

TEXAS COMMISSION ON FIRE PROTECTION
July 12, 2018, 9:00 a.m.
1701 N. Congress Ave., William B. Travis Building, Room 1-104, Austin, Texas

- 1. Call to order with Invocation, presentation of colors, and Pledge of Allegiance.**
- 2. Roll call – 9:00 a.m. (including consideration of whether to excuse absences).**
- 3. Adoption of the commission meeting minutes of April 25, 2018 and April 26, 2018.**
- 4. The Budget and Strategic Plan subcommittee may meet on July 12, 2018 during the commission meeting and provide a report for discussion and possible action relating to any recommendations developed by the subcommittee, including but not limited to, modifications to the agency operating budget and strategic plan.**
- 5. Reports from fire service interest groups and agencies on matters relating to organizational purposes, functions, and objectives, including, but not limited to, the Texas Fire Chiefs Association, the Texas State Association of Fire Fighters, the State Firemen’s and Fire Marshals’ Association of Texas, the Texas Fire Marshal’s Association, the Texas Association of Fire Educators, the Texas A&M Forest Service, the National Fire Protection Association, Texas State Association of Fire and Emergency Districts, the Center for Public Safety Excellence, and the State Fire Marshal’s Office.**
- 6. Discussion and possible action concerning reports by the commission representative to the Texas Fire School Advisory Board and by representatives of the Texas Engineering Extension Service (TEEX) regarding fire protection training provided by TEEX through its Emergency Services Training Institute (ESTI).**
- 7. Discussion and possible action regarding report from commission representative to the Homeland Security Council.**
- 8. New matters from the commission, staff, or public which may be discussed in future commission meetings.**
- 9. Discussion and possible action on future meeting dates.**
- 10. Matters referred from the Fire Fighter Advisory Committee (FFAC), including, but not limited to:**
 - A. Discussion and possible final adoption of proposed amendments, new sections, and repeals as follows:**
 - 1. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 433, Driver/Operator.**
 - 2. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 435, Fire Fighter Safety.**
 - 3. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 439, Examinations for Certifications.**
 - B. Report from the Curriculum and Testing Committee with discussion and possible action on recommendations regarding possible changes to the Certification Curriculum Manual as follows:**
 - a. Overview, course instructor information sheet, curriculum outline and reference list for new Fire and Life Safety Educator II.**

b. Updates to overview, course instructor information sheet, curriculum outline and reference list for Fire and Life Safety Educator I.

11. Discussion and possible action on the 2017 data collected regarding fire fighter injuries, and the development of recommendations to be submitted to the State Fire Marshal's Office for inclusion in its annual report.
12. Discussion and possible action on request from Chief Danny Kistner regarding the appointment of an ad hoc committee on Health and Wellness.
13. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 421, Standards for Certification.
14. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 429, Minimum Standards for Fire Inspector Certification.
15. Discussion and possible action on the petition for rulemaking filed by the International Code Council requesting changes to 37 TAC, Chapter 429, Minimum Standards for Fire Inspector Certification. Possible actions the Commission may take include but are not limited to denying the petition for rulemaking or initiating a rulemaking proceeding concerning 37 TAC, Chapter 429.
16. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 449, Head of a Fire Department.
17. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 455, Minimum Standards for Wildland Fire Protection Certification.
18. Discussion and possible action on matters from the Executive Director.
 - A. Decisions of the Executive Director in contested cases and consent orders.
 - B. Status of division functions.
19. Executive session pursuant to Texas Government Code, Section 551.074(1), for the discussion of personnel matters regarding the appointment, employment, compensation, evaluation, reassignment, duties, discipline, or dismissal of the Executive Director, and the appointment, employment, reassignment, or duties of personnel acting on an interim basis in this position.
20. Open session for further discussion and possible action regarding preceding agenda item.
21. Adjourn meeting.

Any invocation that may be offered before the official start of the commission meeting shall be voluntary offering of a chaplain, to and for the benefit of the commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the commission and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to participate actively in the business of the commission. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the commission Clerk.

The Texas Commission on Fire Protection may go into executive session on any agenda item if authorized by the Open Meetings Act, Texas Government Code Chapter 551.

1. **Call to order with Invocation, Presentation of colors and Pledge of Allegiance.**

2. Roll call - 9:00 a.m. (including consideration of whether to excuse absences).

3. **Adoption of the commission meeting minutes of April 25, 2018 and April 26, 2018.**

TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, Robert Moore, at 1:00 p.m. called the April 25, 2018 Commission Workshop to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

Commissioners	Tommy Anderson	Carlos Cortez	Kelly Doster	Joseph Gonzalez	Mike Jones
	John McMakin	Robert Moore	Bob Morgan	Leonardo Perez	Mala Sharma
	J P Steelman	Steve Tull	Tivy Whitlock*		

*absent entire meeting
**absent part of meeting

Staff Present Tim Rutland Deborah Cowan

1. **Roll call.** Robert Moore, Presiding Officer called roll and a quorum was present.

2. **Interviews of finalists for fire fighter advisory committee membership, pursuant to Government Code, Chapter 419, Section 419.023.**
Interviews were conducted with 4 of the 5 finalists. The fifth finalist cancelled. No action was taken.

3. **Adjourn meeting.**
The meeting was adjourned at 4:15 p.m.

Robert Moore, Presiding Officer

TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, Robert Moore, at 9:00 a.m. called the April 26, 2018 meeting of the Texas Commission on Fire Protection to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

Attending	Tommy Anderson	Carlos Cortez	Kelly Doster	Joseph Gonzalez	Mike Jones
	John McMakin	Robert Moore	Bob Morgan	Leonardo Perez	Mala Sharma
	J. P. Steelman	Steve Tull	Tivy Whitlock*		

*absent entire meeting
**absent part of meeting

Staff	Tim Rutland	Deborah Cowan	Sylvia Miller	Paul Maldonado	Joyce Guinn
	Servando Sanchez	Grace Wilson	David Gordon,	Assistant Attorney General	

Guests	Nick Hickson	Ronnie Davis	Lesa Davis	Chris Connealy	Tanya Childs
	Jimmy Mullis	Anthony Jimenez	Brent Parker	Mike Wisko	Vince Abrigo
	Marty Lancton	Glenn Deshields	David Parker	Patrick Dockery	Andre Jordan
	Chris Thompson	Darrell Dover	Leonard Chan	Daniel Tyler	Daniel DeYear
	John Overstreet	Scott Collard	Thayer Smith	Lauren Johnson	Thomas McMonigle
	John Alvarez	Trent Herrod	Doug Boeker	Anita Greenberg	Aaron Woolverton

1. Invocation
Presentation of Colors and Pledge of Allegiance
The invocation was given by Anthony Jimenez, District 7 Fire Rescue, San Antonio, the presentation of colors was performed by the Odessa Fire Department and Assistant Presiding Officer Joseph Gonzalez led the Pledge of Allegiance.

2. Roll call
Commission Secretary, Lenny Perez called roll and a quorum was present.

3. Adoption of Minutes
A motion to approve the minutes of January 24, 2018 and January 25, 2018 commission meeting was made by Steve Tull and seconded by Mike Jones. The motion carried.

4. Appointment of members to the Budget and Strategic Plan Subcommittees
After discussion, a motion was made by John McMakin and seconded by Bob Morgan to combine the two separate subcommittees into one subcommittee. The motion carried. Presiding Officer, Robert Moore appointed Commissioners Steve Tull, Lenny Perez, Kelly Doster, Mala Sharma and J. P. Steelman to the subcommittee. Commissioner Steve Tull was appointed Chairman.

5. Reports from Interest Groups
A brief report was given by the Texas Fire Chief's Association, Texas State Association of Fire Fighters, State Fire Marshal's Office, Texas Association of Fire Educators, Texas A&M Forest Service and the Center for Public Safety Excellence.

6. Report from School Advisory Board & TEEEX
Commission Representative Juan Gloria was unavailable; Presiding Officer Robert Moore gave Fire a brief update on activities of the committee.

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7. Report from Homeland Security Representative
Commission Representative, Joseph Gonzalez gave a brief overview on the makeup of the council and items discussed from the January 31, 2018 meeting.
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8. New matters
37 TAC, Chapter 421, Standards For Certification, 37 TAC, Chapter 429, Fire Inspector NFPA 1006-Technical Rescue (review)
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9. Future meeting dates
The commission had previously set the following dates for its quarterly meetings:
July 11, 2018 (Workshop); July 12, 2018 Commission meeting
October 25, 2018 Commission meeting
-
10. Appointment of member to the the fire fighter advisory committee
A motion was made by Steve Tull and seconded by Lenny Perez to appoint Daniel Anderson to the fire fighter advisory committee and the remaining four finalists be put on an eligibility list effective until midnight December 31, 2018. Should another vacancy occur prior to that date, commissioners will choose one of the individuals from the list. After that date, a new application process will be needed for any further vacancies on the committee. The motion carried.
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11. Matters from Fire Fighter Advisory Committee
- A. 1. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 427, §§427.1, 427.3, 427.5, 427.7, 427.9, 427.11, 427.18, 427.19, 427.201, 427.209, 427.301, 427.303, 427.305, 427.307, 427.401, 427.403, 427.405, 427.407, 427.409, and 427.11 as discussed was made by Joseph Gonzalez and seconded by J. P. Steelman. The motion carried.
 - 2. A motion to approve for final adoption proposed amendment to 37 TAC, Chapter 433, new §433.207 as discussed was made by Steve Tull and seconded by Lenny Perez. The motion carried.
 - 3. A motion to approve for final adoption proposed amendment to 37 TAC, Chapter 453, new §453.207 as discussed was made by Kelly Doster and seconded by J. P. Steelman. The motion carried.
 - 4. A motion to approve for final adoption proposed amendment to 37 TAC, Chapter 457, new §457.7 as discussed was made by Steve Tull and seconded by Mike Jones. The motion carried.
 - 5. A motion to approve for final adoption proposed amendment to 37 TAC, Chapter 437, §437.13 as discussed was made by Lenny Perez and seconded by J. P. Steelman. The motion carried.
 - B. A motion to approve the revised reference list for Hazardous Materials Incident Commander Curriculum and Hazardous Materials Technician Curriculum to be effective immediately was made by Tommy Anderson and seconded by J. P. Steelman. The motion carried.
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12. 37 TAC, Chapter 433 Driver/Operator
A motion was made by Steve Tull and seconded by Joseph Gonzalez to approve for publication amendments to 37 TAC, Chapter 433, §433.201 as discussed. The motion carried.

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13. 37 TAC, Chapter 435 Fire Fighter Safety A motion was made by Tommy Anderson and seconded by Steve Tull to approve for publication 37 TAC, Chapter 435, §435.1 as discussed. The motion carried.
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14. 37 TAC, Chapter 439 Examinations for Certification A motion was made by Steve Tull and seconded by Lenny Perez to approve for publication 37 TAC, Chapter 439, §439.7, 439.9, and 439.11 as discussed. The motion carried.
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15. Higher Levels of Certification A motion was made by Tommy Anderson and seconded by Mike Jones to approve the additional classes/courses to the A & B List as discussed. The motion carried (11 for, 1 against 1 absent)
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16. Request from Chief Danny Kistner Chief Kistner was unable to attend meeting and asked that this item be placed on the next scheduled commission meeting in July 2018.

