



NEW YORK STATE SENATOR

Brian X. Foley

## Senator Foley Announces Passage of Crucial Legislation That Protects Firefighters

BRIAN X. FOLEY May 20, 2009



On the eve of Memorial Day, Legislation gave firefighters legal protection when operating fire trucks

Hauppauge, NY – The New York State Senate unanimously passed Senator Brian X. Foley's legislation protecting firefighters from legal liability when operating fire trucks. The legislation closes a dubious loophole in state law that puts firefighters in legal jeopardy on a consistent basis.

Prior to Senator Foley's legislation (S1624-C), the law made it illegal for anyone to operate a fire truck without a Commercial Driver's License (CDL). While there was an amendment put in place which exempted firefighters when responding to emergency calls, it did not cover firefighters from liability in any other scenarios such as driving the truck back to the firehouse after an emergency, participating in a parade, taking part in training drills, etc.. For all intents and purposes, any firefighter operating a fire truck was in violation of the law and therefore open to legal liability.

"Our volunteer firefighters are heroes and deserve to be treated as such," said Senator Brian X. Foley (D – Blue Point). "I am proud to sponsor legislation that will protect our firefighters and allow them to serve their communities without being exposed to legal liability."

Prior to Foley's legislation, the only way for a firefighter operating a fire truck to insure he or she would not be open to prosecution or a law suit (in case of an accident) was by obtaining a Commercial Driver's License (CDL). However, CDL's are difficult to obtain and often unaffordable for firefighters who are not getting paid for their services. "Since firefighters on Long Island are volunteers, it is unreasonable and unfair to expect them to obtain expensive Commercial Licenses," said Foley.

"We're grateful to Senator Foley for protecting firefighters in Suffolk County and throughout New York State," said Scott Thebold, President of the Suffolk County Fire Chiefs Association. "Senator Foley has worked with firefighter groups such as FASNY, the Assoc. of Fire Chiefs, and the Assoc. of Fire Districts, to stand up for firefighters and pass this very important legislation."

"As President of FASNY, a 130,000 strong Association of Firefighters and EMS responders, I am proud of the efforts of Senator Foley in resolving a potential liability crisis facing Volunteer and Career Firefighters driving heavy apparatus without a commercial driver's license," said Thomas Cuff, President of the Firemen's Association of New York. "We at FASNY are thankful to the legislature for its' prompt attention and are grateful for the opportunity to continue our official duties to serve, unfettered, the people of the State of

New York".

"The Association of Fire Districts applauds and supports Senator Foley in seeing that this very important legislation is approved," said Bill Young, Counsel to the Association of Fire Districts.

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