

# ASSEMBLY, No. 3360

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

**Sponsored by:**  
**Assemblyman STERLEY S. STANLEY**  
**District 18 (Middlesex)**

### **SYNOPSIS**

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

### **CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/27/2021)**

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

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

45  
46 5. Section 10 of P.L.1987, c.284 (C.27:5F-27) is amended to  
47 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  
11 P.L.2013, c.101 (C.26:2K-65). The governing body or person  
12 designated shall annually receive from each volunteer and  
13 nonvolunteer squad a list of its members along with the training  
14 certifications and expiration dates of the certifications for each  
15 member, as well as a copy of the proof of inspection, as required by  
16 this section. Upon receipt of such **[notification]** documentation the  
17 governing body or person designated shall **[certify]** authorize the  
18 applicant, ambulances, and ambulance equipment as being qualified  
19 for emergency medical service programs, and shall issue a  
20 certificate to that effect at no charge. Each member and piece of  
21 equipment of a volunteer and nonvolunteer first aid, rescue, and  
22 ambulance squad shall comply with the requirements for  
23 **[certification]** authorization annually. Any person who is a  
24 member of a volunteer and nonvolunteer first aid, rescue, and  
25 ambulance squad providing emergency medical service programs  
26 on the effective date of **[this act]** P.L.1987, c.284 (C.27:5F-18 et  
27 seq.) shall, if application is made to the appropriate municipality  
28 within 90 days of the effective date, be certified by the governing  
29 body or designated person as being qualified for emergency medical  
30 service programs for a period of two years. At the end of that  
31 period, the person shall comply with the requirements for  
32 **[certification]** authorization annually.

33       No volunteer or nonvolunteer first aid, rescue, or ambulance  
34 squad may provide basic life support services unless that squad is  
35 inspected and certified or otherwise authorized to do so by the  
36 Office of Emergency Medical Services in the Department of Health,  
37 or is inspected and certified as a member in good standing of the  
38 EMS Council of New Jersey.  
39 (cf: P.L.1987, c.284, s.10)

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

1       b. In all cases when an ambulance is transporting a patient, the  
2 driver shall be at least 18 years of age, hold a valid driver's license,  
3 have passed a CPR/AED course for professional rescuers and health  
4 care providers approved by the Office of Emergency Medical  
5 Services in the Department of Health or the EMS Council of New  
6 Jersey State, and have successfully completed a course in certified  
7 emergency vehicle operations or defensive driving for emergency  
8 vehicles approved by the Office of Emergency Medical Services in  
9 the Department of Health or the EMS Council of New Jersey. In  
10 addition, the driver shall be familiar with the ambulance and its  
11 contents.

12

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

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#### STATEMENT

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

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

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

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

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

12       The bill would also clarify that the training standards for both  
13 volunteer and nonvolunteer squads must also comply with the  
14 written training standards for EMT-Basics promulgated by the  
15 Commissioner of Health, which in turn must comply with the  
16 uniform standards promulgated by the United States Secretary of  
17 Transportation in accordance with the "U.S. Highway Safety Act of  
18 1966."

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

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

42       The bill would also require that, in all cases when an ambulance  
43 is transporting a patient, the driver be at least 18 years of age, hold  
44 a valid driver's license, have passed a CPR/AED course for  
45 professional rescuers and health care providers approved by the  
46 Office of Emergency Medical Services in the Department of Health

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