

**ASSEMBLY, No. 543**

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**STATE OF NEW JERSEY**

**217th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

**Sponsored by:**

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**District 18 (Middlesex)**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

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**SYNOPSIS**

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

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 10/21/2016)**

A543 PINKIN, QUIJANO

2

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.

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

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

14  
15 4. Section 5 of P.L.1987, c.284 (C.27:5F-22) is amended to  
16 read as follows:

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

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

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

44  
45 5. Section 10 of P.L.1987, c.284 (C.27:5F-27) is amended to  
46 read as follows:

47 10. The officers of each volunteer and nonvolunteer first aid,  
48 rescue, and ambulance squad providing emergency medical service

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

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

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

37

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

44 b. In all cases when an ambulance is transporting a patient, the  
45 driver shall be at least 18 years of age, hold a valid driver's license,  
46 have passed a CPR/AED course for professional rescuers and health  
47 care providers approved by the Office of Emergency Medical

1 Services in the Department of Health or the New Jersey State First  
2 Aid Council, and have successfully completed a course in certified  
3 emergency vehicle operations or defensive driving for emergency  
4 vehicles approved by the Office of Emergency Medical Services in  
5 the Department of Health or the New Jersey State First Aid Council.  
6 In addition, the driver shall be familiar with the ambulance and its  
7 contents.

8  
9 7. This act shall take effect on the first day of the seventh  
10 month next following enactment, except that the Office of  
11 Emergency Medical Services in the Department of Health may take  
12 any anticipatory administrative action in advance as shall be  
13 necessary for the implementation of this act.

14  
15  
16 STATEMENT

17  
18 This bill would revise the standards and requirements for  
19 volunteer and nonvolunteer first aid, rescue, and ambulance squads  
20 under the New Jersey Highway Traffic Safety Act of 1987.

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

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

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

43 Currently, the New Jersey State First Aid Council is required to  
44 adopt a training program for members of volunteer first aid, rescue,  
45 and ambulance squads. This bill would require that, when adopting  
46 a training program, the Council and the Department of Health must  
47 take into consideration the national curriculum for emergency  
48 medical technicians and other emergency medical responders. In

1 addition, the bill would require that the impact on recruitment and  
2 retention of volunteers be considered before adopting and  
3 implementing any new or revised training requirements or curricula  
4 related to training materials, minimum class hours, training hours,  
5 or the availability of training programs.

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

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

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

36 The bill would also require that, in all cases when an ambulance  
37 is transporting a patient, the driver be at least 18 years of age, hold  
38 a valid driver's license, have passed a CPR/AED course for  
39 professional rescuers and health care providers approved by the  
40 Office of Emergency Medical Services in the Department of Health  
41 or by the New Jersey State First Aid Council, and have successfully  
42 completed a course in certified emergency vehicle operations or  
43 defensive driving for emergency vehicles approved by the Office of  
44 Emergency Medical Services in the Department of Health or the  
45 New Jersey State First Aid Council. In addition, the bill would  
46 require that driver be familiar with the ambulance and its contents.