

SENATE, No. 1606

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator RICHARD J. CODEY

District 27 (Essex and Morris)

SYNOPSIS

Revises requirements and training standards for first responders under New Jersey Highway Traffic Safety Act of 1987.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning first responders, amending P.L.2013, c.101,
2 and amending and supplementing P.L.1987, c.284.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 1 of P.L.2013, c.101 (C.26:2K-65) is amended to
8 read as follows:

9 1. The Commissioner of Health **and Senior Services**, with
10 the approval of the State Board of Medical Examiners, shall
11 establish written standards which a person shall successfully
12 complete in order to be certified as an EMT-Basic, which shall
13 comply with the uniform standards promulgated by the United
14 States Secretary of Transportation in accordance with the "U.S.
15 Highway Safety Act of 1966," Pub.L. 89-564 (23 U.S.C. ss. 401-
16 404), and any acts amendatory or supplementary thereto.

17 Applicants for EMT-Basic certification, who have equivalent
18 military training or experience in any branch of the active duty or
19 reserve component of the Armed Forces of the United States or the
20 National Guard of any state, shall be certified by the commissioner
21 if the commissioner determines that the applicant's military training
22 and experience exceed or are equivalent to the certification
23 standards established by the commissioner.

24 (cf: P.L.2013, c.101, s.1)

25
26 2. Section 3 of P.L.1987, c.284 (C.27:5F-20) is amended to
27 read as follows:

28 3. As used in this act:

29 a. "State highway traffic safety program" means all highway
30 traffic safety programs conducted by the State, political
31 subdivisions of the State, and qualifying nonprofit organizations.

32 b. "Local highway traffic safety program" means a highway
33 traffic safety program established or submitted to the Governor by a
34 political subdivision and qualifying nonprofit organizations
35 pursuant to the provisions of this act.

36 c. "Political subdivision" means any local political subdivision
37 of this State, including but not limited to a municipality, a county, a
38 township, a district, or a special district.

39 d. "Governor" means the Governor of the State of New Jersey.

40 e. "Director" shall mean the Director of the Office of Highway
41 Traffic Safety of the State of New Jersey.

42 f. "Volunteer first aid, rescue, and ambulance squad" means a
43 **first aid, rescue and ambulance squad which provides emergency**
44 **medical services without receiving payment for those** not-for-
45 profit basic life support services provider whereby: (1) at least 51

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 percent of coverage time is provided by crews comprised of
2 volunteers; or (2) the provider is a nonprofit organization or a
3 political subdivision that does not bill its patients for providing
4 basic life support services.

5 g. "Nonvolunteer first aid, rescue, and ambulance squad"
6 means **【**a first aid, rescue and ambulance squad which provides
7 emergency medical services on a paid basis**】** all other basic life
8 support services organizations that do not qualify as a volunteer
9 first aid, rescue, and ambulance squad as defined in subsection f. of
10 this section.

11 h. "Nonprofit organization" means a nonprofit organization
12 which provides services throughout the State and is tax exempt
13 under section 501(c)(3) of the federal Internal Revenue Code (26
14 U.S.C. s.501(c)(3)), and is not a private foundation as defined in
15 section 509(a) of the federal Internal Revenue Code (26 U.S.C.
16 s.509(a)).

17 i. "Basic life support" means a basic level of pre-hospital care
18 which includes patient stabilization, airway clearance,
19 cardiopulmonary resuscitation, hemorrhage control, initial wound
20 care and fracture stabilization, and other techniques and procedures
21 authorized by the commissioner.

22 (cf: P.L.2007, c.84, s.1)

23
24 3. Section 4 of P.L.1987, c.284 (C.27:5F-21) is amended to
25 read as follows:

26 4. a. The Governor shall coordinate the highway traffic safety
27 activities of State and local agencies, other public and private
28 agencies, nonprofit organizations, and interested organizations and
29 individuals and shall be the official of this State having the ultimate
30 responsibility of dealing with the federal government with respect
31 to the State highway traffic safety program. In order to effectuate
32 the purposes of this act he shall:

33 (1) Prepare for this State, the New Jersey Highway Traffic
34 Safety Program which shall consist of a comprehensive plan in
35 conformity with the laws of this State to reduce traffic accidents
36 and deaths, injuries, and property damage resulting therefrom.

37 (2) Promulgate rules and regulations establishing standards and
38 procedures relating to the content, coordination, submission, and
39 approval of local highway traffic safety programs.

40 (3) Contract and do all things necessary or convenient on behalf
41 of the State in order to insure that all departments of State
42 government, local political subdivisions and nonprofit
43 organizations, to the extent that nonprofit organizations qualify for
44 highway traffic safety grants pursuant to the provisions of section
45 12 of P.L.1987, c.284 (C.27:5F-29) as amended by section 6 of
46 P.L.2007, c.84, secure the full benefits available under the "U.S.
47 Highway Safety Act of 1966," Pub.L. 89-564 (23 U.S.C. ss. 401-
48 404), and any acts amendatory or supplementary thereto.

