Automotive Fire Apparatus.

(f) NFPA 1911–1997, Standard for Service Tests of Pump Systems on Fire Department Apparatus.

(g) NFPA 1914–1997, Standard for Testing Fire Department Aerial Devices.

(h) NFPA 1971–2000, Standard on Protective Ensemble for Structural Fire Fighting.

(i) NFPA 1981–1997, Standard on Open–Circuit Self–Contained Breathing Apparatus for the Fire Service.

(j) NFPA 1982–1998, Standard on Personal Alert Safety Systems (PASS).

(k) NFPA 1983–2001, Standard on Fire Service Life Safety Rope and System Components.

(2) CGA STANDARDS. The following standard of the Compressed Gas Association, 1235 Jefferson Davis Highway, Arlington, Virginia 22202 is hereby incorporated by reference into this chapter:

(a) CGA Standard G–7.1, 1997, Commodity Specification for Air.

Note: Copies of the adopted standards are on file in the offices of the department, the secretary of state and the revisor of statutes. Copies of the standards may be purchased through the respective organizations.

History: Cr. Register, August, 1995, No. 476, eff. 9–1–95; CR 01–044: r. and rec. Register December 2001 No. 552, eff. 1–1–02.

Subchapter V — Organization

Comm 30.03 Fire department safety position.

(1) ASSIGNMENT. (a) Each fire department shall have a safety position.

(b) The safety position shall assist the fire chief in his or her responsibility for the safety and health of the fire fighter.

(c) The safety position shall report directly to the fire chief.

Note: The safety position may be filled by a single individual or by several individuals as determined by need and at the discretion of the fire chief. When several individuals are assigned to the position, at least one should be a member of the occupational safety and health committee. The intent of the rule is to staff the safety position with existing personnel, which may be filled by a fire department member who performs other duties in addition to those set forth in this section.

(2) QUALIFICATIONS. The safety position shall:

(a) Be a fire department member;

(b) Have a knowledge of state and local laws regulating fire fighter safety and health;

(c) Have a knowledge of the potential safety and health hazards involved in fire fighting; and

(d) Have a knowledge of the principles and techniques of managing a safety and health program.

(3) AUTHORITY. The safety position shall:

(a) Have the responsibility to identify and recommend corrections of violations of safety and health standards;

(b) Have the authority to recommend immediate correction of situations that create an imminent hazard to personnel; and

(c) Have the authority to alter, suspend or terminate activities at the emergency scene when he or she judges those activities to be unsafe or an imminent hazard.

(4) FUNCTIONS. The safety position shall:

(a) Be a member of the safety and health committee, and maintain a liaison with staff officers, fire fighters, equipment manufacturers, regulatory agencies, safety specialists and the fire department physician;

(b) Develop and revise rules and regulations and suggested operating guidelines pertaining to safety and health, and report to the fire chief on the adequacy and effectiveness of the rules and regulations. The fire chief shall define the role of the safety position in the enforcement of the rules and regulations;

(c) Identify and mitigate safety hazards at incidents, and be involved in post–incident critiques; and

(d) Ensure that training in safety procedures is provided to all fire fighters. Training shall address corrective actions recommended by accident investigations.

History: Cr. Register, August, 1995, No. 476, eff. 9–1–95; CR 01–044: am. (1) (b), Register December 2001 No. 552, eff. 1–1–02.

Comm 30.05 Occupational safety and health committee.

(1) Every fire department shall establish an occupational safety and health committee which shall advise the chief of the fire department on issues related to the program. The committee shall include representatives of fire department management and fire fighters or representatives of fire fighter organizations or other persons. Any representatives of a fire service organization shall be selected by the fire fighter organization. The chief of the fire department shall appoint the other members of the committee.

(2) The committee appointed under sub. (1) shall:

(a) Conduct research, develop recommendations and study and review matters pertaining to the program; and

(b) Hold regularly scheduled meetings at least biannually and may hold special meetings as it determines necessary. The committee shall make a written record of its meetings available to all fire fighters in the fire department.

