

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 854*

Short Title: Establish Urban Search & Rescue Program. (Public)

Sponsors: Senators Meredith (Primary Sponsor); Bingham, Brock, D. Davis, Hise, and Van Duyn.

Referred to: Judiciary II.

May 28, 2014

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH THE URBAN SEARCH AND RESCUE PROGRAM AND TO
3 ESTABLISH THE URBAN SEARCH AND RESCUE TEAM ADVISORY
4 COMMITTEE.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 166A-19.12 reads as rewritten:

7 "§ 166A-19.12. Powers of the Division of Emergency Management.

8 The Division of Emergency Management shall have the following powers and duties as
9 delegated by the Governor and Secretary of Public Safety:

10 ...

11 (21) Maintenance of an effective Statewide urban search and rescue program."

12 SECTION 2. Chapter 166A of the General Statutes is amended by adding a new
13 Article to read:

14 "Article 6.

15 "Urban Search and Rescue.

16 "§ 166A-65. Definitions.

17 The following definitions apply in this Article:

18 (1) Urban search and rescue team. – A specialized team or group of teams,
19 organized with capabilities equivalent to urban search and rescue teams
20 established under the Federal Emergency Management Agency in order to
21 assist in the removal of trapped victims during emergencies, including, but
22 not limited to, collapsed structures, trench excavations, elevated locations,
23 and in other technical rescue situations.

24 (2) Specialty rescue team. – A specialized response team, organized to provide
25 technical rescue assistance to first responders. The term includes, but is not
26 limited to, a canine search and rescue or disaster response team, a cave
27 search and rescue team, a collapse search and rescue team, a mine and tunnel
28 search and rescue team, and a swift water or flood search and rescue team. A
29 specialty rescue team shall be aligned with one or more of the search and
30 rescue categories within the Federal Emergency Management Agency's
31 national resource typing system.

32 (3) Incident support team. – A team of trained emergency response personnel,
33 organized to provide coordination between governmental agencies and
34 nongovernmental organizations as well as technical and logistical support to
35 urban search and rescue teams and specialty rescue teams.



1 (4) Contract response team. – An urban search and rescue team, specialty rescue
2 team, or incident support team.

3 (5) Secretary. – The Secretary of the Department of Public Safety.

4 **"§ 166A-66. Urban Search and Rescue Program.**

5 (a) The Secretary shall adopt rules establishing a program for urban search and rescue
6 that relies on contracts with contract response teams. The program shall be administered by the
7 Division of Emergency Management. To the extent possible, the program shall be coordinated
8 with other emergency planning activities of the State. The program shall include contract
9 response teams located strategically across the State that are available to provide 24-hour
10 dispatch from the Division of Emergency Management Operations Center. The rules for the
11 program shall include:

12 (1) Standards, including training, equipment, and personnel standards required
13 to operate a contract response team.

14 (2) Guidelines for the dispatch of a contract response team to an urban search
15 and rescue team or specialty rescue team mission.

16 (3) Guidelines for the on-site operations of a contract response team.

17 (4) Standards for administration of a contract response team, including
18 procedures for reimbursement of response costs.

19 (5) Refresher and specialist training for members of contract response teams.

20 (6) Procedures for recovering the costs of an urban search and rescue team or
21 specialty rescue team mission.

22 (7) Procedures for bidding and contracting for urban search and rescue team and
23 specialty rescue team missions.

24 (8) Criteria for evaluating bids for urban search and rescue team and specialty
25 rescue team missions.

26 (9) Delineation of the roles of the contract response team, local public safety
27 personnel, the Division of Emergency Management's area coordinator, and
28 other State agency personnel participating in an urban search and rescue
29 team or specialty rescue team mission.

30 (10) Procedures for the Division of Emergency Management to audit the contract
31 response teams to ensure compliance with State and federal guidelines.

32 (b) Within available appropriations, the Division of Emergency Management shall
33 spend the necessary funds for training, equipment, and other items necessary to support the
34 operations of contract response teams. The Division of Emergency Management may also
35 administer any grants of other funds made available for contract response teams, in accordance
36 with applicable rules and regulations approved by the Director of the State Budget.

37 (c) In developing the Urban Search and Rescue Program and adopting the rules
38 required by this section, the Secretary shall consult with the Urban Search and Rescue Team
39 Advisory Committee established pursuant to G.S. 166A-69.