(4) Adopt training programs, guidelines and standards for members of nonvolunteer first aid, rescue and ambulance squads providing emergency medical service programs, which shall comply with the written standards promulgated by the Commissioner of Health pursuant to section 1 of P.L.2013, c.101 (C.26:2K-65) for certification as an EMT-Basic.

b. The New Jersey Highway Traffic Safety Program, and rules and regulations, training programs, guidelines, and standards shall comply with uniform standards promulgated by the United States Secretary of Transportation in accordance with the "U.S. Highway Safety Act of 1966," Pub.L. 89-564 (23 U.S.C. ss. 401-404), and any acts amendatory or supplementary thereto.
(cf: P.L.2007, c.84, s.2)

4. Section 5 of P.L.1987, c.284 (C.27:5F-22) is amended to read as follows:

5. The New Jersey Highway Traffic Safety Program shall, in addition to other provisions, include training programs for groups such as but not limited to police, teachers, students, and public employees, which programs shall comply with the uniform standards promulgated by the United States Secretary of Transportation in accordance with the "U.S. Highway Safety Act of 1966," Pub.L. 89-564 (23 U.S.C. **【s.s.】** ss. 401-404), and any acts amendatory or supplementary thereto.

In addition, the New Jersey Highway Traffic Safety Program shall include the training program for members of volunteer first aid, rescue, and ambulance squads, adopted by the **【New Jersey State First Aid Council】 EMS Council of New Jersey**, which shall comply with the written standards promulgated by the Commissioner of Health pursuant to section 1 of P.L.2013, c.101 (C.26:2K-65) for certification as an EMT-Basic and with the uniform standards promulgated by the United States Secretary of Transportation in accordance with the "U.S. Highway Safety Act of 1966," Pub.L. 89-564 (23 U.S.C. **【s.s.】** ss. 401-404) and any amendments or supplements to it. The EMS Council of New Jersey and the Department of Health shall take into consideration the national curriculum for emergency medical technicians and other emergency medical responders when adopting the training program, and shall require that the impact on recruitment and retention of volunteers be considered before adopting and implementing any new or revised training requirements or curricula related to training materials, minimum class hours, training hours, or the availability of training programs.

(cf: P.L.1987, c.284, s.5)

5. Section 10 of P.L.1987, c.284 (C.27:5F-27) is amended to read as follows:

1 10. The officers of each volunteer and nonvolunteer first aid,
2 rescue, and ambulance squad providing emergency medical service
3 programs shall be responsible for the training of its members and
4 shall notify the governing body of the political subdivision in which
5 the squad is located, or the person designated for this purpose by
6 the governing body, that particular applicants for membership
7 (qualified under sections 5 and 4 of **[this act]** P.L.1987, c.284
8 (C.27:5F-22 and C.27:5F-21), respectively), ambulances, and
9 ambulance equipment meet the standards required by **[this act]**
10 P.L.1987, c.284 (C.27:5F-18 et seq.) and by section 1 of P.L.2013,
11 c.101 (C.26:2K-65). The governing body or person designated shall
12 annually receive from each volunteer and nonvolunteer squad a list
13 of its members along with the training certifications and expiration
14 dates of the certifications for each member, as well as a copy of the
15 proof of inspection, as required by this section. Upon receipt of
16 such **[notification]** documentation the governing body or person
17 designated shall **[certify]** authorize the applicant, ambulances, and
18 ambulance equipment as being qualified for emergency medical
19 service programs, and shall issue a certificate to that effect at no
20 charge. Each member and piece of equipment of a volunteer and
21 nonvolunteer first aid, rescue, and ambulance squad shall comply
22 with the requirements for **[certification]** authorization annually.
23 Any person who is a member of a volunteer and nonvolunteer first
24 aid, rescue, and ambulance squad providing emergency medical
25 service programs on the effective date of **[this act]** P.L.1987, c.284
26 (C.27:5F-18 et seq.) shall, if application is made to the appropriate
27 municipality within 90 days of the effective date, be certified by the
28 governing body or designated person as being qualified for
29 emergency medical service programs for a period of two years. At
30 the end of that period, the person shall comply with the
31 requirements for **[certification]** authorization annually.

32 No volunteer or nonvolunteer first aid, rescue, or ambulance
33 squad may provide basic life support services unless that squad is
34 inspected and certified or otherwise authorized to do so by the
35 Office of Emergency Medical Services in the Department of Health,
36 or is inspected and certified as a member in good standing of the
37 EMS Council of New Jersey.

38 (cf: P.L.1987, c.284, s.10)

39
40 6. (New section) a. Each volunteer or nonvolunteer first aid,
41 rescue, and ambulance squad shall include, at a minimum, one
42 certified emergency medical technician who shall attend to the
43 patient and shall be responsible for patient care at the scene of the
44 emergency and in the patient compartment while transporting the
45 patient.

