

CHAPTER 336
HB 1352 - FINAL VERSION

28Mar2024... 0981h
05/22/2024 2001s
13Jun2024... 2341EBA

2024 SESSION

24-2222
12/08

HOUSE BILL ***1352***

AN ACT relative to firefighting personal protective equipment.

SPONSORS: Rep. Goley, Hills. 21; Rep. O'Brien, Hills. 10; Rep. Soucy, Merr. 21; Rep. S. Pearson, Rock. 13; Rep. MacKenzie, Hills. 40; Rep. Proulx, Hills. 15; Rep. Doucette, Rock. 25

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill increases protections for firefighters from PFAS chemicals in their uniforms and personal protective equipment.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struckthrough.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to firefighting personal protective equipment.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 336:1 Firefighting Personal Protective Equipment; Limit Exposure to PFAS Chemicals. Amend RSA
2 154:8-c to read as follows:

3 154:8-c Firefighting Personal Protective Equipment.

4 I. In this section:

5 (a) "Department" means the department of safety.

6 (b) "Firefighting personal protective equipment" means any clothing designed, intended, or
7 marketed to be worn by firefighting personnel in the performance of their duties, designed with the intent
8 for use in fire and rescue activities, including jackets, pants, shoes, gloves, helmets, hoods, and
9 respiratory equipment.

10 (c) *"Firefighting station wear" means uniforms, garments, or apparel worn by firefighting*
11 *personnel while in the performance of their duties, often worn under their personal protective equipment.*
12 *For the purpose of this section, firefighting station wear shall refer to uniform shirts or pants only.*

13 [(e)] (d) "Manufacturer" includes any person, firm, association, partnership, corporation,
14 governmental entity, organization, joint venture, importer, or domestic manufacturer or distributor of
15 firefighting agents or firefighting equipment. For the purposes of this section, "importer" means the owner
16 of the product.

17 [(d)] (e) "Municipalities" means any county, city, town, fire district, regional fire district, or
18 other special purpose district that provides firefighting services.

19 [(e)] (f) "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS chemicals" means, for the
20 purposes of firefighting agents and firefighting equipment, a class of fluorinated organic chemicals
21 containing at least one fully fluorinated carbon atom.

22 II. Beginning January 1, 2020, a manufacturer or other person that sells firefighting personal
23 protective equipment to any person, municipality, or state agency shall provide written notice to the
24 purchaser at the time of sale *that* [if] the firefighting personal protective equipment *does or does not*
25 [~~contains~~] *contain* PFAS chemicals. The written notice shall include a statement that the firefighting
26 personnel protective equipment *does or does not* [~~contains~~] *contain* PFAS chemicals. All notices shall be
27 included in all personnel files of all employees using the firefighting personal protective equipment [~~that~~
28 ~~does not contain PFAS chemicals~~] *and a copy of the same shall be provided directly to the employee.*

29 III. The manufacturer or person selling firefighting personal protective equipment and the
30 purchaser of the equipment shall retain the notice in procurement files for at least 3 years from the date of

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1 the transaction. Upon the request of the department, a person, manufacturer, or purchaser shall furnish
2 the notice, or written copies, and associated sales documentation to the department within 60 days.

3 IV. The department shall assist other state agencies, fire protection districts, and other
4 municipalities to give priority and preference to the purchase of firefighting personal protective equipment
5 that does not contain PFAS chemicals.

6 *V.(a) Should a safe alternative to the current firefighting personal protective equipment be*
7 *designed and manufactured, fire departments may give preference to that alternative as part of their*
8 *existing personal protective equipment replacement program.*

9 *(b) Until such time that a safe alternative is provided to the employee, fire departments shall*
10 *have in place a policy that limits the unnecessary exposure to firefighting personal protective equipment.*
11 *Nothing in this subparagraph shall refute that it remains the best practice for firefighting personal*
12 *protective equipment to be worn while operating in an environment that poses an immediate danger to life*
13 *or health.*

14 *VI. Beginning January 1, 2025, fire departments shall not provide as an option the purchasing of*
15 *firefighting station wear that contains intentionally added PFAS or non-polymeric fire-resistive chemicals,*
16 *and beginning July 1, 2025, fire departments shall not provide as an option the wearing of the same.*
17 *Manufacturers of firefighting station wear shall provide fire departments with safer alternatives should they*
18 *exist.*

336:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: August 02, 2024
Effective Date: October 01, 2024