

By Mr. Desrocher of Nantucket, petition of Arthur L. Desrocher and another that provision be made for the protection of firefighters while performing mutual aid functions. Public Service.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Seventy-Five.

AN ACT PROTECTING FIREFIGHTERS WHILE PERFORMING MUTUAL AID FUNCTIONS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 48 of the General Laws is hereby amended by striking  
2 out section 59A and inserting in place thereof the following  
3 section:—

4 *Section 59A.* Cities, towns and fire districts may, by ordinance  
5 or by-law, or by vote of the board of aldermen, selectmen or of  
6 the prudential committee or board exercising similar powers,  
7 authorize their respective fire departments to go to aid another  
8 city, town, fire district or area under federal jurisdiction in this  
9 commonwealth or in any adjoining state in extinguishing fires  
10 therein, and while in the performance of their duties in  
11 extending such aid the members of such departments shall have  
12 the same immunities and privileges as if performing the same  
13 within their respective cities, towns, or districts. Any such  
14 ordinance, by-law or vote may authorize the head of the fire  
15 department to extend such aid, subject to such conditions and  
16 restrictions as may be prescribed therein. The words "fire  
17 departments" as used in this section shall mean lawfully  
18 organized firefighting forces, however constituted.

19 During the course of rendering such aid to another  
20 municipality, the aiding municipality shall be responsible for  
21 damage to its own equipment, personal injury or the operation

22 of its equipment, and for any payments which it is required to  
 23 make to any member of its Fire Department or to his widow or  
 24 other dependents on account of injuries or death, notwithstan-  
 25 ding Section 7 (4) (b) of Chapter 32 of the General Laws. Unless  
 26 such municipalities have a written agreement to the contrary.