

2007 Virginia General Assembly Legislation Report

VDFP experienced a very busy and exciting 2007 Session of the Virginia General Assembly. Our agency tracked seven House Bills and five Senate Bills. The session began Wednesday, January 10, 2007 and the final adjournment of the legislative session was Saturday, February 24, 2007. Below are a few pieces of legislation passed during the 2007 Session of the Virginia General Assembly, which directly impacted Virginia's fire service. A copy of the full legislative text can be found at: <http://leg1.state.va.us/lis.htm>.

HB 1679 - Overweight permits; exempts fire & emergency apparatus from weight limits on bridges & culverts.

An Act to amend the Code of Virginia by adding a section numbered 46.2-1130.1, relating to issuance of overweight permits granted to cross bridges and culverts by certain emergency response vehicles responding to an emergency call.

Summary as passed House:

Bridges and culverts. Exempts fire and emergency medical apparatus responding to or returning from emergency calls from weight limits on bridges and culverts, provided the vehicles are not so heavy as to cause immediate structural damage.

Patrons: Cosgrove, Athey, Crockett-Stark, Gear, Jones, S.C., Landes, O'Bannon, Rust and Sherwood

On March 9, 2007, the legislation was approved by the Governor-Chapter 177 (effective 7/1/07). The aforementioned legislation can be found at: Governor: Acts of Assembly Chapter text (CHAP0177).

HB 1860 - Fires; authorizes counties to regulate or prohibit the making of fires.

An Act to amend the Code of Virginia by adding a section numbered 15.2-922.1 and to repeal § 15.2-1118 of the Code of Virginia, relating to regulating or prohibiting the making of fires.

Summary as passed House:

Making of fires. Authorizes counties to regulate or prohibit the making of fires in public places and, during emergency, on private property. Existing language related to cities and towns is moved to this section without change.

Patron: Wittman

On March 12, 2007, the legislation was approved by the Governor -Chapter 256 (effective 7/1/07). The aforementioned legislation can be found at: Governor: Acts of Assembly Chapter text (CHAP0256).

HB 2048 - Fire Prevention Code; no fee for permits for inspection of religious schools.

An Act to amend and reenact § 27-98 of the Code of Virginia, relating to Statewide Fire Prevention Code; enforcement.

Summary as passed House:

Statewide Fire Prevention Code; enforcement. Prohibits the State Fire Marshal from charging a fee for permits issued for the inspection of schools operated or conducted under the auspices of a religious institution. The bill has a two year sunset provision.

On March 26, 2007, the legislation was vetoed by the Governor.

HB 2356/ HB 2457 / SB 1132 - Fire Marshal, Office of; transfers enforcement of Fire Prevention Code thereto.

An Act to amend and reenact §§ 9.1-201, 27-61, 27-97, 27-97.2, 27-99, 36-139, and 38.2-401 of the Code of Virginia; to amend the Code of Virginia by adding in Chapter 2 of Title 9.1 sections numbered 9.1-206, 9.1-207, and 9.1-208; and to repeal §§ 36-139.2, 36-139.3, and 36-139.4 of the Code of Virginia, relating to the Office of the State Fire Marshal; powers and duties.

Summary as passed:

Office of the State Fire Marshal. Transfers the enforcement of the Statewide Fire Prevention Code from the Department of Housing and Community Development to the Department of Fire Programs under the Fire Services Board. The bill also provides for the State Fire Marshal to be employed by the Executive Director of the Department of Fire Programs rather than by the Director of Housing and Community Development. The bill is identical to Senate Bill 1132.

Patrons: Cosgrove, Cline, Landes, Poisson, Rust, Deeds and Devolites Davis

On March 20, 2007, the legislation was approved by the Governor -Chapter 647 (effective 7/1/08). The aforementioned legislation can be found at: Governor: Acts of Assembly Chapter text (CHAP0647).

SB 1042 - Towing and recovery operators; exemption from liability when rendering emergency assistance.

An Act to amend and reenact § 46.2-1231.1 of the Code of Virginia, relating to towing and recovery operators; exemption from liability.

Summary as passed:

Towing and recovery operators; exemption from liability. Provides that towing and recovery operators are exempt from liability in civil actions when they are responding in good faith to the lawful direction of rescue or fire agencies, in the case that life, limb, or property is endangered, to tow, recover, or store a vehicle or its contents. Current law

only provides for such an exemption from liability when the towing and recovery operator is responding to the direction of a law-enforcement agency.

On March 15, 2007, the legislation was approved by the Governor -Chapter 376 (effective 7/1/07). The aforementioned legislation can be found at: Governor: Acts of Assembly Chapter text (CHAP0376).

SB 1090 - State Firefighter's Association; created.

An Act to establish the Virginia State Firefighter's Association as a body corporate and politic, to amend and reenact § 9.1-202 of the Code of Virginia, and to repeal Chapter 343 of the Acts of Assembly of 1896, relating to the Virginia State Firefighter's Association.

Summary as introduced:

Virginia State Firefighter's Association; establishment. Clarifies that the Virginia State Firemen's Association, which was created as a body corporate and politic in 1896, is currently known as the Virginia State Firefighter's Association and that the organization in its current form should continue as a body corporate and politic. The bill also sets forth the purpose of the Association and its powers.

Patron: Puckett

On March 8, 2007, the legislation was approved by the Governor -Chapter 96 (effective 7/1/07). The aforementioned legislation can be found at: Governor: Acts of Assembly Chapter text (CHAP0096).