History: Cr. Register, August, 1995, No. 476, eff. 9–1–95.

Comm 30.06 Records.

Every fire department shall:

(1) Establish a data collection system and maintain permanent records of all reported accidents, injuries, illnesses and deaths that are or may be job related. The system shall include individual records of any occupational exposure to known or suspected toxic products or contagious diseases.

(2) Maintain a training record for each fire fighter indicating dates, subjects covered and certifications achieved.

History: Cr. Register, August, 1995, No. 476, eff. 9–1–95.

Subchapter VI — Training and Education

Comm 30.07 Training and education. **(1)** Every fire department shall:

(a) Establish and maintain a training and education program for fire fighters to prevent occupational accidents, deaths, injuries and illnesses.

(b) Provide training and education that does all of the following:

1. Prepares a fire fighter to safely perform his or her duties.

2. Prepares a fire fighter for any change in a procedure or technology or for any new hazard identified in his or her work environment.

3. Prepares a new fire fighter whose duties include emergency operations to perform emergency operations. The training under this subdivision shall include training in the incident command system under s. Comm 30.14 (1) (b).

4. Gives a fire fighter whose duties include structural fire fighting training consistent with established fire ground operating procedures. The training under this subdivision shall be at least monthly, shall be based on each fire department's suggested operating guidelines which are maintained in written form and which address all emergency scene operations, and shall be supervised by qualified instructors.

Note: A qualified instructor can be anyone who is knowledgeable in the topic, and not necessarily an instructor from the Wisconsin technical college system.

5. Prepares a fire fighter for special hazards to which he or she may be exposed during fires and other emergencies. The procedures for actions to address special hazards shall be in writing.

(2) (a) All training and education under sub. (1) shall be provided by individuals who are qualified to teach the subject they are teaching.

(b) The training shall be overseen by the fire chief or a designee who has completed at least the 12-hour National Fire Academy Field Course for Instructional Techniques for Company Officers or equivalent.

(3) A fire department shall provide the training required under sub. (1) (b) 1. and 2. biannually or more often, if necessary.

(4) Any training of fire fighters which includes live fire fighting exercises shall be conducted in compliance with NFPA 1403.

(5) A training program for any fire fighter engaged in fire ground operations shall include procedures to effect his or her safe exit from a dangerous area if equipment fails or fire conditions change suddenly.

History: Cr. Register, August, 1995, No. 476, eff. 9-1-95.

Comm 30.08 Employment standards. (1) (a) Any new fire fighter engaged in structural fire fighting shall meet the minimum requirements specified by:

1. The Wisconsin technical college system board;
2. An approved state apprenticeship program;
3. An in-house training program approved by the Wisconsin technical college system board; or
4. NFPA 1001.

(b) All new fire fighters shall be permitted the opportunity to obtain the training specified in this subsection within 24 months of the date of his or her appointment to the fire department.

(c) No new fire fighter may be permitted to participate in structural fire fighting activities which require the individual to enter or be in close proximity to the building, enclosed structure, vehicle or vessel until that individual has completed the training specified in this subsection.

(2) (a) Every new pumper operator or new aerial operator shall meet the minimum requirements specified by:

1. The Wisconsin technical college system board;
2. An approved state apprenticeship program;
3. An in-house training program approved by the Wisconsin technical college system board; or
4. NFPA 1002.

(b) New pumper operators and new aerial operators shall obtain the training specified in this subsection within 12 months of the date of appointment.

(3) A new fire officer, after appointment, shall be provided with the opportunity to take the basic officer training program within 12 months of appointment. The training program shall meet the minimum requirements specified by:

- (a) The Wisconsin technical college system board;
- (b) An approved state apprenticeship program;
- (c) An in-house training program approved by the Wisconsin technical college system board; or
- (d) NFPA 1021.

