



NEW YORK STATE SENATOR

Shirley L. Huntley

## State Senator Shirley L. Huntley Announce Passage of Crucial Legislation That Protects Firefighters

SHIRLEY L. HUNTLEY May 19, 2009

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On the eve of Memorial Day, legislation will give firefighters legal protection when operating fire trucks

Today, the New York State Senate unanimously passed legislation protecting firefighters from legal liability when operating fire trucks. The legislation closes a dubious loophole in state law that puts firefighters in legal jeopardy on a consistent basis.

Prior to this legislation (S1624-C), the law made it illegal for anyone to operate a fire truck without a Commercial Driver's License (CDL). While there was an amendment put in place which exempted firefighters when responding to emergency calls, it did not cover firefighters from liability in any other scenarios such as driving the truck back to the firehouse after an emergency, participating in a parade, taking part in training drills, etc. For all intents and purposes, any firefighter without a CDL was in violation of the law and therefore open to legal liability.

"Firefighters are our first responders, they save lives each and every day while operating

under the most critical and time sensitive conditions,” said Senator Shirley L. Huntley (D-Jamaica). “It is essential that we protect our firefighters. Thanks to this legislation, a potential liability crisis has been avoided for both volunteer and career firefighters working without a CDL to serve our communities.”

“As Memorial Day approaches, the safety of individuals across the state is our greatest concern,” said Senate Majority Leader Malcolm A. Smith. “The passage of this legislation will allow firefighters to operate a firetruck for official duties with no liability. Previously, this was done at their own risk. It is difficult to convey my gratitude to these courageous firefighters, and I am thrilled that going forward we will be providing them with an increased level of protection.”

Prior to this legislation, the only way for a firefighter operating a fire truck to insure he or she would not be open to prosecution or a law suit--in case of an accident-- was by obtaining a CDL. However, CDL's are difficult to obtain and often unaffordable for firefighters who are not getting paid for their services. Since firefighters in New York are often volunteers, it is unreasonable and unfair to expect them to obtain expensive Commercial Licenses.

The timely passage of this bill – which has also passed in the Assembly (Sweeney A6051A) and is expected to be signed by the Governor this week – ensures that Memorial Day parades throughout the state this weekend will feature the beautiful fire trucks that have become a staple of these parades.