A motion was made by Kelly Doster and seconded by Steve Tull to table this item until the July 2018 commission meeting. The motion carried.
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17. Matters from Executive Director a. Tim Rutland, Executive Director reported no informal conferences had occurred since the last commission meeting.

b. Mr. Rutland provided commissioners information regarding agency division functions. He also informed commissioners the agency plans to launch on-line testing for a few of its disciplines on May 1, 2018.
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18. Executive Session 551.074(1) Presiding Officer, Robert Moore called for Executive Session at 10:59 a.m.
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19. Open Session Presiding Officer, Robert Moore called for Open Session at 11:19 a.m.

A motion was made by Joseph Gonzalez and seconded by Kelly Doster to increase the salary of the Executive Director by five percent (5%) effective immediately in this biennium. The motion carried.
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20. Adjournment A motion to adjourn was made by Kelly Doster and seconded by J. P. Steelman. The motion carried.

Robert Moore, Presiding Officer

- 4. The Budget and Strategic Plan subcommittee may meet on July 12, 2018 during the commission meeting and provide a report for discussion and possible action relating to any recommendations developed by the subcommittee, including but not limited to, modifications to the agency operating budget and strategic plan.**

Texas Commission on Fire Protection
Fiscal Year 2018 - Operating Budget
3rd Quarter FY2018

Summary

Goals:	FY18	FY18	Balance	Remaining
	Budget	Expended		
Education, Information and Assistance	128,721.24	70,362.10	58,359.14	
Fire Department Standards	990,357.00	596,779.75	393,577.25	
Indirect Administration	585,156.96	538,274.87	46,882.09	
1001 - Salaries & Wages:	1,704,235.20	1,205,416.72	498,818.48	29%
Education, Information and Assistance	960.00	500.00	460.00	
Fire Department Standards	19,640.00	29,212.91	(9,572.91)	
Indirect Administration	11,910.44	28,580.02	(16,669.58)	
1002 - Other Personnel Costs	32,510.44	58,292.93	(25,782.49)	-79%
Education, Information and Assistance	93.27	75.62	17.65	
Fire Department Standards	1,308.89	642.82	666.07	
Indirect Administration	4,739.12	4,261.76	477.36	
2001 - Professional Fees and Services:	6,141.28	4,980.20	1,161.08	19%
Education, Information and Assistance	519.15	383.35	135.80	
Fire Department Standards	5,648.85	5,636.52	12.33	
Indirect Administration	3,114.69	1,504.51	1,610.18	
2003 - Consumable Supplies:	9,282.69	7,524.38	1,758.31	19%
Education, Information and Assistance	6.45	0.00	6.45	
Fire Department Standards	9,054.84	3,491.01	5,563.83	
Indirect Administration	38.71	0.00	38.71	
2004 - Utilities:	9,100.00	3,491.01	5,608.99	62%
Education, Information and Assistance	991.79	357.13	634.66	
Fire Department Standards	63,385.40	51,032.46	12,352.94	
Indirect Administration	19,015.04	11,792.90	7,222.14	
2005 - Travel:	83,392.23	63,182.49	20,209.74	24%
Education, Information and Assistance	10.00	8.24	1.76	
Fire Department Standards	70.00	70.32	(0.32)	
Indirect Administration	300.00	289.60	10.40	
2006 - Rent - Building (storage):	380.00	368.16	11.84	3%
Education, Information and Assistance	1,060.64	180.74	879.90	
Fire Department Standards	7,915.44	1,536.32	6,379.12	
Indirect Administration	5,363.84	1,084.48	4,279.36	
2007 - Rent - Machine and Other:	14,339.92	2,801.54	11,538.38	80%
Education, Information and Assistance	8,100.46	2,385.95	5,714.51	
Fire Department Standards	47,821.58	28,058.12	19,763.46	
Indirect Administration	27,848.20	15,642.97	12,205.23	
2009 - Other Operating Expense:	83,770.24	46,087.04	37,683.20	45%
Education, Information and Assistance	0.00	0.00	0.00	
Fire Department Standards	23,075.64	20,598.86	2,476.78	
Indirect Administration	0.00	0.00	0.00	
4000 - Grants:	23,075.64	20,598.86	2,476.78	11%
TOTAL - ALL EXPENDITURES		1,412,743.33		
APPROVED APPROPRIATION	1,973,586.84		553,484.34	28%

Texas Commission on Fire Protection
Fiscal Year 2018 - Operating Budget
3rd Quarter FY2018

3008 PCA

4001

Goal A: Education, Info and Assistance

	<u>Library</u>	<u>Total</u>	<u>% Remaining</u>
7001- Salaries			
7002- Salaries	70,362.10	70,362.10	
	Budget:	128,721.24	128,721.24
	Expended:	70,362.10	70,362.10
1001 - Balance Salaries & Wages:	58,359.14	58,359.14	45%
Other Personnel Costs:			
7022- Longevity Pay	500.00	500.00	
	Budget:	960.00	960.00
	Expended:	500.00	500.00
1002 - Balance Other Personnel Costs	460.00	460.00	48%
Professional Fees and Services:			
7253- Other Professional Fees (EAP)	75.62	75.62	
	Budget:	93.27	93.27
	Expended:	75.62	75.62
2001 - Balance Professional Fees and Services:	17.65	17.65	19%
7300- Consumables	383.35	383.35	
	Budget:	519.15	519.15
	Expended:	383.35	383.35
2003 - Balance Consumable Supplies:	135.80	135.80	26%
Utilities:			
	Budget:	6.45	6.45
	Expended:	0.00	0.00
2004 - Balance Utilities:	6.45	6.45	100%
Travel:			
7105- Travel I/S - Incidental Expenses	37.78	37.78	
7106- Travel I/S - Meals & Lodging	303.38	303.38	
7107- Travel I/S - Non-Overnight Travel (Meals)	15.97	15.97	
	Budget:	991.79	991.79
	Expended:	357.13	357.13
2005 - Balance Travel:	634.66	634.66	64%
Rent:			
7470- Rent Space - storage	8.24	8.24	
	Budget:	10.00	10.00
	Expended:	8.24	8.24
2006 - Balance Rent - Building (storage):	1.76	1.76	18%
Rent - Machine and Other:			
7406- Rental - Furnishings & Equipment (copier)	180.74	180.74	
	Budget:	1,060.64	1,060.64
	Expended:	180.74	180.74
2007 - Balance Rent - Machine and Other:	879.90	879.90	83%

Texas Commission on Fire Protection
Fiscal Year 2018 - Operating Budget
3rd Quarter FY2018

3008 PCA

4001

Goal A: Education, Info and Assistance

	<u>Library</u>	<u>Total</u>	<u>% Remaining</u>
Other Operating Expense:			
7040- ERS-Retirement Contribution	351.84	351.84	
7042- ERS Insurance Payment	694.03	694.03	
7291- Postage & Postal Services	61.46	61.46	
7299- Purchased Contracted Services	20.34	20.34	
7334- Furnishings & Equipment -Expensed	60.28	60.28	
7380- Computer Software - Expensed	210.25	210.25	
7382- Books - Expensed	256.01	256.01	
7947- Workers Compensation Transfer (SORM)	134.22	134.22	
7961- STS Transfers-Telecommunications (TexAn)	370.29	370.29	
7962- Capitol Complex (CCTS)	227.10	227.10	
Budget:	8,100.46	8,100.46	
Expended:	2,385.95	2,385.95	
2009 - Balance Other Operating Expense:	5,714.51	5,714.51	71%
Budget:	140,463.00	140,463.00	
Expended:	74,253.13	74,253.13	
TOTAL BALANCE - 3008	66,209.87	66,209.87	47%
% Remaining	47%	47%	

Texas Commission on Fire Protection
Fiscal Year 2018- Operating Budget
3rd Quarter FY2018

3800

PCA

4801

4802

4803

Goal C: Indirect Administration

	Exec Office	Fin Svcs	Commis	Total	% Remaining
7001- Salaries & Wages - Exempt	77,308.22	0.00	0.00	77,308.22	
7002- Salaries & Wages - Non-Exempt	328,238.21	132,728.44	0.00	460,966.65	
	Budget:	420,799.68	164,357.28	0.00	585,156.96
	Expended:	405,546.43	132,728.44	0.00	538,274.87
1001 - Balance Salaries & Wages:	15,253.25	31,628.84	0.00	46,882.09	8%
Other Personnel Costs:					
7022- Longevity Pay	5,300.00	860.00	0.00	6,160.00	
7023- Lump Sum Termination	20,013.06	0.00	0.00	20,013.06	
7033- Employee Retirement - Other expenses	0.00	2,406.96	0.00	2,406.96	
	Budget:	12,425.56	2,446.12	0.00	14,871.68
	Expended:	25,313.06	3,266.96	0.00	28,580.02
1002 - Balance Other Personnel Costs	(12,887.50)	(820.84)	0.00	(13,708.34)	-92%
Professional Fees and Services:					
7245- Financial & Accounting Services	0.00	3,808.00	0.00	3,808.00	
7253- Other Professional Fees (EAP)	0.00	453.76	0.00	453.76	
	Budget:	0.00	4,739.12	0.00	4,739.12
	Expended:	0.00	4,261.76	0.00	4,261.76
2001 - Balance Professional Fees and Services:	0.00	477.36	0.00	477.36	10%
7300- Consumables					
	122.58	1,361.93	20.00	1,504.51	
	Budget:	246.03	2,868.66	0.00	3,114.69
	Expended:	122.58	1,361.93	20.00	1,504.51
2003 - Balance Consumable Supplies:	123.45	1,506.73	(20.00)	1,610.18	52%
Utilities:					
	Budget:	0.00	38.71	0.00	38.71
	Expended:	0.00	0.00	0.00	0.00
2004 - Balance Utilities:	0.00	38.71	0.00	38.71	100%
Travel:					
7101- Travel I/S - Public Transportation Fares	195.00	0.00	2,397.34	2,592.34	
7102- Mileage	0.00	159.25	1,624.83	1,784.08	
7104- Travel I/S - Actual Expense Overnight	29.86	0.00	0.00	29.86	
7105- Travel I/S - Incidental Expenses	196.99	11.62	954.71	1,163.32	
7106- Travel I/S - Meals & Lodging	225.25	243.96	0.00	469.21	
7107- Travel I/S - Non-Overnight Travel (Meals)	0.00	0.00	45.21	45.21	
7110- Travel I/S - Board Member Meals & Lodging	0.00	0.00	5,632.32	5,632.32	
	Budget:	2,700.00	1,735.03	14,580.01	19,015.04
	Expended:	647.10	414.83	10,730.97	11,792.90
2005 - Balance Travel:	2,052.90	1,320.20	3,849.04	7,222.14	38%
Rent:					
7470- Rent Space - storage	240.00	49.60	0.00	289.60	
	Budget:	240.00	60.00	0.00	300.00
	Expended:	240.00	49.60	0.00	289.60
2006 - Balance Rent - Building (storage):	0.00	10.40	0.00	10.40	3%

TCFP FY18 Measures

Key	Strategy	FY18 1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	FY18 YTD Sum	FY18 Target	Total Expenditures	% Target ytd/tar	Measures/Explanation
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Output *A quantifiable indicator of the number of goods or services an agency produces*

Yes	Standards Enforcement	210	260	274		744	1,120		66%	Number of inspections of regulated entities. Includes bi-annual inspections, audits, and investigations.
						Cumulative				
Yes	Standards Enforcement	2,406	2,779	4,276		9,461	9,500		100%	Number of examinations administered.
						Cumulative				
	Indirect Administration		\$5,504			\$5,504	\$5,980			Dollar value of professional & other services from HUBs. From semi-annual Comptroller report 92% Annual goal: 23-26% of total agency expenditures for professional and other services
						Cumulative				

Explanatory (Annual) *An indicator of factors, agency resources, or requests received that affect a state entity's performance.*

Yes	Standards Enforcement	84.37%	85.21%	84.69%		84.76%	90%		94%	Pass Rate (Percent)
						Non-Cumulative				
Yes	Standards Enforcement	33,263	32,381	32,931		32,858	31,600		104%	Number of individuals certified by the Commission.
						Non-Cumulative				
Yes	Standards Enforcement	277	238	272		262	260		101%	Number of training providers certified by the Commission.
						Non-Cumulative				

Cumulative Measure: A measure for which one quarter's performance can be added to a previous quarter's performance to obtain year-to-date performance.