46 b. In all cases when an ambulance is transporting a patient, the
47 driver shall be at least 18 years of age, hold a valid driver's license,

1 have passed a CPR/AED course for professional rescuers and health
2 care providers approved by the Office of Emergency Medical
3 Services in the Department of Health or the EMS Council of New
4 Jersey, and have successfully completed a course in certified
5 emergency vehicle operations or defensive driving for emergency
6 vehicles approved by the Office of Emergency Medical Services in
7 the Department of Health or the EMS Council of New Jersey. In
8 addition, the driver shall be familiar with the ambulance and its
9 contents.

10
11 7. This act shall take effect on the first day of the seventh
12 month next following enactment, except that the Office of
13 Emergency Medical Services in the Department of Health may take
14 any anticipatory administrative action in advance as shall be
15 necessary for the implementation of this act.

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18 STATEMENT

19
20 This bill would revise the standards and requirements for
21 volunteer and nonvolunteer first aid, rescue, and ambulance squads
22 under the “New Jersey Highway Traffic Safety Act of 1987,”
23 P.L.1987, c.284 (C.27:5F-18 et seq.).

24 Specifically, the bill would revise the definition of a “volunteer
25 first aid, rescue, and ambulance squad” to mean any not-for-profit
26 basic life support services organization whereby: (1) at least 51
27 percent of coverage time is provided by crews comprised of
28 volunteers; or (2) the provider is a nonprofit organization or a
29 political subdivision that does not bill its patients for providing
30 basic life support services. Under current law, the term is defined
31 to mean a squad that does not receive payment for providing
32 emergency medical services.

33 The bill would also revise the definition of “nonvolunteer first
34 aid, rescue, and ambulance squad” to mean any organization that
35 provides basic life support services that does not qualify as a
36 voluntary first aid, rescue, and ambulance squad. The term is
37 currently defined to mean a squad that provides emergency medical
38 services on a paid basis.

39 The bill would define “basic life support,” which is not currently
40 defined in the “New Jersey Highway Traffic Safety Act of 1987,” to
41 mean a basic level of pre-hospital care which includes patient
42 stabilization, airway clearance, cardiopulmonary resuscitation,
43 hemorrhage control, initial wound care and fracture stabilization,
44 and other techniques and procedures authorized by the
45 Commissioner of Health.

46 Currently, the EMS Council of New Jersey, which was formerly
47 called the New Jersey State First Aid Council, is required to adopt a

1 training program for members of volunteer first aid, rescue, and
2 ambulance squads. This bill would require that, when adopting a
3 training program, the Council and the Department of Health must
4 take into consideration the national curriculum for emergency
5 medical technicians and other emergency medical responders. In
6 addition, the bill would require that the impact on recruitment and
7 retention of volunteers be considered before adopting and
8 implementing any new or revised training requirements or curricula
9 related to training materials, minimum class hours, training hours,
10 or the availability of training programs.

11 The bill would also clarify that the training standards for both
12 volunteer and nonvolunteer squads must also comply with the
13 written training standards for EMT-Basics promulgated by the
14 Commissioner of Health, which in turn must comply with the
15 uniform standards promulgated by the United States Secretary of
16 Transportation in accordance with the "U.S. Highway Safety Act of
17 1966."

18 Under current law, the officers of each volunteer and
19 nonvolunteer first aid, rescue, and ambulance squad are responsible
20 for the training of its members, and must notify the governing body
21 of the political subdivision in which the squad is located that the
22 applicants, ambulances, and equipment meet the statutory
23 requirements for certification. The bill would require that the
24 officers additionally notify the governing body of the training
25 certifications and certification expiration dates for each member,
26 along with proofs of inspection for equipment. The bill additionally
27 specifies that no volunteer or nonvolunteer first aid, rescue, or
28 ambulance squad may provide basic life support services unless that
29 squad is inspected and certified or otherwise authorized to do so by
30 the Office of Emergency Medical Services in the Department of
31 Health, or is inspected and certified as a member in good standing
32 of the EMS Council of New Jersey.

33 The bill would additionally provide that each volunteer or
34 nonvolunteer first aid, rescue, and ambulance squad include, at a
35 minimum, one certified emergency medical technician who would
36 attend to the patient and be responsible for patient care at the scene
37 of the emergency and in the patient compartment while transporting
38 the patient. Current regulations require that each basic life support
39 ambulance be staffed with at least two certified emergency medical
40 technicians.

41 The bill would also require that, in all cases when an ambulance
42 is transporting a patient, the driver be at least 18 years of age, hold
43 a valid driver's license, have passed a CPR/AED course for
44 professional rescuers and health care providers approved by the
45 Office of Emergency Medical Services in the Department of Health
46 or by the EMS Council of New Jersey, and have successfully
47 completed a course in certified emergency vehicle operations or
48 defensive driving for emergency vehicles approved by the Office of

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- 1 Emergency Medical Services in the Department of Health or the
- 2 EMS Council of New Jersey. In addition, the bill would require
- 3 that driver be familiar with the ambulance and its contents.