



Junior Firefighters Riding in Fire Trucks, Ambulances, and Other Official Fire Vehicles

In 2012, the General Assembly enacted the Child Labor Act (CLA), setting new standards for minors serving in volunteer emergency service organizations. 43 P.S. § 40.7. The CLA allows minors 14 years of age or older who are members of a volunteer emergency service organization to participate in emergency service activities except for those expressly prohibited including “[o]perating a truck, ambulance or other official vehicle.” Minors who are ages 14–15 may not, however, participate in any firefighting activities.

The General Assembly also imposed further restrictions for minors under the age of 16, but permits them to engage in training, first aid, post–fire clean up, and service of food and beverages. 43 P.S. § 40.7(b)

INTERPRETATION

The plain language of the CLA allows minors over the age of 14 serving in volunteer emergency service organizations to participate in emergency service activities so long as those activities are not expressly prohibited.

Therefore, the Department interprets Section 7 of the CLA to permit minors age 14 or older who serve in a volunteer emergency service organization to ride in fire trucks, ambulances, or other official fire vehicles so long as certain enumerated safety requirements are met.

Based on this interpretation, the Department no longer enforces 34 Pa. Code § 11.67(a)(5), which was enacted before the CLA and which had previously prohibited 14– and 15–year–olds from riding in such vehicles.

The CLA’s prohibition against minors working in occupations deemed hazardous by the Department or the United States Department of Labor (USDOL) applies to minors serving in volunteer emergency service organizations. 43 P.S. § 40.7(d)(1); 43 P.S. § 40.4.



USDOL has established that occupations that require riding inside a vehicle can be prohibited as hazardous for 14- and 15-year-old minors except when certain safety measures are implemented. 29 C.F.R. § 570.33(f); 29 C.F.R. § 570.34(o). Accordingly, the Department applies the same requirements as USDOL for such minors when riding in firetrucks, ambulances, and other official fire vehicles. **14- and 15-year old minors are only permitted to ride inside such vehicles if:**

- 1) The minors do not operate the vehicle;
- 2) The minors are not serving as a helper on the vehicle;
- 3) A significant reason for being a passenger is not to perform work in connection with transporting persons or property;
- 4) Each minor has his or her own seat, equipped with a seat belt or similar restraining device, and the employer must instruct each minor to use such seat belt or restraining device;
- 5) The driver of the vehicle must hold a valid state driver's license valid for the type of driving involved.

¹ Minors may not operate a truck, ambulance or other official fire vehicle; operate an aerial ladder, aerial platform or hydraulic jack; use rubber electrical gloves, insulated wire gloves, insulated wire cutters, life nets or acetylene cutting units; operate the pump of a fire vehicle while at the scene of a fire; or enter a burning structure, except when engaged in a training session and when the minor is 17 years old, has permission from a fire chief and a parent or guardian, and is under supervision of a credentialed Pennsylvania State Fire Academy instructor. 43 P.S. § 40.7(a).

² A helper is defined by the Department, as by USDOL, as someone who assists in the operation of a motor vehicle that transports people or property, including by loading or unloading of the vehicle, shifting property around the vehicle, or assisting the driver of the vehicle.

However, applicable regulations allows minors to load or unload light, personal non-powered hand tools, personal protective equipment, and other personal items necessary for their employment. 29 C.F.R. § 570.34(k).