

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3026

By Delegates Ross, Mallow, Burkhammer, Marple,

DeVault, Adkins, and Dillon

[Introduced January 25, 2023; Referred to the
Committee on Fire Departments and Emergency
Medical Services then Government Organization]

1 A BILL to amend and reenact §8-15-5 of the Code of West Virginia, 1931, as amended, relating to
 2 permitting volunteer firefighters to participate at fire scenes; and limiting on scene tasks to
 3 volunteer fire company cadets.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 15. FIRE FIGHTING; FIRE COMPANIES AND DEPARTMENTS; CIVIL
 SERVICE FOR PAID FIRE DEPARTMENTS.**

**§8-15-5. Duties of company members; meetings to inspect equipment; report; penalty for
 noncompliance.**

1 Every member of a volunteer fire company shall, upon any alarm of fire, attend, according
 2 to the ordinances of the municipality and the company's rules and regulations, and endeavor to
 3 extinguish the fire. Specifically, volunteer firefighters shall be permitted to participate on fire
 4 scenes with a department training officer, a training captain, or another officer designated by the
 5 chief's approval prior to completing fireman certification levels 1 and 2. Safety of those on scene
 6 shall continue to be a priority, and cadets of volunteer fire companies may only be permitted to
 7 perform minor tasks at fire scene, including but not limited to hose assisting, tool retrieval, and
 8 other non-hazardous tasks assigned by the command officer.

9 In addition to the meetings required by the ordinances of the municipality and the rules and
 10 regulations of the company, semiannual meetings of the company shall be held in April and
 11 October, on such days as the commander thereof may appoint, to examine the state of the engine,
 12 hose and other equipment, practice therewith and see that the same are in good condition. Within
 13 one month after any such semiannual meeting the commander of such company shall make to the
 14 governing body a written report of the names of those attending such meeting, together with a
 15 written report of the condition of the engine, hose and other equipment. For any failure to comply
 16 with the provisions of this section, the commander shall be fined not less than \$10 nor more than
 17 \$25.

NOTE: The purpose of this bill is to permit volunteer firefighters to participate at fire scenes, and to limit on scene tasks of volunteer fire company cadets.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.