(4) Any member of a fire department on March 31, 1991, shall have his or her level of ability and training specified in writing by the fire chief or shall have a current fire fighter certification from the Wisconsin technical college system board. The level of ability and training specified by the fire chief may not be transferred to any other fire department.

History: Cr. Register, August, 1995, No. 476, eff. 9-1-95.

Subchapter VII — Vehicles and Equipment

Comm 30.09 Vehicles. (1) Every fire department shall:

(a) Give substantial consideration to the health and safety of fire fighters in relation to the specification, design, construction, acquisition, operation, maintenance, inspection and repair of all vehicles and equipment.

(b) Provide helmet and eye protection to any person riding in any part of a fire vehicle that is not enclosed and require that the person wear the protection while riding in that part.

(c) 1. Except as provided in subd. 2., when specifying and ordering any fire apparatus after April 1, 1991, require a sufficient number of seats in an enclosed area for the maximum number of persons who may ride on the apparatus at any time, as specified by NFPA 1901.

2. Fire apparatus manufactured prior to April 1, 1991, may be sold, traded or given to another fire department for use after April 1, 1991, provided the fire apparatus is maintained in accordance to the standards in effect at the time of its manufacture.

(d) Inspect every fire vehicle at least weekly and within 24 hours after any use or repair to identify and correct unsafe conditions and establish a preventive maintenance program. All maintenance, inspections and repairs of fire vehicles shall follow the instructions of the manufacturer.

(e) Take any fire vehicle found to be unsafe out of service until it is repaired and inspect that vehicle before placing it back in service.

(f) Test fire pumps on apparatus as specified in NFPA 1911.

(g) Inspect and service test all aerial devices as specified in NFPA 1914.

(2) A driver of a fire vehicle shall have a valid driver's license for the operation of the vehicle. The driver is directly responsible for the safe and prudent operation of the vehicle in all conditions. Any officer directly supervising the driver is responsible for the actions of the driver.

(3) The driver of a fire vehicle may not move the vehicle until every person on the vehicle is seated and secured with a seat belt or safety harness in an approved riding position, except as allowed under sub. (4).

(4) (a) Except as provided in pars. (b) to (d), any person riding on a fire apparatus shall be seated and secured to the vehicle by a seat belt or safety harness at any time the vehicle is in motion. No person may ride on the tail steps or other exposed part of a fire apparatus. No person may stand while riding a fire apparatus.

(b) Emergency medical specialists performing emergency medical duties are exempt from the requirements of par. (a).

(c) Hose loading operations may be performed on moving fire apparatus only when all of the following conditions are met:

1. Hose loading procedures shall be specified in a written standard operating procedure that includes the conditions set forth in this paragraph. All members involved in the hose loading shall be trained in these procedures.

2. There shall be a member, other than those members loading hose, assigned as a safety observer. The safety observer shall have an unobstructed view of the hose loading operation and be in visual and voice contact with the apparatus operator.

3. Nonfire department vehicular traffic shall be excluded from the area or shall be under the control of authorized traffic control persons.

4. The fire apparatus shall be driven only in a forward direction at a speed of 5 mph or less.

5. Members shall not stand on the tailstep, sidesteps, running boards, or any other location on the apparatus while the apparatus is in motion.

6. Members may be in the hose bed, but shall not stand while the apparatus is in motion.

7. Before each hose loading operation, the situation shall be evaluated to ensure compliance with the standard operating procedure. If the standard operating procedure cannot be met, or if there is any question as to the safety of the operation for the spe-

cific situation, the hose shall not be loaded on moving fire apparatus.

(d) Tiller training, where both the instructor and the trainee are at the tiller position, may be performed on tractor-drawn aerial apparatus only if all of the following conditions are met:

1. Tiller training procedures shall be specified in a written standard operating procedure that includes the conditions set forth in this paragraph. All members involved in tiller training shall be trained in these procedures.