Non-Cumulative Measure: A measure which is calculated from the entire reporting period (year), not on the basis of adding together the performance from separate quarters.

Efficiency *A quantifiable indicator of productivity expressed in unit costs, units of time, or other ratio-based units*

Yes	Standards Enforcement	\$451	\$359	\$348		\$386	\$425		91%	Average cost per inspection of regulated facilities. Costs = Inspector salaries + 25% of manager salary, other personnel costs, applicable travel expenses Total inspections per quarter = Inspections + audits + investigations
						Non-Cumulative				

Outcome (Annual) *A quantifiable indicator of the public and customer benefits from an agency's actions*

	Indirect Administration		40,817.00			\$40,817	\$53,067			Percent of total dollar value of commodity purchasing from HUBs. Taken from semi-annual Comptroller report 77% Annual goal: 21% of total agency spending for commodities
						Non-Cumulative				

Note: Explanations are provided for measures that are 5% or more off target.

- 5. Reports from fire service interest groups and agencies on matters relating to organizational purposes, functions, and objectives, including, but not limited to, Texas Fire Chiefs Association, the Texas State Association of Fire Fighters, the State Firemen's and Fire Marshals' Association of Texas, the Texas Fire Marshal's Association, the Texas Association of Fire Educators, the Texas A&M Forest Service, the National Fire Protection Association, Texas State Association of Fire and Emergency Districts, the Center for Public Safety Excellence, and the State Fire Marshal's Office.**

- 6. Discussion and possible action concerning reports by the commission representative to the Texas Fire School Advisory Board and by representatives of the Texas Engineering Extension Service (TEEX) regarding fire protection training provided by TEEX through its Emergency Services Training Institute (ESTI).**

7. Discussion and possible action regarding report from commission representative to the Homeland Security Council.

8. New matters from the commission, staff, or public which may be discussed in future commission meetings.

9. Discussion and possible action on future meeting dates.

10. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:

A. Discussion and possible final adoption of proposed amendments, new sections, and repeals as follows:

1. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 433, Driver/Operator.



Texas Commission on Fire Protection Agenda Item Summary

MEETING: Commission
DATE: 07/12/2018

Agenda Item #: 10-A(1)

Agenda Title: Chapter 433, Driver/Operator

Action to be taken: Discussion and possible final adoption

Origin of Item: Staff

1. INTRODUCTION/PURPOSE

This deletes language allowing personnel to challenge the commission examination for Driver/Operator-Aerial during the first year the certification was being offered.

2. DESCRIPTION/ JUSTIFICATION

The allowance above expired on May 18, 2018 and the obsolete language needs to be removed from the rule.

3. BUDGET IMPACT

No impact is anticipated.

4. TIMELINE CONSIDERATIONS

Propose for final adoption

5. RECOMMENDATION

Recommend final adoption

6. REFERENCES

37 TAC, Chapter 433, Driver/Operator

CHAPTER 433

DRIVER/OEPRATOR

SUBCHAPTER B

MINIMUM STANDARDS FOR DRIVER/OPERATOR-AERIAL APPARATUS

§433.201. Driver/Operator-Aerial Apparatus Certification.

~~[(a)]~~ A Driver/Operator-Aerial Apparatus is defined as an individual who operates an aerial apparatus safely and in accordance with all state and local laws; safely and correctly maneuvers, positions, stabilizes, and operates an aerial apparatus and device; and effectively deploys and operates an elevated master stream from a water source. Other responsibilities include routine apparatus testing, maintenance, inspections, and servicing functions.

~~[(b) Individuals holding Driver/Operator-Pumper certification are eligible to take the commission examination for Driver Operator Aerial Apparatus upon documentation to the commission that the individual has completed Driver Operator Aerial Apparatus training that meets the minimum requirements of the NFPA 1002 or provide documentation of proficiency in the operation of an aerial apparatus from a department with an in-service aerial apparatus. This section will expire on May 18, 2018.]~~

§433.203. Minimum Standards for Driver/Operator-Aerial Apparatus Certification.

(a) In order to obtain Driver/Operator-Aerial Apparatus certification, the individual must:

(1) hold certification as Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel; and

(2) possess valid documentation as a Driver/Operator-Aerial Apparatus from either:

(A) the International Fire Service Accreditation Congress; or

(B) The National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2014 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in 439.1 of this title (relating to Requirements-General); or

(3) complete a commission approved Driver/Operator-Aerial Apparatus training program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved driver/operator-aerial apparatus training program must consist of one of the following:

(A) completion of an in-state driver/Operator-Aerial Apparatus program meeting the requirements of the applicable NFPA standard and conducted by a commission certified training provider, that was submitted and approved through the commission's training prior approval system; or

(B) completion of an out-of-state training program that has been submitted to the commission for evaluation and found to meet the requirements of the applicable NFPA standard; or

(C) completion of a military training program that has been submitted to the commission for evaluation and found to meet the requirements of the applicable NFPA standard.

- (b) Out-of-State or military training programs submitted to the commission for the purpose of determining equivalency will be considered equivalent if the training addresses all job performance requirements of the applicable NFPA standard.

§433.205. Examination Requirements.

- (a) Examination requirements in Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive Driver/Operator-Aerial Apparatus certification.
- (b) Individuals will be permitted to take the commission examination for Driver/Operator-Aerial Apparatus by documenting, as a minimum, completion of the NFPA 1001 Fire Fighter I training, and completing a commission approved Driver/Operator-Aerial Apparatus training program.

10. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:

A. Discussion and possible final adoption of proposed amendments, new sections, and repeals as follows:

2. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 435, Fire Fighter Safety.



Texas Commission on Fire Protection
Agenda Item Summary

MEETING: Commission
DATE: 07/12/2018

Agenda Item #: 10-A(2)

Agenda Title: Chapter 435, Fire Fighter Safety

Action to be taken: Discussion and possible final adoption

Origin of Item: *Staff and committee*

1. INTRODUCTION/PURPOSE

Proposed language regarding care/maintenance of protective clothing for fire protection personnel.

2. DESCRIPTION/ JUSTIFICATION

The proposed language expands the requirements for departments to provide clean protective clothing to on-duty fire protection personnel, including the development of a standard operating procedure for the provision.

3. BUDGET IMPACT

No impact to TCFP is anticipated. The budget impact to local fire departments is undetermined.

4. TIMELINE CONSIDERATIONS

Propose for final adoption

5. RECOMMENDATION

Recommend final adoption

6. REFERENCES

37 TAC, Chapter 435, Fire Fighter Safety

CHAPTER 435

FIRE FIGHTER SAFETY

§435.1. Protective Clothing.

A regulated fire department shall:

- (1) purchase, provide, and maintain a complete set of protective clothing for all fire protection personnel who would be exposed to hazardous conditions from fire or other emergencies or where the potential for such exposure exists. A complete set of protective clothing shall consist of garments including bunker coats, bunker pants, boots, gloves, helmets, and protective hoods, worn by fire protection personnel in the course of performing fire-fighting operations;
- (2) ensure that all protective clothing which are used by fire protection personnel assigned to fire suppression duties comply with the minimum standards of the National Fire Protection Association suitable for the tasks the individual is expected to perform. The National Fire Protection Association standard applicable to protective clothing is the standard in effect at the time the entity contracts for new, rebuilt, or used protective clothing; and
- (3) maintain, ~~and~~ provide ~~to~~~~[upon request by]~~ the commission, **and comply with** a departmental standard operating procedure regarding the use, selection, care, and maintenance of protective clothing which complies with NFPA 1851, Standard on Selection, Care, and Maintenance of Structural Fire Fighting Protective Ensembles. **The standard operating procedure must include, but shall not be limited to:**
 - (a) a requirement that each fire fighter perform a routine inspection of his or her protective clothing after each use;**
 - (b) a requirement that an advanced inspection be performed on each set of protective clothing by the manufacturer, a manufacturer trained organization, a verified organization, a verified independent service provider, or a member of the department trained by the manufacturer or a verified independent service provider at a minimum of every 12 months, or whenever routine inspections indicate that a problem could exist;**
 - (c) a requirement that the fire department provide a means for cleaning and decontaminating protective clothing;**
 - (d) a requirement that routine cleaning of protective clothing be performed by fire fighters any time a routine inspection reveals soiling or contamination that can be remedied by spot cleaning; and**
 - (e) a requirement that advanced cleaning performed on each set of protective clothing by the manufacturer, a manufacturer trained organization, a verified organization, a verified independent service provider, or a member of the department trained by the manufacturer or a verified independent service provider at the time of advanced inspection if not subjected to advanced cleaning in the preceding 12 months, or whenever an inspection reveals soiling or contamination that cannot be remedied by spot cleaning.**
- (4) To ensure that protective clothing for fire protection personnel continues to be suitable for assigned tasks, risk assessments conducted in accordance with NFPA 1851 shall be reviewed and revised as needed, but in any case, not more than five years following the date of the last risk assessment.

§435.3. Self-Contained Breathing Apparatus.

The employing entity shall:

- (1) purchase, provide, and maintain a complete self-contained breathing apparatus for each on-duty fire protection personnel who engage in operations where IDLH atmospheres may be encountered, where the atmosphere is unknown or would be exposed to hazardous atmospheres from fire or other emergencies or where the potential for such exposure exists;
- (2) ensure that all self-contained breathing apparatus used by fire protection personnel complies with the minimum standards of the National Fire Protection Association identified in NFPA 1981, Standard on Open-Circuit Self-Contained Breathing Apparatus for Fire Fighters;
 - (A) the National Fire Protection Association standard applicable to a self-contained breathing apparatus is the standard in effect at the time the entity contracts for new, rebuilt, or used self-contained breathing apparatus;
 - (B) an entity may continue to use a self-contained breathing apparatus in use or contracted for before a change in the National Fire Protection Association standard, unless the commission determines that the continued use of the self-contained breathing apparatus constitutes an undue risk to the wearer, in which case the commission shall order that the use be discontinued and shall set an appropriate date for compliance with the revised standard;
- (3) develop an air quality program that complies with the most recent edition of the NFPA 1989 Standard on Breathing Air Quality for Emergency Services Respiratory Protection;
- (4) maintain and supply upon request by the commission, records and reports documenting compliance with commission requirements concerning self-contained breathing apparatus and breathing air. Records of all tests shall be made and the records shall be retained for a period of no less than three years;
- (5) maintain and provide upon request by the commission, a departmental standard operating procedure regarding the use of self-contained breathing apparatus; and
- (6) maintain and provide upon request by the commission, a department standard operating procedure regarding the selection, care, and maintenance of self-contained breathing apparatus that complies with the most recent edition of the NFPA 1852 Standard on Selection, Care, and Maintenance of Open-Circuit Self-Contained Breathing Apparatus (SCBA).

