

CHAPTER 75

FIRE SERVICE INCIDENT MANAGEMENT SYSTEM

Authority

N.J.S.A. 52:27D-198.

Source and Effective Date

R.2000 d.30, effective December 22, 1999.
See: 31 N.J.R. 3257(a), 32 N.J.R. 273(c).

Executive Order No. 66(1978) Expiration Date

Chapter 75, Fire Service Incident Management System, expires on December 22, 2004.

Chapter Historical Note

Chapter 75, Fire Service Incident Management System, was originally codified in Title 5 as Chapter 18E, Fire Service Incident Management System. Chapter 18E was adopted as R.1998 d.85, effective February 17, 1998. See: 29 N.J.R. 3210(a), 30 N.J.R. 641(a).

Pursuant to Reorganization Plan No. 002-1998, Chapter 18E, Fire Service Incident Management System, was recodified as N.J.A.C. 5:75, effective July 1, 1998. See: 30 N.J.R. 1347(a), 30 N.J.R. 2644(a).

Pursuant to Executive Order No. 66(1978), Chapter 75, Fire Service Incident Management System, was readopted as R.2000 d.30, effective December 22, 1999. See: Source and Effective Date.

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SUBCHAPTER 1. GENERAL PROVISIONS

5:75-1.1 Title; division into subchapters

(a) The rules contained in this chapter shall be known as "Rules for Fire Service Incident Management System" and are referred to herein as the rules.

(b) The rules are divided into two parts:

1. Subchapter 1 is entitled "General Provisions" and may be cited throughout the rules as N.J.A.C. 5:75-1, and

when referred to in subchapter 1 of this chapter, may be referred to as this subchapter.

2. Subchapter 2 is entitled "Incident Management System" and may be cited throughout the rules at N.J.A.C. 5:75-2, and when referred to in subchapter 2 of this chapter, may be referred to as this subchapter.

5:75-1.2 Authority

These rules are promulgated by the Commissioner of Community Affairs pursuant to the authority of P.L. 1995, c.266; N.J.S.A. 52:27D-25a et seq., specifically 52:27D-25i, k and m.

5:75-1.3 Intent and purpose

(a) It is the intent of these rules to establish a mandatory incident management system to be used by the fire service and to define and describe the essential elements of an incident management system.

(b) An incident management system is utilized to afford structure and coordination to the management of emergency incident operations in order to provide for the safety and health of fire service members and other persons involved in those activities.

5:75-1.4 Applicability

These rules shall apply to operations conducted by the fire service at the scene of emergency incidents and provides a standard approach to the management of those incidents.

5:75-1.5 Definitions

The following terms shall have the meanings indicated except where the content clearly indicates otherwise:

"Commissioner" means the Commissioner of Community Affairs.

"Division" means the organization level having responsibility for operations within a defined geographic area.

"Emergency incident" means any situation to which the fire department responds to deliver emergency services including, but not limited to, rescue, fire suppression, emergency medical care, special operations, and other forms of hazard control and mitigation.

"Fire department" means a fire service organization providing rescue, fire suppression and related activities. The term "fire department" shall include any public, governmental fire service organization engaging in this activity.

"Incident management system" means a nationally recognized and organized system of rules, responsibilities and standard operating procedures used to manage emergency operations.

"Member" means a person, at least 18 years of age, who is involved in performing the duties and responsibilities of a fire department, under the auspices of the organization. For the purpose of this chapter, a fire department member may be a full-time or part-time employee, a paid or unpaid volunteer, may occupy any position or rank within the department and may or may not engage in emergency operations.

"Safety officer" means the person responsible for monitoring and assessing safety hazards or unsafe situations and developing measures for ensuring personnel safety.

5:75-1.6 Penalties

The Commissioner shall enforce and administer this chapter and is authorized to issue compliance orders to persons and public entities in violation thereof, to petition the Superior Court for injunctive relief enforcing any compliance order, to levy and collect civil penalties of not more than \$500.00 per violation and to institute summary proceedings under the Penalty Enforcement Law (N.J.S.A. 2A:58-1 et seq.) in the Superior Court to recover penalties previously levied. Each day that a violation continues after notice to cease has been given by certified mail or personal service shall be deemed a separate violation.