2. The aerial apparatus shall be equipped with seating positions for both the tiller instructor and the tiller trainee. Both seating positions shall be equipped with seat belts for each individual. The tiller instructor may take a position alongside the tiller trainee.

3. The tiller instructor's seat may be detachable. If the instructor's seat is detachable, the detachable seat assembly shall be structurally sufficient to support and secure the instructor. The detachable seat assembly shall be attached and positioned in a safe manner immediately adjacent to the regular tiller seat. The detachable seat assembly shall be equipped with a seat belt or vehicle safety harness. The detachable seat assembly shall be attached and used only for training purposes.

4. Both the tiller instructor and the tiller trainee shall be seated and belted.

5. The instructor and trainee shall wear and use both helmet and eye protection if not seated in an enclosed area.

6. If the aerial apparatus is needed for an emergency response during a tiller training session, the training session shall be terminated, and all members shall be seated and belted in the approved riding positions. There shall be only one person at the tiller position. During the emergency response, the apparatus shall be operated by qualified operators.

History: Cr. Register, August, 1995, No. 476, eff. 9-1-95.

Comm 30.10 Portable equipment. Every fire department shall:

(1) Visually inspect at least weekly and within 24 hours after any use all equipment carried on fire apparatus or designated for training.

(2) Maintain inventory records for equipment carried on each fire vehicle and for equipment designated for training.

(3) Test all equipment carried on fire apparatus or designated for training at least annually according to the instructions and applicable standards of the manufacturer.

(4) Remove from service and repair or replace any fire fighting equipment which is defective or unserviceable as specified in the applicable National Fire Protection Association standard.

(5) Inspect and service test all ground ladders.

(6) Inspect and service test all fire hose.

(7) Inspect and test all fire extinguishers.

Note: Under ch. Comm 14, fire extinguishers are to be maintained as specified in NFPA 10, Standard for Portable Fire Extinguishers.

History: Cr. Register, August, 1995, No. 476, eff. 9-1-95.

Subchapter VIII — Protective Clothing and Protective Equipment

Comm 30.11 Protective clothing and equipment. (1) Every fire department shall:

(a) Provide each fire fighter with the required fire fighting protective clothing and the required fire fighting protective equipment to provide protection from hazards related to his or her job duties, at no cost to the fire fighter.

(b) Require fire fighters to use protective clothing and protective equipment provided under par. (a) whenever they are exposed to hazards or potential hazards.

(c) Fully train every fire fighter in the care, use, inspection, maintenance and limitations of the protective clothing and protective equipment assigned to them or available for their use.

(d) Use and maintain protective clothing and protective equipment according to the instructions of the manufacturer.

(e) Establish a maintenance and inspection program for protective clothing and protective equipment, assigning specific responsibilities for inspection and maintenance.

(2) Every fire department shall provide any fire fighter engaged in or exposed to the hazards of structural fire fighting with a protective ensemble that meets the applicable standards specified in NFPA 1971.

(3) (a) All new protective clothing and protective equipment provided under this subchapter shall meet the standards specified in s. Comm 30.02 as referenced in ss. Comm 30.11 to 30.13.

(b) Existing protective clothing and protective equipment shall meet the National Fire Protection Association standard that was current when the protective clothing or protective equipment was purchased or obtained by the fire department.

History: Cr. Register, August, 1995, No. 476, eff. 9-1-95; CR 01-044: r. and recr. (2), am. (3) (a), Register December 2001 No. 552, eff. 1-1-02.

Comm 30.12 Self-contained breathing apparatus. (1) Every fire department shall:

(a) Provide self-contained breathing apparatus and require fire fighters to use the apparatus in any area where the atmosphere is hazardous, is suspected of being hazardous or may become hazardous.

(b) Provide all fire fighters working below ground level or inside any confined space with self-contained breathing apparatus and require them to use that self-contained breathing apparatus unless the safety of the atmosphere can be established by testing and continuous monitoring.