40 **"§ 166A-67. Contracts; equipment loans.**

41 (a) The Secretary may contract with any unit or units of local government for the
42 provision of a contract response team to implement the Urban Search and Rescue Program.
43 Contracts are to be let consistent with the bidding and contract standards and procedures
44 adopted pursuant to G.S. 166A-66(a)(7) and G.S. 166A-66(a)(8). In entering into contracts with
45 units of local government, the Secretary may agree to provide any of the following:

46 (1) A loan of equipment.

47 (2) Reimbursement of personnel costs, including the cost of callback personnel,
48 when a contract response team is authorized by the Department to respond to
49 urban search and rescue team and specialty rescue team missions.

50 (3) Reimbursement for use of equipment and vehicles owned by the contract
51 response team.

1 (4) Replacement of disposable materials and damaged equipment.

2 (5) Training expenses.

3 (6) Anything else agreed to by the Secretary and the contract response team.

4 (b) The Secretary shall not agree to provide reimbursement for standby time.

5 (c) Any contract entered into between the Secretary and a unit of local government for
6 the provision of a contract response team shall specify that the members of the contract
7 response team, when performing under the contract, shall not be employees of the State and
8 shall not be entitled to benefits under the Teachers' and State Employees' Retirement System or
9 for the payment by the State of federal Social Security, employment insurance, or workers'
10 compensation.

11 (d) Contract response teams that have the use of a State vehicle may use the vehicle for
12 local purposes. Where a State vehicle is used for purposes other than authorized contract
13 response to an urban search and rescue team and specialty rescue team mission, the contract
14 response team shall be liable for repairs or replacements directly attributable to that use.

15 **"§ 166A-68. Immunity of contract response team personnel.**

16 Members of a contract response team shall be protected from liability under the provisions
17 of G.S. 166A-19.60(a) while on an urban search and rescue team or specialty rescue team
18 mission pursuant to authorization from the Division of Emergency Management.

19 **"§ 166A-69. Urban Search and Rescue Team Advisory Committee.**

20 (a) The Urban Search and Rescue Team Advisory Committee is created. The Secretary
21 shall appoint the members of the Committee and shall designate the Director or Deputy
22 Director of the North Carolina Division of Emergency Management as the chair. In making
23 appointments, the Secretary shall take into consideration the expertise of the appointees in the
24 management of urban search and rescue or specialty response team missions. The Secretary
25 shall appoint one representative from each of the following:

26 (1) The Division of North Carolina Emergency Management, who shall be the
27 Director or Deputy Director of the North Carolina Division of Emergency
28 Management and who shall serve as the chair.

29 (2) Each state USAR regional contract response team's Chief or Deputy Chief.

30 (3) The North Carolina Office of State Fire Marshal.

31 (4) The North Carolina Highway Patrol.

32 (5) The North Carolina National Guard.

33 (6) The North Carolina Association of Rescue and E.M.S., Inc.

34 (7) The North Carolina Association of Fire Chiefs.

35 (8) The North Carolina State Firemen's Association.

36 (9) The North Carolina Emergency Management Association.

37 (b) The Advisory Committee shall meet on the call of the chair, or at the request of the
38 Secretary, provided that the Committee shall meet no less than once every year. The
39 Department of Public Safety shall provide space for the Advisory Committee to meet. The
40 Department shall also provide the Advisory Committee with necessary support staff and
41 supplies to enable the Committee to carry out its duties in an effective manner.

42 (c) Members of the Advisory Committee shall serve without pay, but shall receive
43 travel allowance, lodging, subsistence, and per diem as provided by G.S. 138-5.

44 (d) The Contract Response Team Advisory Committee shall advise the Secretary on the
45 establishment of the Urban Search and Rescue Program. The Committee shall also evaluate and
46 advise the Secretary of the need for additional contract response teams to serve the State."

47 **SECTION 3.** There is appropriated from the General Fund to the Department of
48 Public Safety the sum of one hundred thousand dollars (\$100,000) in recurring funds for the
49 2014-2015 fiscal year for the Urban Search and Rescue Program created by Section 1 of this
50 act.

1 **SECTION 4.** Section 2 of this act becomes effective July 1, 2014. The remainder
2 of this act is effective when it becomes law.