§435.5. Commission Recommendations.

The commission recommends that all employing entities use as a guide the following publications:

- (1) NFPA 1403 "Live Fire Training Evolutions";
- (2) NFPA 1500 "Fire Department Occupational Safety and Health Program;"
- (3) IAFF/IAFC - "Fire Service Joint Labor Management Wellness-Fitness Initiative."

§435.7. Fire Department Staffing Studies.

- (a) Section 419.022(a)(4) Texas Government Code provides that the commission may on request, assist in performing staffing studies of fire departments. Staffing studies must take into consideration all the objectives and missions of the fire department. Many staffing studies have been developed that can be used to assist in evaluating the needs of a fire department.

- (b) A city should ultimately decide on the level of fire protection it is willing to provide to its citizens. The city and fire department should, as a minimum, address the needs of prevention, investigation and suppression as outlined in the appropriate National Fire Protection Association Standards. That decision should be based on facts, the safety of its citizens, and the safety of the fire fighters providing that protection.
- (c) The commission will assist by maintaining information pertinent to fire department staffing. The information shall be maintained in the Ernest A. Emerson Fire Protection Resource Library at the commission. Copies shall be made available, free of charge, to anyone requesting such information to the extent permitted by copyright laws.

§435.9. Personal Alert Safety System (PASS).

The employing entity shall:

- (1) purchase, provide, and maintain a PASS device for each on duty fire protection personnel who engage in operations where IDLH atmospheres may be encountered, or where the atmosphere is unknown, or where hazardous conditions from fire or other emergencies exist, or where the potential for such exposure exists;
- (2) ensure that all PASS devices used by fire protection personnel comply with the minimum standards of the National Fire Protection Association identified in NFPA 1982, Standard on Personal Alert Safety Systems (PASS) for Fire Fighters:
 - (A) the National Fire Protection Association standard applicable to a PASS device is the standard in effect at the time the entity contracts for new, rebuilt, or used PASS devices;
 - (B) an entity may continue to use a PASS device that meets the requirements of an earlier edition of NFPA 1982, unless the commission determines that the continued use of the PASS device constitutes an undue risk to the wearer, in which case the commission shall order that the use be discontinued and shall set an appropriate date for compliance with the revised standard;
- (3) ensure that the PASS device assigned to an individual user be inspected at the beginning of each duty period and before each use.
- (4) maintain and provide upon request by the commission, a departmental standard operating procedure regarding the proper use, selection, care and maintenance of PASS devices.

§435.11. Incident Management System (IMS).

- (a) The fire department shall develop, maintain and use an incident management system.
- (b) The incident management system shall:
 - (1) include a written operating procedure for the management of emergency incidents;
 - (2) require that the IMS be used at all emergency incidents;
 - (3) require operations to be conducted in a manner that recognizes hazards and assists in the prevention of accidents and injuries;
 - (4) require that all fire protection personnel be trained in the use of the IMS; and

- (5) require that the IMS be applied to all drills, exercises and all other situations that involve hazards similar to those encountered at an actual emergency.
- (c) The IMS shall meet the requirements of the applicable sections of the NFPA 1561, Standard on Fire Department Incident Management System.
- (d) The commission recommends departments follow the National Incident Management System (NIMS) when developing their incident management system.

§435.13. Personnel Accountability System.

- (a) The fire department shall develop, maintain and use a personnel accountability system that provides for a rapid accounting of all personnel at an emergency incident.
- (b) The accountability system shall:
 - (1) require all fire protection personnel be trained in the use of the accountability system;
 - (2) require that the fire protection personnel accountability system be used at all incidents;
 - (3) require that all fire protection personnel operating at an emergency incident to actively participate in the personnel accountability system; and
 - (4) require that the incident commander be responsible for the overall personnel accountability system for the incident.
- (c) The fire department shall be responsible for developing the system components required to make the personnel accountability system effective.
- (d) The personnel accountability system shall meet the minimum standards required by the National Fire Protection Association 1561, Standard on Fire Department Incident Management System. If the standard is revised, the fire department shall have one (1) year from the effective date of the new standard to comply.

435.15. Operating At Emergency Incidents.

- (a) The fire department shall develop, maintain and use a standard operating procedure for fire protection personnel operating at emergency incidents.
- (b) The standard operating procedure shall:
 - (1) specify an adequate number of personnel to safely conduct emergency scene operations;
 - (2) limit operations to those that can be safely performed by personnel at the scene;
 - (3) require all personnel to be trained in and use the standard operating procedures; and
 - (4) comply with §435.17 (Procedures for Interior Structural Fire Fighting).
- (c) The fire department may use standards established by the National Fire Protection Association for fire protection personnel operating at an emergency incident.

§435.17. Procedures for Interior Structural Fire Fighting (2-In /2-Out Rule).

- (a) The fire department shall develop written procedures that comply with the Occupational Safety and Health Administration's Final Rule, 29 CFR Section 1910.134(g)(4) by requiring:
- (1) a team of at least four fire protection personnel must be assembled before an interior fire attack can be made when the fire has progressed beyond the incipient stage;
 - (2) at least two fire protection personnel to enter the IDLH atmosphere and remain in visual or voice (not radio) contact with each other;
 - (A) Visual means that the fire protection personnel must be close enough to see each other.
 - (B) Voice means that the fire protection personnel of the entry team must be close enough to speak to one another without the use of radios.
 - (3) at least two fire protection personnel remain located outside the IDLH atmosphere to perform rescue of the fire protection personnel inside the IDLH atmosphere;
 - (4) all fire protection personnel engaged in interior structural fire fighting use self-contained breathing apparatus and be clothed in a complete set of protective clothing as identified in Chapter 435;
 - (5) all fire protection personnel located outside the IDLH atmosphere be equipped with appropriate retrieval equipment where retrieval equipment would contribute to the rescue of the fire protection personnel that have entered the IDLH atmosphere;
 - (6) one of the outside fire protection personnel must actively monitor the status of the inside fire protection personnel and not be assigned other duties. The second outside fire protection personnel may be assigned to an additional role, including, but not limited to, incident commander, safety officer, driver-operator, command technician or aide, or fire fighter/EMS personnel, so long as this individual is able to perform assistance or rescue activities without jeopardizing the safety or health of any fire protection personnel working at the scene;
 - (7) the fire protection personnel outside the IDLH atmosphere must remain in communication (including, but not limited to, radio) with the fire protection personnel in the IDLH atmosphere. Use of a signal line (rope) as a communications instrument for interior fire fighting is not permitted by the commission. This does not preclude the use of rescue guide ropes (guide line or lifeline or by what ever name they may be called) used during structural searches; and
 - (8) each outside fire protection personnel must have a complete set of protective clothing and self-contained breathing apparatus, as identified in Chapter 435, immediately accessible for use if the need for rescue activities inside the IDLH atmosphere is necessary.
- (b) The fire department shall comply with the 2-in/2-out rule as described in this section except in an imminent life-threatening situation when immediate action could prevent the loss of life or serious injury before the team of four fire protection personnel are assembled.

§435.19. Enforcement of Commission Rules.

- (a) The commission shall enforce all commission rules at any time, including, but not limited to, commission investigations, fire department inspections, or upon receiving a written complaint from an identified person or entity of an alleged infraction of a commission rule.
- (b) The commission shall not provide prior notification of an inspection to a fire department.

- (c) Upon receipt of a signed complaint alleging a violation of a commission rule, the commission shall have 30 days to initiate an investigation and report back to the complainant its progress.
- (d) Upon substantiating the validity of a written complaint, the commission shall follow the procedures outlined in Texas Government Code, Chapter 419, §419.011(b) and (c).

§435.21. Fire Service Joint Labor Management Wellness-Fitness Initiative.

- (a) A fire department shall assess the wellness and fitness needs of the personnel in the department. The procedure used to make this assessment shall be written and made available for Commission inspection.
- (b) A fire department shall develop and maintain a standard operating procedure to address those needs.
- (c) The approach to the fitness needs of the department shall be based on the local assessment and local resources.
- (d) The standard operating procedure shall be made available to the Commission for inspection.

§435.23. Fire Fighter Injuries.

- (a) A fire department shall report all Texas Workers' Compensation Commission reportable injuries that occur to on-duty regulated fire protection personnel on the Commission form.
- (b) Minor injuries are those injuries that do not result in the fire fighter missing more than one duty period or does not involve the failure of personal protective equipment. Minor injuries shall be reported within 30 business days of the injury event.
- (c) Major injuries are those that require the fire fighter to miss more than one duty period. Major injuries shall be reported within five business days of the injury event.
- (d) Investigatable injuries are those resulting from the malfunction of personal protective equipment, failure of personal protective equipment to protect the fire fighter from injury, or injuries sustained from failure to comply with any provision of Commission mandated department SOPs. Investigatable injuries shall be reported within five business days of the injury event.
- (e) The regulated entity shall secure any personal protective equipment involved in a fire fighter injury and shall be made available to the Commission for inspection.

§435.25. Courage to be Safe So Everyone Goes Home Program.

- (a) In an effort to improve firefighter safety in the State of Texas, all regulated entities will ensure that the National Fallen Firefighters Foundation's "Courage to be Safe So Everyone Goes Home" program be completed as part of the continuing education required for certified fire protection personnel by. Individuals will be credited with four hours of continuing education credit for completing this program.
- (b) All fire protection personnel will be required to complete the National Fallen Firefighters Foundation's "Courage to be Safe So Everyone Goes Home" program training within one year following appointment to a fire department if the individual has not previously completed the program.
- (c) Departments will report the completion of training through the commission's web based reporting system.

- (d) Failure to complete the National Fallen Firefighters Foundation's "Courage to be Safe So Everyone Goes Home" program before the required deadlines will be considered a violation of continuing education rules found in Chapter 441 of this title (relating to Continuing Education).

§435.27. Live Fire Training Structure Evolutions.

The most current edition of NFPA 1403, Standard on Live Fire Training Evolutions, shall be used as a guide when developing standard operating procedures for conducting live fire training. The following requirements shall apply for all Live Fire Training Structure Evolutions conducted.

