

Questions Pertaining to New FDNY Rule: Fire Safety at Production Locations; Production Location Fire Safety Manager Certificate of Fitness; and Production Location Fire Safety Manager Training Courses

1. When does the FDNY expect this rule to go into effect and to be enforced?
2. Does FDNY anticipate there will be third-party vendors who will provide training services as well as provide FSM services like the DOB site safety manager role for construction? And if so, who will vet their credentials?
3. Can a studio or production company train their own personnel to meet the qualifications of an FSM as long as the curriculum is approved by the FDNY?
4. The proposed rule states that the FSM will be required to be on location “at all times,” can you please elaborate what “at all times” means?
5. The proposed rule states: “The fire safety manager must be present at the production location at all times when activity related to the shooting or rigging permit is being conducted, except that another individual holding a certificate of fitness for such purpose may assume the duties and responsibilities of the fire safety manager if the designated fire safety manager is absent” Can you elaborate what FDNY anticipates regarding “another holding a CoF” means?
6. The proposed rule stipulates that all persons present on a production location, including production cast and crew, contractors, subcontractors and their employees, must cooperate with, and comply with the directions of, the fire safety manager in authorizing, supervising and/or monitoring materials, operations and facilities regulated by the Fire Code, or otherwise carrying out the duties and responsibilities of a fire safety manager. Is FDNY allowing and requiring the Production FSM to have complete stop work authority on a filming location?
7. Within the “Supervision of Multiple Production Locations” section of the rule, it states a person can be designated under the general supervision of the fire safety manager, and that each production location is being personally supervised by a trained and knowledgeable person designated by the fire safety manager, and each such individual is equipped with the communications devices. Will FDNY assist in establishing what those basic training requirements are for the FSM to qualify someone?
8. This question pertains to the cessation of filming activity. The rule states that “when an unsafe condition detrimental to fire safety arises at a production location, activity associated with shooting or rigging must cease at such location until the unsafe condition is corrected, or until the condition is otherwise mitigated by means acceptable to the Department if the condition cannot be corrected in a timely manner.” Is the term “detrimental” determined by the FSM and will they be required to notify the “department” if they deem not in a timely manner? Can you provide some examples when FDNY would like to be notified?
9. Please elaborate on what the Department means when it states “incidents” must be reported?
10. Who will determine when more than one FSM will be required to be on a site location?