

**SB 6462 - S AMD 144**

By Senators Honeyford, Fairley

ADOPTED 02/15/2010

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 52.12 RCW  
4 to read as follows:

5 (1) Any firefighter that is present at the scene of a wildfire,  
6 regardless of whether it is beyond the boundaries of his or her  
7 district, has a duty to undertake firefighting efforts to suppress the  
8 fire if the fire poses a danger to human life or structures. However,  
9 the firefighter is under no duty to undertake firefighting efforts if  
10 he or she does not have the equipment or manpower at the scene to fight  
11 the fire in a safe and reasonable manner.

12 (2)(a) The priorities and methods under this section are determined  
13 by the chain of command of the pertinent agency.

14 (b) If an official chain of command has not been established, the  
15 firefighting priorities and methods shall be determined by the most  
16 senior firefighter on the engine.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 4.24 RCW  
18 to read as follows:

19 Any state or municipal firefighter, whether volunteer or paid, who  
20 takes part in firefighting efforts outside his or her jurisdiction or  
21 provides emergency care, rescue, assistance, or recovery services at  
22 the scene of an emergency is not liable for civil damages resulting  
23 from any act or omission in the rendering of such services, other than  
24 acts or omissions constituting gross negligence or willful or wanton  
25 misconduct."

**ADOPTED 02/15/2010**

1        On page 1, line 1 of the title, after "duties;" strike the  
2 remainder of the title and insert "adding a new section to chapter  
3 52.12 RCW; and adding a new section to chapter 4.24 RCW."

EFFECT: Combines Senator Honeyford's two firefighter bills: SB 6461 (providing limited immunity for firefighters providing emergency services) and SB 6462 (addressing the duties of a firefighter at the scene of a wildfire beyond the boundaries of the firefighter's district). Requires a firefighter to obey the chain of command when responding to wildfires. Provides that if no such chain of command exists, the most senior member of the firefighting engine will be in charge of determining how to respond to the fire. Amends title to reflect the added provisions.

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