- (1) The officer in charge or instructor will ensure that the water supply rate and duration for each individual Live Fire Training Structure Evolution is adequate to control and extinguish the training fire, the supplies necessary for backup lines to protect personnel, and any water needed to protect exposed property.
- (2) The instructor-in-charge shall assign the following personnel:
 - (A) One instructor to each functional crew, which shall not exceed five students.
 - (B) One instructor to each backup line.
 - (C) Additional personnel to backup lines to provide mobility.
 - (D) One additional instructor for each additional functional assignment.
- (3) The officer in charge or instructor will ensure that the buildings or props being utilized for live fire training are in a condition that would not pose an undue safety risk.
- (4) A safety officer shall be appointed for all Live Fire Training Structure Evolutions. The safety officer shall have the authority, regardless of rank, to alter, suspend or control any aspect of the operations when, in his or her judgment, a potential or actual danger, accident, or unsafe condition exists. The safety officer shall not be assigned other duties that interfere with safety responsibilities.
- (5) No person(s) shall play the role of a victim inside the building.
- (6) Prior to the ignition of any fire, instructors shall ensure that all personal protective clothing and/or self contained breathing apparatus are NFPA compliant and being worn in the proper manner.
- (7) Prior to conducting any live fire training, a pre-burn briefing session shall be conducted. All participants shall be required to conduct a walk-through of the structure in order to have a knowledge of, and familiarity with, the layout of the building and to be able to facilitate any necessary evacuation of the building.
- (8) A standard operating procedure shall be developed and utilized for Live Fire Training Structure Evolutions. The standard operating procedure shall include, but not be limited to:
 - (A) a Personal Alert Safety System (PASS). A PASS device shall be provided for all participating in live fire training and shall meet the requirements in §435.9 of this title (relating to Personal Alert Safety System (PASS));
 - (B) a Personnel Accountability System that complies with §435.13 of this title (relating to Personnel Accountability System) shall be utilized;
 - (C) an Incident Management System;

- (D) use of personal protective clothing and self-contained breathing apparatus;
- (E) an evacuation signal and procedure; and
- (F) pre-burn, burn and post-burn procedures.

§435.29. Federal Highway Administration Traffic Incident Management Program.

- (a) In an effort to improve firefighter safety in the State of Texas, all regulated entities will ensure that the Federal Highway Administration Traffic Incident Management program or an equivalent course that is approved by the commission be completed as part of the continuing education required for certified fire protection personnel by December 1, 2020. Individuals will be credited with four hours of continuing education credit for completing this program.
- (b) All regulated fire protection personnel must complete the Federal Highway Administration Traffic Incident Management program or an equivalent course that is approved by the commission prior to December 1, 2020.
- (c) All fire protection personnel appointed after December 1, 2020 will be required to complete the Federal Highway Administration Traffic Incident Management program training or an equivalent course that is approved by the commission within one year of appointment to a fire department.
- (d) Departments will report the completion of training through the commission's web based reporting system.
- (e) Failure to complete the Federal Highway Administration Traffic Incident Management program or an equivalent course that is approved by the commission before the required deadline will be considered a violation of continuing education rules found in Chapter 441 of this title (relating to Continuing Education).



TEXAS STATE ASSOCIATION of FIRE FIGHTERS

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June 12, 2018

Tim Rutland
 Executive Director
 Texas Commission on Fire Protection
 William B. Travis Building,
 1701 Congress Ave, Suite 1-105
 Austin, TX 78701

Dear Mr. Rutland:

Please accept the following as the Texas State Association of Fire Fighters (TSAFF) written comments to the Texas Commission on Fire Protection on proposed amendments to Chapter 435.1 of the Texas Administrative Code.

The amendments to Chapter 435.1 have been a long-term project by the TSAFF to ensure compliance amongst regulated departments concerning compliance with NFPA 1851. Representing over 18000 fire fighters in over 150 departments, we have become aware that a number of them are making little to no attempt to ensure that protective clothing and gear is cleaned and stored properly. While we understand that minor spot cleaning is the responsibility of the certified fire fighter, any cleaning that goes above and beyond that should be part of a policy by the department.

Currently, developing a department policy to ensure clean equipment is only required if the Commission requests it. Also, there appears to be no requirement to comply. An example was given by staff stating that one of the larger departments in the state had provided a policy. Unfortunately, that department is not complying with their policy and thus not complying with NFPA 1851. This rule would force compliance. Storing equipment in vehicle bays lacking any ventilation is an absolute violation of NFPA 1851 and should result in future Commission action if the rule is enforced correctly.

Commission staff expressed concern that this rule could create contradictions with future versions of NFPA 1851. We have found nothing in this proposed rule that would in any way contradict future versions of NFPA 1851. On the contrary, we find that requiring departments to include specific requirements in their policy a strengthening of NFPA 1851. The rule also specifically requires compliance with NFPA 1851. The new requirements specifically refer to what should go in the policy and does not limit any additional items that should be included or are required by NFPA 1851.

Soiled protective clothing is one of the leading causes of cancer among fire fighters and many steps have been taken to require departments to comply with current regulations. We believe strengthening these regulations will increase compliance across the state and eventually save lives.

Thank you for your attention to this important set of proposed rule amendments and we are available to publicly testify on it if requested. If you have any questions, please call me at 512-947-1349 or email me at gdeshields@tsaff.org.

Sincerely,

A handwritten signature in cursive script, appearing to read "Glenn Deshields".

Glenn Deshields
 Legislative Director

10. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:

A. Discussion and possible final adoption of proposed amendments, new sections, and repeals as follows:

3. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 439, Examinations for Certifications.



Texas Commission on Fire Protection
Agenda Item Summary

MEETING: Commission
DATE: 07/12/2018

Agenda Item #: 10-A(3)

Agenda Title: Chapter 439, Examinations for Certification

Action to be taken: Discussion and possible final adoption

Origin of Item: Staff and committee

1. INTRODUCTION/PURPOSE

Various rule amendments pursuant to review of Chapter 439

2. DESCRIPTION/ JUSTIFICATION

Some of the changes update language in the chapter to be more in line with the current system and practices. Some language was added to address issues encountered by testing staff, or during inspections of training programs by compliance personnel.

3. BUDGET IMPACT

No impact is anticipated

4. TIMELINE CONSIDERATIONS

Propose for final adoption

5. RECOMMENDATION

Recommend final adoption

6. REFERENCES

37 TAC, Chapter 439, Examinations for Certification

CHAPTER 439
EXAMINATIONS FOR CERTIFICATION
SUBCHAPTER A
EXAMINATIONS FOR ON-SITE DELIVERY TRAINING

§439.1. Requirements—General.

- (a) The administration of examinations for certification, including performance skill evaluations, shall be conducted in compliance with commission rules and; as applicable, with:
 - (1) International Fire Service Accreditation Congress (IFSAC) regulations; or
 - (2) National Board on Fire Service Professional Qualifications (Pro Board) regulations for examinations administered by the Texas A&M Engineering Extension Service. Only Pro Board examinations administered by the Texas A&M Engineering Extension Service will be accepted by the commission for certification. In order for a Pro Board document to be accepted for certification, it must:
 - (A) List the commission issued course approval number for which the examination was conducted;
 - (B) Indicate that the examination was conducted in English; and
 - (C) List any special accommodations provided to the examinee. The commission may not issue a certificate for an examination conducted under special accommodations other than those specified in §439.13 of this title (relating to Special Accommodations for Testing).
- (b) It is incumbent upon commission staff, committee members, training officers and field examiners to maintain the integrity of the state certification examination process (or portion thereof) for which they are responsible.
- (c) The commission shall reserve the authority to conduct an annual review of Pro Board examinations, procedures, test banks, and facilities utilized by the Texas A&M Engineering Extension Service. The commission may also conduct a review at any time for cause and as deemed necessary to ensure the integrity of the certification examination process.
- (d) Exams will be based on the job performance requirements and knowledge and skill components of the applicable NFPA standard for that discipline, if a standard exists and has been adopted by the commission. If a standard does not exist or has not been adopted by the commission, the exam will be based on curricula as currently adopted in the commission's Certification Curriculum Manual .
- (e) Commission examinations that receive a passing grade shall expire two years from the date of the examination.
- (f) An examination for Basic Structure Fire Protection shall consist of four sections: Fire Fighter I, Fire Fighter II, Hazardous Materials Awareness Level, and Hazardous Materials Operations Level including the Mission-Specific Competencies for Personal Protective Equipment and Product Control. The examinee must pass each section of the examination with a minimum score of 70% in order to qualify for certification.
- (g) An examination for Basic Fire Inspector shall consist of three sections: Inspector I, Inspector II, and Plan Examiner I. The examinee must pass each section of the examination with a minimum score of 70% in order to qualify for certification.

- (h) An examination for Basic Structure Fire Protection and Intermediate Wildland Fire Protection shall consist of five sections: Fire Fighter I, Fire Fighter II, First Responder Awareness, First Responder Operations, and Intermediate Wildland Fire Protection. The examinee must pass each section of the examination with a minimum score of 70% in order to qualify for certification.
- (i) All other state examinations consist of only one section.
- (j) The individual who fails to pass a commission examination for state certification will be given one additional opportunity to pass the examination or section(s) thereof. This opportunity must be exercised within 180 days after the date of the first failure. An examinee who fails to pass the examination within the required time may not sit for the same examination again until the examinee has re-qualified by repeating the curriculum applicable to that examination.
- (k) An individual may obtain a new certificate in a discipline which was previously held by passing a commission proficiency examination.
- (l) If an individual who has never held certification in a discipline defined in §421.5 of this title (relating to Definitions), seeks certification in that discipline, the individual shall complete all certification requirements.
- (m) If an individual completes a commission approved training program, or a program that has been evaluated and deemed equivalent to a certification curriculum approved by the commission, such as an out-of-state or military training program or a training program administered by the State Firemen's and Fire Marshals' Association of Texas, the individual may use only one of the following examination processes for certification:
- (1) pass a commission examination; or
 - (2) submit documentation of the successful completion of the Pro Board examination process administered by the Texas A&M Engineering Extension Service; and
 - (3) meet any other certification requirements in order to become eligible for certification as fire protection personnel.
- (4) An individual cannot use a combination of the two examination processes in this subsection from a single commission approved class for certification. An individual who chooses to submit to the commission examination process may not utilize the other process toward certification.
- (n) An individual or entity may petition the commission for a waiver of the examination required by this section if the person's certificate expired because of the individual's or employing entity's good faith clerical error, or expired as a result of termination of the person's employment where the person has been restored to employment through a disciplinary procedure or a court action. All required renewal fees including applicable late fees and all required continuing education must be submitted before the waiver request may be considered.
- (1) Applicants claiming good faith clerical error must submit a sworn statement together with any supporting documentation that evidences the applicant's good faith efforts to comply with commission renewal requirements and that failure to comply was due to circumstances beyond the control of the applicant.
 - (2) Applicants claiming restoration to employment as a result of a disciplinary or court action must submit a certified copy of the order, ruling or agreement restoring the applicant to employment.

§439.3. Definitions.

The following words and terms, when used in this chapter, have the following definitions unless the context clearly indicates otherwise.

