



# A LEGAL REFERENCE GUIDE FOR CALL and VOLUNTEER FIREFIGHTERS & EMTs IN MASSACHUSETTS



Published by the Massachusetts Call/Volunteer Firefighters' Association, Inc. (MCVFA)  
and provided for the benefit of its members.

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# *A Legal Reference Guide for Call/Volunteer Firefighters & EMTs in Massachusetts*

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## Introduction

This book is being provided to Massachusetts call, volunteer and combination fire departments and firefighters and EMTs as a membership benefit of the Massachusetts Call/Volunteer Firefighters' Association, Inc. (MCVFA). It is intended as a guide to help firefighters and EMTs identify and understand the laws and regulations the Commonwealth of Massachusetts that affect them or affect the way that they provide emergency services. This book is not a substitute for obtaining the assistance of a Massachusetts attorney, nor is it designed to substitute for the legal opinions of town counsel. In all situations where a firefighter, EMT or a fire department believes that it needs legal advice, assistance or representation, the MCVFA advises that they seek out a qualified attorney.

This book is divided into multiple sections. Each section deals with one area of law, regulation, benefits or responsibilities. The MCVFA has briefly summarized a topic of each section and then included copies of any relevant documents. Copies of the referenced General Laws are included in an appendix at the end of the book. Where appropriate we have also included some legal citations to the relevant statute, regulation or court case. Watch out for misleading titles of laws. Many of the General Laws in Acts of Massachusetts have titles that don't tell you much about the real contents of the law. You need to read the whole law before you can start to understand it.

It is hoped that by providing this information, the MCVFA can provide its members with a clearer picture of the benefits provided them in the event of injury or death in a line of duty, as well as their responsibilities and benefits under a long list of other laws and regulations. The MCVFA also hopes that this information can end many myths and misconceptions that abound on such topics as the Wellness Act, red light permits and sirens, disability coverage and the power of fire chiefs. The MCVFA hopes that this information empowers the call and volunteer firefighters and EMTs of Massachusetts to a greater degree than they currently enjoy. It is hoped that such knowledge will bring a greater degree of professionalism to the call and volunteer fire and emergency services of Massachusetts.

This book does not include all civil service law, fire district law or the archaic sections of **MGL Chapter 48**, but rather attempts to summarize most sections of the General Law concerning the fire and EMS service. The aforementioned topics are fairly complex, antiquated or relevant to only a small number of call and volunteer fire departments. You should note while the **MGL Chapter 48** is generally thought of as the book of fire service laws, there is much more in other parts of the law. You need to look far beyond its historically interesting, but archaic, sections on firewards, engine men, hose men, engineers, life nets and so on. We do include sections of the General Laws that define certain words or phrases to help you understand most of the laws that may affect you. In order to assist you further, we suggest using this link <https://malegislature.gov/>.

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# *MCVFA Legal Guidebook 2024*

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## *LEGAL DISCLAIMER*

This book should not be used as legal advice. It is to provide members of the call/volunteer fire and EMS community in Massachusetts with general guidance and thoughts on the many and complex legal issues that impact their service and operations. The guide is to help you spot issues and point you and legal counsel towards the information you need to make informed choices.

The book is also intended to help you spot common issues and traps for the unwary so that it might avoid making errors and incurring unnecessary legal problems.

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