(c) Adopt and maintain a respiratory protection program that satisfies the requirements of s. 29 CFR 1910.134 as adopted by reference in ch. Comm 32.

(d) Assure that all sources of compressed gaseous breathing air, such as compressors, used for filling self-contained breathing apparatus are tested to assure their compliance with sub. (4).

(e) Hydrostatically test each self-contained breathing apparatus tank within the time limits specified by the manufacturer of the apparatus and by any federal, state or local agency with jurisdiction over the possession and use of the apparatus.

(f) Inspect, use and maintain all self-contained breathing apparatus as recommended by the manufacturer.

(2) (a) The facepiece seal capability of each member qualified to use self-contained breathing apparatus shall be verified by qualitative fit testing on an annual basis and any time that new types of self-contained breathing apparatus are issued.

(b) Each new member shall be tested before being permitted to use self-contained breathing apparatus in a hazardous atmosphere.

(c) Only members with a properly fitting facepiece shall be permitted to function in a hazardous atmosphere with self-contained breathing apparatus.

(d) A fire fighter may not wear a beard or facial hair that comes in contact with a facepiece seal if the fire fighter's duties require him or her to use a self-contained breathing apparatus. If a fire fighter wears eyeglasses, the fire fighter shall use frames that do not pass through the seal area of the facepiece.

(3) (a) A self-contained breathing apparatus of the open-circuit design shall be positive pressure. Any self-contained breathing apparatus placed into service after April 1, 1991, shall meet NFPA 1981 and shall be of the positive pressure type only.

(b) Paragraph (a) does not prohibit the use of a self-contained breathing apparatus if the apparatus can be switched from a demand to a positive-pressure mode.

(c) The apparatus shall be in the positive-pressure mode when fire department members are working in a hazardous atmosphere.

(d) A closed-circuit type self-contained breathing apparatus shall be approved by the National Institute of Occupation Safety and Health and shall operate in the positive pressure mode only. The supply air tank shall have a minimum service duration of 30 minutes.

Note: The intent of this subsection is to prohibit the use of on demand type breathing apparatus whenever self-contained breathing apparatus is required to be worn.

(4) Compressed gaseous breathing air in a self-contained breathing apparatus cylinder shall meet the requirements of CGA standard G-7.1, with a minimum air quality of Grade D and a water vapor level of less than 25 ppm.

(6) Fire fighters using self-contained breathing apparatus shall operate in teams of 2 or more members who are:

(a) In communication with each other through visual, audible, physical, safety guide rope, electronic or other means to coordinate their activities; and

(b) In close enough proximity to each other to be able to provide assistance in case of an emergency.

History: Cr. Register, August, 1995, No. 476, eff. 9-1-95; CR 01-044: am. (1) (c), r. (5) and (7), Register December 2001 No. 552, eff. 1-1-02.

Comm 30.13 Personal alert safety system; life safety ropes, harnesses and hardware; eye, face and hearing protection. (1) PERSONAL ALERT SAFETY SYSTEMS. Every fire department shall:

(a) Provide every fire fighter using self-contained breathing apparatus involved in rescue, fire fighting or other hazardous duties with a personal alert safety system and require the fire fighter to use the system.

(b) Test every personal alert safety system at least weekly and prior to each use.

(c) Maintain each personal alert safety system according to the instructions of the manufacturer of that system.

(d) Use personal alert safety system devices which meet the standards specified in NFPA 1982.

(2) LIFE SAFETY ROPES, HARNESSES AND HARDWARE. Every fire department shall:

(a) Use life safety ropes, harnesses and hardware which meet the standards specified in NFPA 1983.

(b) Use Class I life safety harnesses for fire fighter attachment to aerial devices.

(c) Use Class II and Class III life safety harnesses for fall arrest and rappelling operations.

(d) Use unused life safety rope to support the weight of any person during rescue, fire fighting and other emergency operations.

