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**AB-589 Firefighters: personal protective equipment.** (2025-2026)

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AMENDED IN ASSEMBLY APRIL 21, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

**ASSEMBLY BILL**

**NO. 589**

Introduced by Assembly Member Gallagher

February 12, 2025

An act to amend Section 147.4 of the Labor Code, relating to employment.

**LEGISLATIVE COUNSEL'S DIGEST**

AB 589, as amended, Gallagher. Firefighters: personal protective equipment.

The California Occupational Safety and Health Act of 1973 provides the Division of Occupational Safety and Health within the Department of Industrial Relations with the power, jurisdiction, and supervision over all employment and places of employment necessary to enforce and administer all occupational health and safety laws and to protect employees. The act grants to the Occupational Safety and Health Standards Board, an independent entity within the department, exclusive authority to adopt occupational safety and health standards within the state.

Beginning July 1, 2018, and every 5 years thereafter, the act requires the board, in consultation with the department, to complete a comprehensive review of all revisions to National Fire Protection Association standards pertaining to certain personal protective equipment and requires the board to consider modifying existing safety orders and to render a decision regarding the adoption of necessary changes to safety orders, or other applicable standards and regulations, no later than July 1 of the subsequent year, if the review finds that the revisions to applicable National Fire Protection Association standards provide a greater degree of personal protection than the safety orders.

This bill would prohibit the board from adopting a safety order or regulation that requires the personal protective equipment described above *and used exclusively by certain fire districts* to be replaced more frequently than once every 15-~~years~~ years unless the board finds the personal protective equipment is unsafe due to wear and tear, poses an immediate safety hazard, or contains perfluoroalkyl and polyfluoroalkyl substances or any other currently known hazardous material.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Section 147.4 of the Labor Code is amended to read:

**147.4.** (a) By January 1, 2016, the department shall convene an advisory committee to evaluate whether changes are needed to align the general industry safety orders in Sections 3403 to 3411, inclusive, of Article 10.1 (commencing with Section 3401) of Group 2 of Subchapter 7 of Chapter 4 of Article 8 of Division 1 of Title 8 of the California Code of Regulations with the applicable and most recently promulgated standards of the National Fire Protection Association. The committee shall be composed of parties in both management and labor, represent a cross section of the fire protection industry and community, and be competent and knowledgeable regarding personal protective clothing and equipment for firefighters and firefighting practices generally.

(b) By July 1, 2016, the advisory committee shall present its findings and recommendations for consideration by the board. No later than July 1, 2017, the board shall render a decision regarding the adoption of changes to the general industry safety orders in Sections 3403 to 3411, inclusive, of Article 10.1 (commencing with Section 3401) of Group 2 of Subchapter 7 of Chapter 4 of Article 8 of Division 1 of Title 8 of the California Code of Regulations, or other applicable standards and regulations, in order to maintain alignment with the applicable National Fire Protection Association standards.

(c) (1) Subject to paragraph (2), beginning, July 1, 2018, and every five years thereafter, the board, in consultation with the department, shall complete a comprehensive review of all revisions to National Fire Protection Association standards pertaining to personal protective equipment covered by the general industry safety orders in Sections 3403 to 3411, inclusive, of Article 10.1 (commencing with Section 3401) of Group 2 of Subchapter 7 of Chapter 4 of Article 8 of Division 1 of Title 8 of the California Code of Regulations. If the review finds that the revisions to applicable National Fire Protection Association standards provide a greater degree of personal protection than the safety orders, the board shall consider modifying existing safety orders and shall render a decision regarding the adoption of necessary changes to safety orders, or other applicable standards and regulations, no later than July 1 of the subsequent year, in order to maintain alignment of the safety orders with the applicable National Fire Protection Association standards.

(2) (A) The board shall not adopt a safety order or regulation that requires the personal protective equipment described in paragraph (1) to be replaced more frequently than once every 15 ~~years~~. *years unless the board finds any of the following to be true:*

*(i) The personal protective equipment is unsafe due to wear and tear.*

*(ii) The personal protective equipment poses an immediate safety hazard.*

*(iii) The personal protective equipment contains perfluoroalkyl and polyfluoroalkyl substances or any other currently known hazardous material.*

*(B) Subparagraph (A) shall apply only to personal protective equipment used exclusively by any of the following:*

*(i) A fire district that serves a population that is less than 40,000.*

*(ii) A fire district in which the majority of firefighters are volunteers.*

*(iii) A fire district that has an annual budget that is not greater than two hundred thousand dollars (\$200,000).*