- (1) Certificate of Completion--A statement by the provider of training certifying that an individual has successfully completed a commission-approved certification curriculum or phase program for a particular discipline, including having been evaluated by field examiners on performance skills identified by the commission. The certificate of completion qualifies an individual to take an original certification examination. The certificate expires two years from the date of completion. If an individual does not take the certification examination prior to the expiration of the certificate of completion, he or she must again complete the curriculum in order to obtain a new certificate of completion.
- (2) Curriculum--The competencies established by the commission as a minimum requirement for certification in a particular discipline.
- (3) Designee--An entity or individual approved by commission staff to administer commission certification examinations and/or performance skills in accordance with this chapter.
- (4) Eligibility--A determination of whether or not an individual has met the requirements set by the commission and would therefore be allowed to take a commission examination.
- (5) Endorsement of eligibility--A statement testifying to the fact that an individual has met all requirements specified by the commission and is qualified to take a commission examination. An endorsement of eligibility will be issued by a member of the commission staff.
- (6) Examination--A state test which an examinee must pass as one of the requirements for certification.
- (7) Examinee--An individual who has met the commission requirements and therefore qualifies to take the commission examination.
- (8) Field examiner--An individual authorized to evaluate performance skills in commission approved curricula. The field examiner must possess a Fire Instructor Certification or other instructor qualification as allowed by §427.307(h) and (i) of this title (relating to On-Site and Distance Training Provider Staff Requirements) for Wildland courses only, complete the on-line commission field examiner course, and sign an agreement to comply with the commission's testing procedures. The field examiner must be approved by the commission to instruct all subject areas identified in the curriculum that he or she will be evaluating. The field examiner must repeat the examiner course every two years and submit a new Letter of Intent.
- (9) Lead Examiner--A member of the commission staff or a designee who has been assigned by the commission to administer a commission examination.
- (10) Letter of Intent--A statement, signed by an individual applying to the commission for field examiner status, that he or she is familiar with the commission's examination procedures, and agrees to abide by the policies and guidelines as set out in Chapter 439 of this title (relating to Examinations for Certification).
- (11) Sectional examination—A test that covers one section of a multiple section examination.

§439.5. Procedures.

- (a) Procedures for conducting examinations are determined by the commission.

- (b) All application processing fees due to the commission must be paid in a timely manner. Late payments shall be assessed a late fee in accordance with §437.13 of this title (relating to Processing Fees for Test Application).
- (c) Each examination must be administered by a lead examiner.
- (d) The lead examiner must:
 - (1) ensure that the tests remain secure and that the examination is conducted under conditions warranting honest results;
 - (2) monitor the examination while in progress;
 - (3) control entrance to and exit from the test site;
 - (4) assign or re-assign seating; and
 - (5) bar admission to or dismiss any examinee who fails to comply with any of the applicable provisions of this chapter.
- (e) All official grading and notification must come from the commission or its designee. The preliminary test results shall be made available within seven (7) business days after completion of the examination.

§439.7. Eligibility.

- (a) An examination may not be taken by an individual who currently holds an active certificate from the commission in the discipline to which the examination pertains, unless required by the commission in a disciplinary matter, or test scores have expired and the individual is testing for IFSAC seals.
- (b) An individual who passes an examination and is not certified in that discipline, will not be allowed to test again if the original examination grade is still active, unless required by the commission in a disciplinary matter.
- (c) In order to qualify for a commission examination, the examinee must:
 - (1) meet or exceed the minimum requirements set by the commission as a prerequisite for the specified examination;
 - (2) submit a test application [~~with documentation showing completion of a commission approved curriculum and~~, **meet** any other prerequisite requirements, **and submit** [~~along with~~] the appropriate application processing fee(s).
 - (3) receive from the commission an "Endorsement of Eligibility" letter and provide this letter to the lead examiner.
 - (4) bring to the test site, and display upon request, **a current and valid** government issued identification which contains the name and photograph of the examinee;
 - (5) report on time to the proper location; and
 - (6) comply with all the written and verbal instructions of the lead examiner.
- (d) No examinee shall be permitted to:

- (1) violate any of the fraud provisions of this section;
 - (2) disrupt the examination;
 - (3) bring into the examination site any books, notes, or other written materials related to the content of the examination;
 - (4) refer to, use, or possess any such written material at the examination site;
 - (5) give or receive answers or communicate in any manner with another examinee during the examination;
 - (6) communicate at any time or in any way, the contents of an examination to another person for the purpose of assisting or preparing a person to take the examination;
 - (7) steal, copy, or reproduce any part of the examination;
 - (8) engage in any deceptive or fraudulent act either during an examination or to gain admission to it;
 - (9) solicit, encourage, direct, assist, or aid another person to violate any provision of this section; or
 - (10) bring into the examination site any electronic devices.
- (e) No person shall be permitted to sit for any commission examination who has an outstanding debt owed to the commission.

§439.9. Grading.

- (a) If performance skills are required as a part of the examination, the examinee must demonstrate performance skill objectives in a manner consistent with performance skill evaluation forms provided by the Commission. The evaluation format for a particular performance skill will determine the requirements for passage of the skill. Each performance skill evaluation form will require successful completion of one of the following formats:
- (1) all mandatory tasks; or
 - (2) an accumulation of points to obtain a passing score **as indicated on the skill sheet** ~~of at least 70%~~; or
 - (3) a combination of both paragraphs (1) and (2) of this subsection.
- (b) The minimum passing score on each **written** examination or section thereof shall be 70%. This means that 70% of the total possible active questions must be answered correctly. The commission may, at its discretion, invalidate any question.
- (c) If the commission invalidates an examination score for any reason, it may also, at the discretion of the commission, require a retest to obtain a substitute valid test score.

§439.11. Commission-Designated Performance Skill Evaluations.

- (a) The commission-designated performance evaluations are randomly selected from each subject area within the applicable curriculum containing actual skill evaluations. This applies only for curricula in which performance standards have been developed.

- (b) ~~The~~ **The** training provider shall test the commission designated performance skills for competency. The skill evaluations may only take place after all training on the identified subject area has been completed. The date(s), time(s) and location(s) for the commission designated skill evaluations must be submitted on the commission designated skill schedule contained within the Training Prior Approval system. The commission must be notified immediately of any deviation from the submitted commission designated skill schedule. All skills must be evaluated by a commission approved field examiner. **The individual who served as the instructor of a particular subject may not evaluate the performance skill for that subject.**
- (c) In order to qualify for the commission certification examination, the student must successfully complete and pass all designated skill evaluations. The student may be allowed two attempts to complete each skill. A second failure during the evaluation process will require remedial training in the failed skill area with a certified instructor before being allowed a third attempt. A third failure shall require that the student repeat the entire certification curriculum.
- (d) If performance skill evaluations are not conducted for a student during the course of instruction, they must be conducted within ninety days (90) following the end date of the course. **In a case such as this the training provider must also obtain a new set of commission designated skills for which to evaluate the student; the provider may not use the same set of skills provided during the original course of instruction.** If performance skill evaluations are not conducted within the ninety day (90) period, the student must repeat the course. The ninety (90) day period may be extended for students who were unable to complete their performance skill evaluations due to injury, illness, military commitment, or other situation beyond their control.
- (e) The training facility must maintain records (electronic or paper) of skills testing on each examinee. **Test results must be recorded and saved on the applicable performance skill sheets provided in the commission Curriculum Skills Manual, and must include all information called for on the skill sheet.** ~~The records must reflect the results of the evaluation of skills, the dates the evaluation of skills took place, and the names of the field examiners who conducted the evaluations.~~
- (f) For certification disciplines in which an IDLH environment may exist, all skill testing participants shall have available for use NFPA compliant PPE and SCBA as defined in §435.1 of this title (relating to Protective Clothing) and §435.3 of this title (relating to Self-Contained Breathing Apparatus).

§439.13. Special Accommodations for Testing.

- (a) Special accommodation testing is for those individuals that have a documented disability which may hamper their success on a Texas Commission on Fire Protection written examination. Some accommodations that can be allowed are:
- (1) A testing room to oneself (examinee is allowed to read the questions out loud to him or herself). To accommodate the request the examinee will have to test in the Commission's Austin headquarters location or any location deemed appropriate by the Commission.
 - (2) The test to be split in two with up to an hour break in between (no access to the first half of the examination will be allowed during or after the break). To accommodate the request the examinee will have to test in the commission's Austin headquarters location or any location deemed appropriate by the Commission.
 - (3) The questions to be printed in a larger font (approximately 7% larger).
 - (4) The test to be copied on off-white paper (i.e., cream colored).
 - (5) The use of highlighters or a highlighter sheet.

- (6) Any requests that changes the condition of the examination or the examination process.
- (b) If the applicant is seeking a special accommodation test, the applicant must submit written documentation of the disability and a written statement as to which of the allowable accommodations is being requested. The applicant may ask for accommodations not listed above. The request will be reviewed and the applicant will receive a written response regarding the Commission's position on the request.

§439.19. Number of Test Questions.

- (a) Each examination may have two types of questions: pilot and active. Pilot questions are new questions placed on the examination for statistical purposes only. These questions do not count against an examinee if answered incorrectly.
- (b) The number of questions on an examination, sectional examination, or retest will be based upon the specific examination, or number of recommended hours for a particular curriculum or section as shown in the table below. Any pilot questions added to an examination, sectional examination, or retest will be in addition to the number of exam questions.

Figure: 37 TAC §439.19(b)

Examination	Section	Number of Exam Questions	Maximum Possible Number of Pilot Questions	Time Allowed
Basic Structure FP	Hazardous Materials Awareness	25		
	Hazardous Materials Operations	25		
	Firefighter I	100		
	Firefighter II	75		
	TOTAL	225	25	4.5 Hours
Basic Fire Inspector	Inspector I	50		
	Inspector II	50		
	Plan Examiner I	50		
	TOTAL	150	25	3.0 Hours
Basic Structure FP/ Intermediate Wildland FP	Hazardous Materials Awareness	25		
	Hazardous Materials Operations	25		
	Firefighter I	100		
	Firefighter II	75		
	Intermediate Wildland FP	25		
	TOTAL	250	25	5.0 Hours
FOR ALL OTHER EXAMINATIONS, SECTIONAL EXAMINATIONS, AND RETESTS				
	Recommended Hours	Number of Exam Questions	Maximum Possible Number of Pilot Questions	Time Allowed
IF THE RECOMMENDED HOURS FOR THE CURRICULUM OR SECTION IS:	Less than 30	25	5	30 Minutes
	31 to 100	50	5	1.0 Hour
	101 to 200	75	10	1.5 Hours
	201 to 300	100	15	2.0 Hours
	301 to 400	125	20	2.5 Hours
	401 or More	150	25	3.0 Hours

CHAPTER 439**EXAMINATIONS FOR CERTIFICATION****SUBCHAPTER B****EXAMINATIONS FOR DISTANCE TRAINING****§439.201. Requirements—General.**

The examination requirements for those completing distance training shall be the same as those in Subchapter A of this chapter, except as noted in this subchapter.

§439.205. Performance Skill Evaluation.

If the performance skill portion of a state exam is to be evaluated by an approved field examiner who will not observe the completion of the skill while in the immediate physical presence of the examinee, a letter of assurance from the candidate's training officer or fire chief is required stating that the fire department assures the integrity of the evaluation procedure. If the candidate is not a member of a fire department, then a certified fire instructor, fire chief, or training officer may provide a letter of assurance that meets the requirements of this section. The provider of distance training is required to keep a record of this assurance and provide it to the commission upon request.

10. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:

- B. Report from the Curriculum and Testing Committee with discussion and possible action on recommendations regarding possible changes to the Certification Curriculum Manual as follows:**
 - a. Overview, course instructor information sheet, curriculum outline and reference list for new Fire and Life Safety Educator II.**
 - b. Updates to overview, course instructor information sheet, curriculum outline and reference list for Fire and Life Safety Educator I.**

OVERVIEW

FIRE AND LIFE SAFETY EDUCATOR II

The Fire and Life Safety Educator is required to meet the Job Performance Requirements (JPRs) of National Fire Protection Association (NFPA) 1035, *Standard on Fire and Life Safety Educator, Public Information Officer, Youth Firesetter Intervention Specialist, and Youth Firesetter Program Manager Professional Qualifications*, 2015 edition.

The following items are included in Chapter 13 of this curriculum manual:

- Course Instructor Information
- Reference List (textbooks and other recommended course materials)
- Course Outline (establishes the recommended hours for teaching this course)

This is a voluntary (non-mandatory) certification, therefore a formal “curriculum” is not provided. Please use chapter 5 of NFPA 1035 as a guide when creating your own course curriculum for Fire and Life Safety Educator II.

Performance skills are available in Chapter 13 of the Skills Manual.

All documents in this curriculum manual, and in the skills manual, are available free of charge to download, copy and distribute as necessary. The TCFP does not provide printed copies.

Definition of a Fire and Life Safety Educator II

A Fire and Life Safety Educator II is an individual who has met the requirements specified in chapter 5 of NFPA 1035, *Standard on Fire and Life Safety Educator, Public Information Officer, Youth Firesetter Intervention Specialist, and Youth Firesetter Program Manager Professional Qualifications*, 2015 edition and has the knowledge, skill, and abilities to provide fire and life safety education programs by:

- Preparing program budgets
- Developing public policy recommendations for management
- Evaluating subordinate performance
- Establishing fire and life safety education priorities
- Facilitating partnerships
- Requesting resources from external organizations
- Designing and revising education programs to include informational materials, lesson plans and educational materials
- Developing and implementing program evaluation strategies
- Designing program evaluation instruments
- Implementing an evaluation strategy

**COURSE INSTRUCTOR INFORMATION
FIRE AND LIFE SAFETY EDUCATOR II**

Instructor Qualifications

Fire and Life Safety Educator II courses must be taught by a person meeting the requirements described in Chapter 459 of the TCFP Standards Manual.

Supplemental Information

Instructors are expected to provide supplemental information if the main reference text does not cover all of the knowledge requirements set forth in the NFPA standard.

Certification Testing

Testing for certification in the state of Texas will be based on the knowledge and skills requirements in all sections of Chapter 5 of National Fire Protection Association (NFPA) 1035, *Standard on Fire and Life Safety Educator, Public Information Officer, Youth Firesetter Intervention Specialist, and Youth Firesetter Program Manager Professional Qualifications*, 2015 edition. Any training program must strictly adhere to this NFPA standard.

All test questions and performance skills evaluations will be based on the NFPA Job Performance Requirements (JPRs), requisite knowledge objectives, and requisite skills objectives found in the NFPA standard. Additionally, questions and performance skill evaluations may include information found in, or derived from, the NFPA standard annex, particularly Annex A, which includes explanatory material that may further clarify JPRs. The following is an example from NFPA 1035, section 5.3.3:

NFPA Standard/Curriculum	Explanation
5.3.3 Prepare a request for resources from an external organization, given department/agency policies on requesting resources and a description of the resources needed, so that the request identifies needed resources and conforms to department/agency policies and the requirements of the resource provider.	NFPA JPR number 5.3.3
(A) Requisite Knowledge: Legal issues, department or agency policies for requesting resources.	Requisite knowledge objectives for 5.3.3 Written test questions and/or performance skills will be used to test these knowledge components on the state certification exam.
(B) Requisite Skills: Write proposals.	Requisite skills objectives for 5.3.3 Only performance skills will be used to test these objectives on the state certification exam.
A.5.3.3: Many times in fire and life safety education programs and individual projects, developing resources outside the organization is necessary to achieve program goals and objectives. These resources might include volunteer educators, educational or promotional materials, financial resources, or any other personnel	Appendix A: Explanatory Material for 5.3.3

or material resources required to meet program needs. To solicit these resources effectively in the community, a record of past efforts, including program requirements, providers, methods of solicitation, personnel responsible for solicitation, and methods for managing and accounting for the resources, should be maintained.	
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TCFP Standards Manual

It is critical that the Course Instructor review the chapters in the TCFP Standards Manual that apply to this curriculum. Of primary importance are the following chapters:

Chapter 421, *Standards for Certification*

Chapter 427, *Training Facility Certification*

Chapter 435, *Fire Fighter Safety*

Chapter 437, *Fees*

Chapter 459, *Minimum Standards for Fire and Life Safety Educator Certification*

These chapters do not address every issue that could impact this curriculum; therefore, the Course Instructor is encouraged to become familiar with the TCFP Standards Manual.

Descriptions of Certification Levels

For additional information, see Chapter 421 of the Texas Commission on Fire Protection Standards Manual for Fire Protection Personnel.

**CHAPTER THIRTEEN
FIRE AND LIFE SAFETY EDUCATOR II
CURRICULUM OUTLINE**

LEVEL II		
SECTION	SUBJECT	RECOMMENDED HOURS
1302-5.1	General Requirements	12
1302-5.2	Administration	6
1302-5.3	Planning and Development	2
1302-5.4	Education	16
1302-5.5	Evaluation	4
1302	Performance Skills*	8
	TOTAL RECOMMENDED HOURS	48

*The recommended hours for skills evaluation is based on 12 students. Actual hours needed will depend on the number of students, the number of examiners, availability of equipment, and the student skill level.

REFERENCE LIST FOR THE FIRE AND LIFE SAFETY EDUCATOR II CURRICULUM

Certified Training Facilities approved to teach this curriculum must have the following reference materials:

Required References

Certification Curriculum Manual for Fire Protection Personnel, Austin, TX: Texas Commission on Fire Protection

Fire and Life Safety Educator (3rd ed.) (2011). Stillwater, OK: International Fire Service Training Association.

Fire and Life Safety Educator: Principles and Practice (2nd ed.) (2018). Giesler, Marsha P. Burlington, MA: Jones and Bartlett Learning.

NFPA 1035: Standard on Fire and Life Safety Educator, Public Information Officer, Youth Firesetter Intervention Specialist, and Youth Firesetter Program Manager Professional Qualifications (2015 ed.). Quincy, MA: National Fire Protection Association NFPA Publications.

Standards Manual for Fire Protection Personnel, Austin, TX: Texas Commission on Fire Protection

OVERVIEW

FIRE AND LIFE SAFETY EDUCATOR I

The Fire and Life Safety Educator I is required to meet the Job Performance Requirements (JPRs) of National Fire Protection Association (NFPA) 1035, *Standard on Fire and Life Safety Educator, Public Information Officer, Youth Firesetter Intervention Specialist, and Youth Firesetter Program Manager Professional Qualifications*, 2015 edition.

The following items are included in Chapter 13 of this curriculum manual:

- Course Instructor Information
- Reference List (textbooks and other recommended course materials)
- Course Outline (establishes the recommended hours for teaching this course)

This is a voluntary (non-mandatory) certification, therefore a formal “curriculum” is not provided. Please use chapter 4 of NFPA 1035 as a guide when creating your own course curriculum for Fire and Life Safety Educator I.

Performance skills are available in Chapter 13 of the Skills Manual.

All documents in this curriculum manual, and in the skills manual, are available free of charge to download, copy and distribute as necessary. The TCFP does not provide printed copies.

Definition of a Fire and Life Safety Educator I

A Fire and Life Safety Educator I is an individual who has met the requirements specified in **chapter 4 of** NFPA 1035, *Standard on Fire and Life Safety Educator, Public Information Officer, Youth Firesetter Intervention Specialist, and Youth Firesetter Program Manager Professional Qualifications*, 2015 edition and has the knowledge, skill, and abilities to provide fire and life safety education programs by ~~having and maintaining a knowledge of:~~

- ~~How to Documenting~~ **Documenting** fire and life safety educational activities
- ~~Maintaining~~ **Maintaining** work schedules
- Identifying and partnering with community resources, services and organizations
- Selecting instructional materials
- **Assuring** safety during fire and life safety education activities
- Presenting **and** adapting lessons
- ~~Publicity~~ **izing fire and life safety information**
- ~~Legal requirements and policies for distribution and posting of materials~~
- ~~How to Disseminating~~ **Disseminating educational** information
- **Administering and scoring** evaluation instruments

**COURSE INSTRUCTOR INFORMATION
FIRE AND LIFE SAFETY EDUCATOR I**

Instructor Qualifications

Fire and Life Safety Educator I courses must be taught by a person meeting the requirements described in Chapter 459 of the TCFP Standards Manual.

Supplemental Information

Instructors are expected to provide supplemental information if the main reference text does not cover all of the knowledge requirements set forth in the NFPA standard.

Certification Testing

Testing for certification in the state of Texas will be based on the knowledge and skills requirements in all sections of Chapter 4 of National Fire Protection Association (NFPA) 1035, *Standard on Fire and Life Safety Educator, Public Information Officer, Youth Firesetter Intervention Specialist, and Youth Firesetter Program Manager Professional Qualifications*, 2015 edition. Any training program must strictly adhere to this NFPA standard.

All test questions and performance skills evaluations will be based on the NFPA Job Performance Requirements (JPRs), requisite knowledge objectives, and requisite skills objectives found in the NFPA standard. Additionally, questions and performance skill evaluations may include information found in, or derived from, the NFPA standard annex, particularly Annex A, which includes explanatory material that may further clarify JPRs. The following is an example from NFPA 1035, section 4.4.3:

NFPA Standard/Curriculum	Explanation
4.4.3 Present a lesson, given a lesson plan with multiple presentation methods, evaluation instruments, time allotment, setting, and identified audience, so that the lesson plan is followed and the objectives are met.	NFPA JPR number 4.4.3
(A) Requisite Knowledge: Lesson content, learning objectives, presentation methods, specific audience needs.	Requisite knowledge objectives for 4.4.3 Written test questions and/or performance skills will be used to test these knowledge components on the state certification exam.
(B) Requisite Skills: Presentation skills and methods.	Requisite skills objectives for 4.4.3 Only performance skills will be used to test these objectives on the state certification exam.
A.4.4.3: Typical presentation methods can include the following: (1) Lectures (2) Skits (3) Games (4) Role playing (5) Questioning (6) Team teaching	Appendix A: Explanatory Material for 4.4.3

<ul style="list-style-type: none"> (7) Discussions (8) Music (9) Characterizations (10) Demonstrations (11) Modeling (12) Videos (13) Films (14) Slides 	
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TCFP Standards Manual

It is critical that the Course Instructor review the chapters in the TCFP Standards Manual that apply to this curriculum. Of primary importance are the following chapters:

Chapter 421, *Standards for Certification*

Chapter 427, *Training Facility Certification*

Chapter 435, *Fire Fighter Safety*

Chapter 437, *Fees*

Chapter 459, *Minimum Standards for Fire and Life Safety Educator Certification*

These chapters do not address every issue that could impact this curriculum; therefore, the Course Instructor is encouraged to become familiar with the TCFP Standards Manual.

Descriptions of Certification Levels

For additional information, see Chapter 421 of the Texas Commission on Fire Protection Standards Manual for Fire Protection Personnel.