(e) Use for training evolutions, life safety rope which is designated training rope if the rope is inspected before and after each use according to the manufacturer's instructions.

(f) Destroy any training rope subjected to impact loading or showing signs of weakness or wear and maintain a written record of the use of each rope.

(3) EYE, FACE AND HEARING PROTECTION. Every fire department shall:

(a) Provide face and eye protection for any fire fighter engaged in fire suppression and other operations involving hazards to the eyes and face whenever the fire fighter's face is not protected by the full facepiece of a self-contained breathing apparatus. Eye and face protection shall comply with s. 29 CFR 1910.133 as adopted by reference in ch. Comm 32.

(b) Provide hearing protection for any fire fighter operating or riding in fire apparatus when subject to noise in excess of 90 dBA.

(c) Provide hearing protection for any fire fighter exposed to noise in excess of 90 dBA from power tools or equipment unless the use of the protective equipment would create an additional

hazard to the fire fighter. Hearing protection shall comply with s. 29 CFR 1910.95 as adopted by reference in ch. Comm 32.

History: Cr. Register, August, 1995, No. 476, eff. 9-1-95; CR 01-044: am. (3) (a) and (c), Register December 2001 No. 552, eff. 1-1-02.

Subchapter IX — Emergency Operations

Comm 30.14 Emergency operations. (1) INCIDENT MANAGEMENT. Every fire department shall:

(a) Conduct emergency operations and other hazardous situations, including training exercises, in a manner to recognize hazards and to prevent accidents and injuries.

(b) Establish an incident command system which has written guidelines applying to all fire fighters involved in emergency operations and which identifies fire fighter roles and responsibilities relating to the safety of operations.

Note: Suggested Operating Guidelines have been developed and published by the Wisconsin technical college system board. Copies of the Suggested Operating Guidelines are available at all technical college district campuses.

(c) Train fire fighters involved in emergency operations in the incident command system established under par. (b) and assign safety responsibilities to supervisory personnel at each level of operations.

(d) Require the officer in command of an emergency operation to be responsible for the overall safety of all fire fighters and activities occurring at the scene of the operation.

(e) Require the officer in command of an emergency operation to establish an organization with sufficient supervisory personnel to control the position and function of all fire fighters operating at the scene of that emergency operation to ensure that safety requirements are satisfied.

(f) Use a standard system to identify and account for the assignment of each fire fighter at the scene of an emergency operation.

(g) At an emergency operation where special hazards exist, require the officer in command to assign qualified personnel with specific responsibility to identify and evaluate hazards and to provide direction with respect to fire fighter safety during the operation.

(2) INCIDENT SAFETY REQUIREMENTS. (a) Every fire department shall:

1. Provide sufficient personnel to safely conduct emergency scene operations and limit such operations to those that can be safely performed by the personnel available at the scene.

2. If inexperienced fire fighters are working at an emergency operation, provide direct supervision by more experienced officers or members.

(b) If any fire fighter is operating at an emergency operation and his or her assignment places him or her in potential contact with motor vehicle traffic, that fire fighter shall wear:

1. The helmet specified under s. Comm 30.11 (2) or alternate protective headgear providing equivalent protection; and

2. A garment with fluorescent retroreflective material.

(3) RESCUE OF MEMBERS. (a) A fire fighter using self-contained breathing apparatus and operating in an interior structural fire shall operate in a team of 2 or more fire fighters. Except in the case of a structural fire which is in the initial or beginning stage and which can be controlled or extinguished by portable fire extinguishers, a back-up team of at least 2 members wearing self-contained breathing apparatus shall be available at the scene for rescue if the need arises. One back-up team member with a charged line shall be committed to a safe non-affected area in or near the structure. The other back-up team member shall remain within voice contact and may be assigned to additional roles so long as this individual is able to perform assistance or rescue activities without jeopardizing the safety or health of any fire fighter working at the scene. In all structural fires in which fire fighters use self-contained breathing apparatus, at least one additional mem-

ber shall be assigned to remain outside the structural fire and monitor the operations.