5:75-1.7 Appeals

(a) Any person aggrieved by any notice, action, ruling or order of the Commissioner, with respect to these rules, shall have a right to a hearing before the Office of Administrative Law, in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

1. The aggrieved person shall request a hearing. The request shall be made within 15 days after receipt of the action or ruling being contested. The request shall be made to the Hearing Coordinator, Department of Community Affairs, PO Box 802, Trenton, NJ 08625-0802. The request for hearing shall raise all issues that shall be set forth at the hearing.

5:75-1.8 Severability

If any provision of these rules or the application thereof to any person or circumstance is held invalid, the invalidity shall not effect other provisions or applications of the rules which can be given effect, and to this end the provisions of the rules are severable.

SUBCHAPTER 2. INCIDENT MANAGEMENT SYSTEM

5:75-2.1 Incident management system adopted

(a) Pursuant to authority of P.L. 1995, c.266 (N.J.S.A. 52:27D-25) the Commissioner hereby adopts the model standard of the National Fire Protection Association, known as "NFPA 1561/Standard on Fire Department Incident Management System/1995." This standard is hereby adopted by reference as the New Jersey Incident Management System, subject to the modifications set forth in N.J.A.C. 5:75-2.2.

(b) Copies of this standard may be obtained from the sponsor at: National Fire Protection Association, Batterymarch Park, Quincy, MA 02269.

(c) When used alone, the terms "subchapter," "section," and so forth, refer to that portion of these rules. When used in N.J.A.C. 5:75-2.2, the terms "section," "subchapter" or "chapter," and so forth, refer to the NFPA Standard.

5:75-2.2 Modifications

(a) The following sections of NFPA 1561, 1995 ed., are modified as follows:

1. Section 1-1.1 is amended to replace the term "fire departments" with "the fire service."

2. Section 1-1.2 is amended to delete the terms "military and private" and "fire brigades."

3. Section 1-1.2.2 is amended to delete the second sentence in its entirety.

4. Section 1-3 "Definitions" is amended to delete the following terms:

i. "Emergency incident."

ii. "Fire department," and

iii. "Member."

5. Section 2-5.2 is amended as follows:

i. The term "fire department" is deleted and the term "Regulations for Fire Service Incident Management System" is substituted in lieu thereof.

ii. The term "and experience" is deleted.

6. Chapter 5 "Referenced Publications" is deleted in its entirety.

5:75-2.3 Geographical identification of the incident scene

(a) To provide for uniform identification of locations and operational forces within an incident scene, the scene shall be divided geographically into smaller parts which shall be designated as divisions. Specific areas of the incident scene shall be designated as follows:

1. Sides of incident scenes designated as divisions shall be further identified by the addition of a letter of the alphabet beginning with the letter "A."

i. The side of the incident scene that bears the postal address of the location shall be designated as division "A" by the incident commander. Where the incident scene has no postal address, the incident commander shall select any side to designate division "A".

ii. Continuing in a clockwise rotation, the side adjacent to the division "A" side shall be designated as division "B."

iii. Continuing in a clockwise rotation, the side adjacent to the division "B" side shall be designated as division "C."

iv. Continuing in a clockwise rotation, the side adjacent to the division "C" side shall be designated as division "D."

2. When operating at an incident containing more than one level, each level shall be designated as a division and shall be further identified by the addition of an Arabic numeral beginning with the number "1."

i. The ground level of the incident scene shall be designated as division "1."

ii. The next level above the ground level shall be designated as division "2."

iii. Subsequent levels above division "2" shall be assigned division numbers in progressing order in this manner.

3. Additional areas of the incident scene shall be designated through the use of terms common to the fire department including, but not limited to, basement, roof, interior, etc.