

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1714 Session of  
1993

INTRODUCED BY BAKER, DeLUCA, CIVERA, CHADWICK, BROWN, GORDNER,  
CESSAR, RAYMOND, STEIL, ARMSTRONG, HENNESSEY, NICKOL,  
HUTCHINSON, B. SMITH, WAUGH, PETTIT, TRUE, BELFANTI, LAUB,  
STERN, SAURMAN, PITTS, MILLER, KING, LYNCH, ARGALL, MAITLAND,  
TRELLO, BOYES, ALLEN AND KASUNIC, JUNE 7, 1993

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 7, 1993

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania  
2 Consolidated Statutes, providing for an interstate  
3 firefighting and emergency services compact.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Chapter 71 of Title 35 of the Pennsylvania  
7 Consolidated Statutes is amended by adding a subchapter to read:

8 CHAPTER 71

9 GENERAL PROVISIONS

10 \* \* \*

11 SUBCHAPTER C

12 INTERSTATE FIREFIGHTING AND EMERGENCY

13 SERVICES COMPACT

14 Sec.

15 7121. Interstate firefighting and emergency services compact  
16 enacted.

17 § 7121. Interstate firefighting and emergency services compact

1           enacted.

2       The Interstate Firefighting and Emergency Services Compact is  
3 hereby enacted into law and entered into with all jurisdictions  
4 legally joining in the compact in the form substantially as  
5 follows:

6                           Article 1

7       The purpose of this compact is to provide for effective  
8 firefighting and the efficient delivery of emergency services  
9 among the States. The prompt, full and productive utilization of  
10 the firefighting and emergency services resources of the  
11 respective States is essential to the health, safety and welfare  
12 of their residents.

13                          Article 2

14       It shall be the duty of each party State to formulate  
15 firefighting and emergency services delivery plans and programs  
16 for application in adjacent States. There shall be frequent  
17 consultation between the representatives of the States and the  
18 free exchange of information and plans, including rosters of  
19 firefighters and emergency services personnel and materials and  
20 equipment available for firefighting and the provision of  
21 emergency services. In carrying out the plans and programs, the  
22 party States shall, so far as possible, provide and follow  
23 uniform standards, practices and rules.

24                          Article 3

25       Any party State requested to render mutual aid shall take  
26 such action as is necessary to provide and make available the  
27 resources covered by this compact in accordance with its terms.  
28 It is understood, however, that the State rendering aid may  
29 withhold resources to the extent necessary to provide reasonable  
30 protection for that State. Each party State shall extend to the

1 firefighters and emergency services personnel of any other party  
2 State while operating within its State limits under the terms  
3 and conditions of this compact, the same powers (except that of  
4 arrest, unless specifically authorized by the receiving State),  
5 duties, rights, privileges and immunities as if they were  
6 performing their duties in the State in which normally employed  
7 or rendering services.

8 Article 4

9 Whenever any person holds a license, certificate or other  
10 permit issued by any State evidencing the meeting of  
11 qualifications for professional, mechanical or other skills, the  
12 person may render aid involving the skill in any party State to  
13 meet a fire, emergency or disaster, and the State in which the  
14 aid is rendered shall give due recognition to the license,  
15 certificate or other permit as if it were issued in the State in  
16 which the aid is rendered.

17 Article 5

18 No party State or its officers or employees rendering aid in  
19 another State under this compact shall be liable on account of  
20 any act or omission in good faith while engaged in rendering aid  
21 or on account of the maintenance or use of any equipment or  
22 supplies in connection with rendering aid.

23 Article 6

24 Inasmuch as it is probable that the pattern and detail of the  
25 machinery for mutual aid among two or more States may differ  
26 from that appropriate among other States party to this compact,  
27 this instrument contains elements of a broad base common to all  
28 States, and nothing in this compact shall preclude any State  
29 from entering into supplementary agreements with another State  
30 or States. The supplementary agreements may comprehend but shall

1 not be limited to provisions for evacuation and reception of  
2 injured and other persons and the exchange of medical, police,  
3 public utility, reconnaissance, welfare, transportation and  
4 communications personnel, equipment and supplies.

5 Article 7

6 Each party State shall provide for the payment of  
7 compensation to injured members of fire departments and  
8 emergency services squads of that State and for the payment of  
9 benefits to representatives of deceased members of fire  
10 departments and emergency services squads in case the members  
11 are killed while rendering aid under this compact in the same  
12 manner and on the same terms as if the injury or death were  
13 sustained within the State.

14 Article 8

15 (a) Any party State rendering aid in another State under  
16 this compact shall be reimbursed by the party State receiving  
17 the aid for any loss or damage to, or expense incurred in, the  
18 operation of any equipment answering a request for aid and for  
19 the cost incurred in connection with a request for aid. Any  
20 aiding party State may, however, assume in whole or in part any  
21 loss, damage, expense or other cost incurred or may loan  
22 equipment or donate services to the receiving party State  
23 without charge or cost.

24 (b) Subsection (a) shall not preclude two or more party  
25 States from entering into supplementary agreements establishing  
26 a specific formula for allocation of costs as among those  
27 States.

28 Article 9

29 This compact shall be available to any State, territory or  
30 possession of the United States and the District of Columbia.

1 Article 10

2 The term "emergency services" shall mean an ambulance  
3 service, a rescue squad, a hazardous materials response team or  
4 other entity formed for the purpose of providing assistance at  
5 the scene of any accident, disaster, hazardous materials spill  
6 or other threat to life or safety.

7 Article 11

8 This compact shall become operative immediately upon its  
9 ratification by any State as between it and any other State or  
10 States ratifying it. Duly authenticated copies of this compact  
11 and any supplementary agreements shall, at the time of approval,  
12 be deposited with each of the party States.

13 Article 12

14 This compact shall not be construed to affect the Middle  
15 Atlantic Interstate Forest Fire Protection Compact or the  
16 Interstate Civil Defense and Disaster Compact.

17 Article 13

18 This compact shall continue in force and remain binding on  
19 each party State until the Legislature or the Governor of a  
20 party State takes action to withdraw from it. An action to  
21 withdraw shall not be effective until 30 days after notice of  
22 intent to withdraw has been sent by the Governor of the party  
23 State desiring to withdraw to the Governors of all other party  
24 States.

25 Article 14

26 This compact shall be construed to effectuate the purposes  
27 stated in Article 1. If any provision of this compact is  
28 declared unconstitutional or if the applicability of the compact  
29 to any person or circumstance is held invalid, the  
30 constitutionality of the remainder of this compact and the

- 1 applicability of this compact to other persons and circumstances
- 2 shall not be affected.
- 3     Section 2. This act shall take effect in 60 days.