

CHAPTER 75A

FIRE SERVICE RESOURCE EMERGENCY DEPLOYMENT

Authority

N.J.S.A. 52:14E-20.

Source and Effective Date

R.2004 d.179, effective May 3, 2004.
See: 35 N.J.R. 4909(a), 36 N.J.R. 2207(b).

Chapter Expiration Date

Chapter 75A, Fire Service Resource Emergency Deployment, expires on May 3, 2009.

Chapter Historical Note

Chapter 75A, Fire Service Resource Emergency Deployment, was adopted as special new rules by R.2003 d.406, effective September 22, 2003 (to expire March 22, 2004). See 35 N.J.R. 4909(a).

Chapter 75A, Fire Service Resource Emergency Deployment, was adopted as R.2004 d.179, effective May 3, 2004. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. GENERAL PROVISIONS

5:75A-1.1 Short title

This chapter shall be known and may be cited as "Fire Service Resource Emergency Deployment Rules" and, when referred to herein, shall be known as this chapter.

5:75A-1.2 Authority

These rules are promulgated by the Commissioner of Community Affairs and Director of Fire Safety pursuant to the authority of P.L. 2003, c.28, N.J.S.A. 52:14E-11 et seq., specifically N.J.S.A. 52:14E-20.

5:75A-1.3 Intent and purpose

(a) This chapter establishes a mechanism for the coordination of fire service resources throughout the State to facilitate a quick and efficient response to any emergency incident or situation that requires the immediate deployment of those resources in order to protect life and property from the danger or destruction of fire, explosion or other disaster while recognizing that fire departments have a primary mission to provide fire protection to their respective communities.

(b) The State fire coordinator system is intended to be utilized for, but not limited to, acts of terrorism, incidents requiring significant fire mutual aid, declarations of emergency by the Governor, and interstate requests for fire resource assistance.

(c) The State fire coordination system is intended to prevent resource excesses or depletions by giving the State fire coordinator the power to require fire service resources to standby or to not respond.

Amended by R.2004 d.179, effective May 3, 2004.
See: 35 N.J.R. 4909(a), 36 N.J.R. 2207(b).

Identified current text as (a); added (b) and (c).

5:75A-1.4 Scope

This chapter shall apply to State, county and local coordination and utilization of fire service and other emergency resources in response to fire-related emergency incidents and disasters.

5:75A-1.5 Definitions

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

"County fire coordinator" means the individual appointed by the State fire coordinator pursuant to N.J.A.C. 5:75A-2.3.

"County fire mutual aid plan" means a plan, prepared and adopted by a county in accordance with N.J.A.C.

5:75A-2.4, which sets forth the measures that are to be implemented in those instances where the fire service resources of an individual municipality within the county are unable to respond adequately to an emergency incident or a local fire emergency disaster and, therefore, it is necessary for the county to coordinate the delivery of fire service resources and assistance to that municipality from other municipalities in the county.

"Deputy county fire coordinator" means an individual appointed by the county fire coordinator pursuant to N.J.A.C. 5:75A-2.3 to assist the county fire coordinator with the duties and responsibilities of his or her position and to serve as the county fire coordinator in his or her absence.

"Deputy State fire coordinator" means an individual at least as qualified as a county fire coordinator appointed pursuant to N.J.A.C. 5:75A-2.3(d)1 appointed by the State fire coordinator from the employees of the Division of Fire Safety to assist the State fire coordinator with the duties and responsibilities of his or her position and to serve as the State fire coordinator in his or her absence.

"Division" means the Division of Fire Safety in the Department of Community Affairs.

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

"Fire service resources" means fire fighters and other personnel utilized by a unit of the fire service to provide rescue, fire suppression and related activities whether those fire fighters and personnel are volunteer or career; trucks, rescue vehicles and other vehicles used for fire fighting and emergency purposes; and fire fighting and rescue equipment used for fire or emergency purposes, including communications and protective equipment. Fire service resources shall not include emergency medical service providers and personnel, except that any unit or personnel that provides both fire and emergency medical services shall be subject to this chapter while performing fire suppression and related activities.

"Forest fire service" means the agency within the Department of Environmental Protection that is responsible for the protection of life, property and natural resources from wildfire.

"Incident commander" means the individual in overall command or control of the fire service personnel, and associated emergency equipment and emergency vehicles, at the site of an emergency incident.

"Local fire emergency disaster" means an emergency incident which, in the judgment of the incident commander, is of such severe degree and nature that it presents a significant threat to the health, safety and welfare of a municipality and its residents and, therefore, may warrant the implementation of the municipality's municipal emergency operations plan.

"Local fire mutual aid plan" means a plan, prepared and adopted by a municipality or fire district in accordance with N.J.A.C. 5:75A-2.2, which sets forth the measures that are to be implemented in those instances when the fire service resources of the municipality or fire district cannot adequately respond to an emergency incident or a local fire emergency disaster and, as a consequence, it is necessary for the municipality or fire district to request assistance and fire service resources from contiguous municipalities.

"Order of deployment" means an order issued by the State fire coordinator pursuant to this chapter to a unit of the fire service requiring the immediate response, recall or standby of that unit's fire service personnel, emergency equipment or emergency vehicles, or any part thereof.

"Regional fire coordinator" means an individual appointed by the State fire coordinator pursuant to N.J.A.C. 5:75A-3.2 to assist the State fire coordinator with the duties of his or her position.

"State fire coordinator" means the Director of the Division of Fire Safety in the Department of Community Affairs, or his or her designee.

"State firewarden" means the chief of the forest fire service in the Department of Environmental Protection or his or her designee.

"Unit of the fire service" means a department or force, be it paid, part-paid or volunteer, established and maintained by the State or any of its instrumentalities, any local governmental unit or any of its instrumentalities, any State or local authority, fire district or non-profit corporation, association or organization for the purposes of fire suppression, rescue and related activities.

Amended by R.2004 d.371, effective October 4, 2004.

See: 36 N.J.R. 2278(a), 36 N.J.R. 4442(b).

In "Deputy State fire coordinator" inserted "at least qualified as a county fire coordinator appointed pursuant to N.J.A.C. 5:75A-2.3(d)1" preceding "appointed by the State fire coordinator".

SUBCHAPTER 2. LOCAL AND COUNTY FIRE SERVICE RESOURCE EMERGENCY DEPLOYMENT

5:75A-2.1 (Reserved)

Repealed by R.2004 d.179, effective May 3, 2004.