Note: It is not the intent of this rule to prevent any number of persons from responding to a fire call, setting up equipment and initiating exterior suppression at the fire scene. Also, it is not the intent of this rule to prohibit an individual fire fighter from taking an action to preserve the life or safety of another person.

(b) At emergency operations, the officer in command shall evaluate the risk to fire fighters and, if necessary, request that at least basic life-support personnel and patient transportation be available.

History: Cr. Register, August, 1995, No. 476, eff. 9-1-95; CR 01-044: am. (2) (b) 1. and (3) (a), Register December 2001 No. 552, eff. 1-1-02.

Subchapter X — Facility Safety

Comm 30.145 Facility safety. Fire department buildings and facilities shall comply with chs. Comm 32 and 61 to 65.

History: CR 01-044: cr. Register December 2001 No. 552, eff. 1-1-02; CR 01-139: am. Register June 2002 No. 558, eff. 7-1-02.

Subchapter XI — Medical

Comm 30.15 Physical and medical capabilities.

(1) The employer shall assure that fire fighters who are expected to do structural fire fighting are physically capable of performing duties which may be assigned to them during emergency operations.

(2) The fire chief may not permit a fire fighter with known heart disease, epilepsy, or emphysema to participate in fire department emergency operations unless a physician's certificate of the fire fighter's fitness to participate in such operations is provided.

Note: The intent of this subchapter is not to require an annual physical for each fire fighter.

History: Cr. Register, August, 1995, No. 476, eff. 9-1-95; CR 01-044: am. Register December 2001 No. 552, eff. 1-1-02.

Subchapter XII — Member Assistance Referral Program

Comm 30.16 Member assistance referral program.

(1) Every fire department shall establish and adopt a written policy statement for a fire fighters assistance referral program that identifies and assists fire fighters with alcohol or substance abuse, stress and personal problems adversely affecting their job perfor-

mance. The assistance program shall refer fire fighters to health care services as appropriate for the recovery of their health and job performance abilities.

(2) Through the program established under sub. (1), every fire department shall provide health promotion activities that identify a fire fighter's physical and mental health risk factors and provide education and counseling to fire fighters for the purpose of preventing health problems and enhancing overall well-being.

(3) The use of municipal or county programs shall meet the requirements of this section.

History: Cr. Register, August, 1995, No. 476, eff. 9-1-95.

Subchapter XIII — Miscellaneous Activities

Comm 30.20 Hazardous materials. Fire departments engaged in emergency operations relating to hazardous materials shall comply with s. 29 CFR 1910.120 as adopted by reference in ch. Comm 32.

History: CR 01-044: cr. Register December 2001 No. 552, eff. 1-1-02.

Comm 30.21 Confined spaces. Fire departments engaged in emergency operations relating to confined spaces shall comply with s. 29 CFR 1910.146 as adopted by reference in ch. Comm 32.

History: CR 01-044: cr. Register December 2001 No. 552, eff. 1-1-02.

Comm 30.22 Diving operations. Fire departments engaged in emergency operations relating to diving operations shall comply with 29 CFR 1910 subpart T as adopted by reference in ch. Comm 32.

History: CR 01-044: cr. Register December 2001 No. 552, eff. 1-1-02.

Comm 30.23 Miscellaneous hazardous situations. Fire departments engaged in miscellaneous emergency operations and hazardous situations such as, but not limited to, structural collapse rescue, elevator rescue, trench rescue and terrorism responses shall comply with s. Comm 30.14, and with s. 29 CFR 1910.132 and any other applicable standard in 29 CFR 1910 and 29 CFR 1926, as adopted by reference in ch. Comm 32.

Note: Requirements for fire departments providing emergency medical services are administered and enforced by the Department of Health and Family Services under chs. HFS 110 to 113.

History: CR 01-044: cr. Register December 2001 No. 552, eff. 1-1-02.