Legislation Details (With Text)

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12/31/2005	*	City Council	Filed (End of Session)	

Int. No. 590

By Council Members Clarke, Barron, Brewer, Comrie, Foster, Gerson, Gonzalez, James, Monserrate, Palma, Perkins, Reed, Seabrook, Stewart, Weprin and Martinez

A Local Law to amend the administrative code of the city of New York, in relation to joint training by the hazardous materials teams of the New York City Fire Department and the New York City Police Department.

Be it enacted by the Council as follows:

Section 1. Declaration of legislative findings and intent. According to Porter Goss, Director of the Central Intelligence Agency, "it may only be a matter of time" before terrorists use weapons of mass destruction against the United States. New York City, the site of two previous terrorist attacks, remains one of the nation's most likely targets.

The Citywide Incident Management System ("CIMS") organizes the responsibilities of city agencies during different emergency situations. Both the Fire Department ("FDNY") and Police Department ("NYPD") are granted authority during incidents that involved chemical, biological, radiological or nuclear/hazardous-materials (CBRN/Haz-Mat). In such incidents, the FDNY is responsible for life safety operations and mass decontamination, whereas the NYPD is responsible for overall site management, assessment and investigations. The NYPD is designated the "primary agency" at CBRN/Haz-Mat incidents.

The question of who directs the response to an emergency has been an ongoing source of concern and controversy in New York City, particularly between the FDNY and the NYPD. The rivalry between the departments is longstanding and on-going. Although the FDNY and NYPD are given overlapping responsibilities in CBRN/Haz-Mat situations, the hazardous materials personnel of the two departments do not train together on a sufficiently regular basis.

The Council finds that cooperation and coordination between the FDNY and NYPD at CBRN/Haz-Mat is essential for the city's terrorism preparedness. Accordingly, the Council declares it reasonable and necessary to require regular and frequent joint training by the hazardous materials teams of the FDNY and the NYPD.

§2. Chapter one of title 15 of the administrative code of the city of New York is amended by adding a new section 15-129 to read as follows:

§15-129 Hazardous materials training. Any fire department personnel responsible for responding to incidents involving hazardous materials shall train at least monthly together with any police department personnel responsible for responding to incidents involving hazardous materials.

§3. Chapter one of title 14 of the administrative code of the city of New York is amended by adding a new section 14-152 to read as follows:

§14-152 Hazardous materials training. Any police department personnel responsible for responding to incidents involving hazardous materials shall train at least monthly together with any fire department personnel responsible for responding to incidents involving hazardous materials.

§4. This local law shall take effect 90 days after its enactment into law.

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