



NEW YORK STATE SENATOR

Craig M. Johnson

Senator Johnson Announces the Passage of Crucial Legislation to Protect Firefighters

CRAIG M. JOHNSON May 19, 2009

Senator Craig M. Johnson (D-Nassau) announces the passage of important legislation that protects firefighters from legal liability when operating fire trucks. This commonsense measure, (S.1624-C/A.6024-A), which he co-sponsored, closes a dubious loophole in state law that puts firefighters in legal jeopardy on a consistent basis.

Under this loophole, it is unlawful for anyone to operate a fire truck without a Commercial Driver's License (CDL). While there was an amendment put in place that exempted firefighters when responding to emergency calls, it did not cover firefighters from liability in any other scenarios, including driving the truck back to the firehouse after an emergency, participating in a parade, or taking part in training drills.

For all intents and purposes, any firefighter without a CDL that operated a fire truck was in violation of the law and therefore open to legal liability. These licenses are difficult to obtain

and often unaffordable for firefighters who are not getting paid for their services.

“It is just plain wrong to penalize these brave men and women who selflessly put themselves in danger in order to protect their neighborhoods and their neighbors,” Senator Johnson said. “I am proud to have helped protect Nassau's volunteer firefighters, just as they protect us day-in and day out.”

This legislation would also keep New York in conformity with federal regulations promulgated by the Federal Motor Carrier Safety Administration, which grants states discretion in exempting firefighters and operators of other emergency motor vehicles. By staying in conformance with federal regulations, the state would preserve approximately \$31 million in federal highway aid.

“I thank Senator Johnson for doing his part to solve this potential liability crisis and ensure that our firefighters are able to perform their duties without the threat of nonsensical legal consequences,” said Andrew DeMartin, Commissioner of the Manhasset-Lakeville Fire District and former Nassau County Fire Commissioner.

The legislation, which passed both houses last week, was prime sponsored by Long Island lawmakers Senator Brian X. Foley (D-Blue Point) and Assemblyman Robert Sweeney (D-Lindenhurst.) It has been signed into law by the Governor.