

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2016

Bill Number: S.239 Name of Bill: Public Safety; Tents

Agency/Dept: Public Safety Author of Bill Robert Sponable, Regional Manager
Review: _____

Date of Bill Review: 1-11-16 Related Bills and Key Players: _____

Status of Bill: (check one)

X Upon Introduction _____ As passed by 1st body _____ As passed by both bodies _____

Recommended Position:

_____ Support X Oppose _____ Remain Neutral _____ Support with modifications identified in # 8 below

Analysis of Bill

1. **Summary of bill and issue it addresses.** This Bill proposes to require a person who uses a tent for a public assembly to check the weather forecast no less than 24 hours prior to the event and again not less than 6 hours prior to use during an assembly event involving the temporary installation of a tent or membrane structure.
2. **Is there a need for this bill?** No, the Division of Fire Safety inspects and regulates the use of tents at public assembly events by requiring the submittal of a tent permit application prior to the event. The Division of Fire Safety enforces **NFPA 102, 2011 Edition (Grandstands, Folding and Telescopic Seating, Tents, and Membrane Structures)**. This standard does not provide provisions for weather monitoring. The Division of Fire Safety promulgates rules to address public safety issues and we can promulgate rules addressing adverse weather by requiring the tent rental company and or venue operator to develop an incident action plan or written policy on how to handle inclement weather events. We feel the tent rental companies should play a vital role in this process/discussion. We receive approximately 350 tent permit applications on an annual basis. Many tents are small and pose minimal risk to the motoring public but we do have large assembly crowds under tents at fairs, large weddings, concerts, trade shows, and other events. We should focus on those tents that pose a risk to the public.
3. **What are likely to be the fiscal and programmatic implications of this bill for this Department?** The programmatic and fiscal implications would be minimal.
4. **What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?** There does not appear to be any fiscal or programmatic implications for other state government departments.
5. **What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** This bill should have minimal fiscal or programmatic implications on the tent rental companies or venue operators. Technology today is readily available and accessible; smart phone aps, on-line weather monitoring, VTAlert system, etc. There are expectations that in severe weather

Please return this bill review as a Microsoft Word or PDF document to Jahala.Dudley@vermont.gov and Jessica Mishaan@vermont.gov

conditions the general public will be kept safe from possible tent collapse or lightning strikes. The larger tent rental companies have standard operating procedures in place including the evacuation of a tent if the winds exceed 40 mph. We also feel there is an educational element to this as well.

6. Other Stakeholders:

6.1 Who else is likely to support the proposal and why? The fire service, emergency medical response community, and our municipal inspection partners would support the concept of this Bill, as it would minimize the possibility of a mass casualty event in the wake of forecasted and/or warned severe weather should a large tent collapse.

6.2 Who else is likely to oppose the proposal and why? At this time, the Division of Fire Safety does not foresee any opposition to the intended justification for this Bill.

7. Rationale for recommendation: The Division of Fire Safety, through the rule making process, could engage in conversation with stakeholders to develop a meaningful and manageable approach to tent safety addressing severe weather events.

8. Specific modifications that would be needed to recommend support of this bill: N/A

9. Will this bill create a new board or commission AND/OR add or remove appointees to an existing one? If so, which one and how many? No

Secretary/Commissioner has reviewed this document



Date: 2/1/16