**CHAPTER THIRTEEN
FIRE AND LIFE SAFETY EDUCATOR I
CURRICULUM OUTLINE**

LEVEL I		
SECTION	SUBJECT	RECOMMENDED HOURS
1201-4.1	General Requirements	12
1201-4.2	Administration	6
1201-4.3	Planning and Development	2
1201-4.4	Education and Implementation	16
1201-4.5	Evaluation	4
1201	Performance Skills*	8
	TOTAL RECOMMENDED HOURS	48

*The recommended hours for skills evaluation is based on 12 students. Actual hours needed will depend on the number of students, the number of examiners, availability of equipment, and the student skill level.

REFERENCE LIST FOR THE FIRE AND LIFE SAFETY EDUCATOR I CURRICULUM

Certified Training Facilities approved to teach this curriculum must have the following reference materials:

Required References

Certification Curriculum Manual for Fire Protection Personnel, Austin, TX: Texas Commission on Fire Protection

Fire and Life Safety Educator (3rd ed.) (2011). Stillwater, OK: International Fire Service Training Association.

Fire and Life Safety Educator: Principles and Practice (2nd ed.) (2018). Giesler, Marsha P. Burlington, MA: Jones and Bartlett Learning.

NFPA 1035: Standard on Fire and Life Safety Educator, Public Information Officer, Youth Firesetter Intervention Specialist, and Youth Firesetter Program Manager Professional Qualifications (2015 ed.). Quincy, MA: National Fire Protection Association NFPA Publications.

Standards Manual for Fire Protection Personnel, Austin, TX: Texas Commission on Fire Protection

11. Discussion and possible action on the 2017 data collected regarding fire fighter injuries, and the development of recommendations to be submitted to the State Fire Marshal's Office for inclusion in its annual report.

Texas Commission on Fire Protection

Injury Report

January 1, 2017 to December 31, 2017



TEXAS COMMISSION ON FIRE PROTECTION

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Executive Summary

This report includes the abstract, mission, reports, information and data collected by the Texas Commission on Fire Protection's injury reporting program. The report includes fire fighter injuries reported to the Texas Commission on Fire Protection in 2017, with charts and graphs depicting the collected information. The report also compares Texas fire fighter injury statistics with statistics gathered by the National Fire Protection Association (NFPA) in 2016.

Under Texas Government Code §419.048, the Texas Commission on Fire Protection is charged with developing and establishing criteria to receive and analyze injury information pertaining to Texas fire fighters. The commission reviews this information to develop recommendations to help reduce fire protection personnel injuries. The commission provides this information to the State Fire Marshal's Office (SFMO) by September 1 of each year for inclusion in the SFMO's annual Firefighter Fatality Investigations Report. The commission has enacted rules about reporting injuries in the Texas Administrative Code (TAC) Title 37, Chapter 435, and has established the criteria and policies for reporting and analyzing the information.

The commission built the data systems necessary to gather this information in 2010. Development is ongoing as we receive feedback from stakeholders on the efficiency of the system. The reporting process is accomplished online. Fire departments regulated by the commission have been notified of the requirement to report. Several volunteer departments, which are not regulated by the commission, are also participating voluntarily.

This report concludes with recommendations from the commission to help reduce the number of fire fighter injuries in Texas and to improve the injury reporting program.

Abstract

Texas fire departments reported 4,090 injuries to the Texas Commission on Fire Protection in calendar year 2017. Of these, 827 occurred during fire suppression activities, representing 20 percent of the total reported injuries. This represents a six percent decrease in the ratio of fire suppression injuries to the total, which in 2016 accounted for 26 percent of injuries. Of the 827 fire suppression injuries, 157, or 19 percent of the fire suppression-related injuries, were serious injuries that resulted in lost time. (Note: The commission defines a serious injury as one which results in the employee missing one or more full duty shifts)

Injuries from emergency medical services (EMS) activities surpassed injuries from fire suppression activities in 2017. EMS activities accounted for 1,079 of the 4,090 total reported injuries, or 26 percent of the total injuries. This represents nearly the same ratio of EMS injuries to total injuries in 2016, in which 1,041 of 4,097 total injuries, or 25 percent, occurred during EMS activities.

After EMS and fire suppression, the next highest number of injuries reported in 2017 occurred in the performance of station duties, with 668, or 16 percent, of the total injuries. This is nearly the same result as in 2016, when 610, or 15 percent, of the total reported injuries occurred in the station.

Skills training and wellness/fitness again rounded out the top five activities resulting in injuries, with 412 skills training injuries (10 percent of the total) and 384 fitness/wellness injuries (9 percent).

The total number of injuries reported in station duties, skills training, and wellness/fitness activities (which are all non-emergency activities) represented just over a third (37 percent) of the total injuries. This was the same ratio of non-emergency to emergency activities as in 2016.

Mission

The commission shall gather and evaluate data on fire protection personnel injuries and develop recommendations for reducing injuries.

Why we are collecting injury data

Under Texas Government Code §419.048, the Texas Legislature charged the commission with gathering and evaluating data on injuries. The rules requiring regulated entities to report injuries to the commission are in Texas Administrative Code §435.23. The commission encourages volunteer entities to report injuries so that it can gain as accurate a picture as possible concerning injury trends in the Texas fire service. The injury reporting program began in March 2010.

Information the commission collects

- Minor, serious, critical and fatal injuries
- Activities where fire personnel are injured
- Types of injuries (burns, strain-sprains, wounds, etc.)
- Body parts being injured
- Tasks performed at the time of injury
- Missed time
- Work assignment after injury
- Malfunctions/failures of personal protective equipment (PPE), self-contained breathing apparatus (SCBA), personal alert safety systems (PASS devices) and standard operating procedures (SOPs)

How this will help the fire service

- Identify common injuries
- Identify trends in injuries
- Identify needed training
- Evaluate and find improvements in procedures
- Track lost time injuries (requested by user community)

Reports, Information and Data Collection

This report contains data submitted by regulated and non-regulated entities. The data collected in 2017 was the seventh full year of reporting.

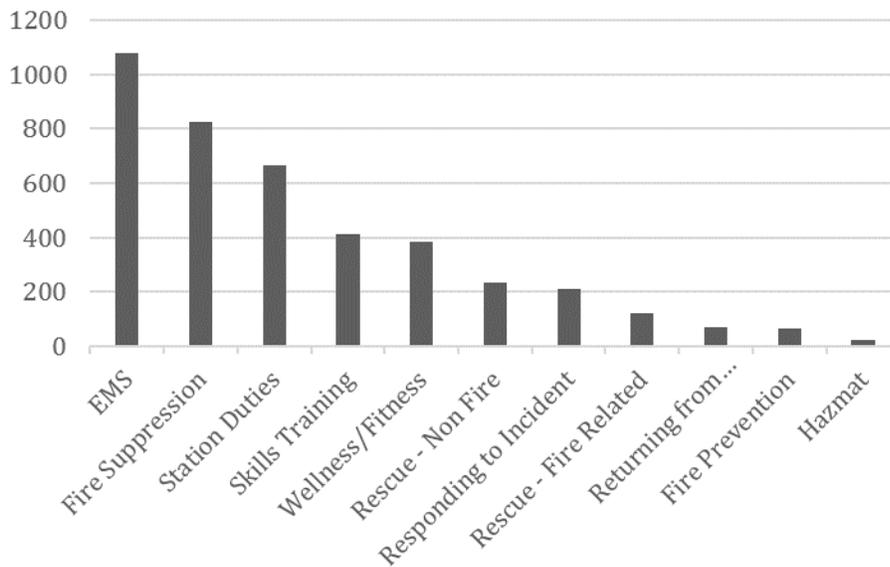
Of the approximately 560 commission-regulated fire departments included in this report, 437, or 77% percent, either submitted an injury report or a “no injury” report for months in which their personnel did not have any injuries. The commission stresses the need for participation and provides reminders to regulated entities of the statutory requirement to report.

Fire Protection Personnel Injuries

Table 1: Injuries by Activity and Severity, 2017

Activity	Minor	Serious	Critical	Fatal	Total
EMS	929	147	3		1079
Fire Suppression	662	157	7	1	827
Station Duties	481	185	2		668
Skills Training	291	120	1		412
Wellness/Fitness	254	129	1		384
Rescue - Non Fire	206	27			233
Responding to Incident	156	53			209
Rescue - Fire Related	113	7			120
Returning from Incident	42	28			70
Fire Prevention	50	15	1		66
Hazmat	21	1			22
Total	3205	869	15	1	4090

Figure 1: Total Injuries by Activity, 2017



Minor and Serious Injuries by Activity

EMS activities resulted in the highest number of minor injuries for 2017. The total number of serious fire suppression injuries is down, compared to 2015 and 2016. (See Table 3. The commission defines a serious injury as one which results in the employee missing one or more full duty shifts.)

Table 2: Minor Injury Activities, 2013 - 2017

Activity	2013		2014		2015		2016		2017	
	Count	Percent								
EMS	934	30.28%	900	28.03%	792	28.25%	882	27.89%	929	28.99%
Fire Suppression	619	20.06%	808	25.16%	618	22.04%	866	27.39%	662	20.66%
Station Duties	452	14.65%	465	14.48%	396	14.12%	434	13.73%	481	15.01%
Skills Training	317	10.28%	365	11.37%	288	10.27%	311	9.84%	291	9.08%
Wellness/Fitness	285	9.24%	254	7.91%	278	9.88%	252	7.97%	254	7.93%
Rescue - Non Fire	243	7.88%	206	6.42%	204	7.28%	161	5.09%	206	6.43%
Responding to Incident	70	2.27%	105	3.27%	122	4.35%	117	3.70%	156	4.87%
Rescue - Fire Related	18	0.58%	11	0.34%	22	0.78%	20	0.63%	113	3.53%
Fire Prevention	66	2.14%	43	1.34%	41	1.46%	47	1.49%	50	1.56%
Returning from Incident	37	1.20%	42	1.31%	33	1.18%	37	1.17%	42	1.31%
Hazmat	44	1.43%	12	0.37%	11	0.39%	35	1.11%	21	0.66%
Total	3085	100%	3211	100%	2805	100%	3162	100%	3205	100%

Table 3: Serious Injury Activities, 2013 - 2017

Activity	2013		2014		2015		2016		2017	
	Count	Percent	Count	Count	Count	Percent	Count	Percent	Count	Percent
Station Duties	201	21.36%	160	19.42%	174	19.31%	172	18.76%	185	21.29%
Fire Suppression	206	21.89%	177	21.48%	160	17.76%	179	19.52%	157	18.07%
EMS	179	19.02%	164	19.90%	185	20.53%	158	17.23%	147	16.92%
Wellness/Fitness	122	12.96%	127	15.41%	125	13.87%	146	15.92%	129	14.84%
Skills Training	99	10.52%	104	12.62%	126	13.98%	141	15.38%	120	13.81%
Responding to Incident	42	4.46%	16	1.94%	44	4.88%	36	3.93%	53	6.10%
Rescue - Non Fire	46	4.89%	38	4.61%	46	5.11%	52	5.67%	27	3.11%
Returning from Incident	18	1.91%	19	2.31%	13	1.44%	18	1.96%	28	3.22%
Fire Prevention	17	1.81%	11	1.33%	12	1.33%	11	1.20%	15	1.73%
Rescue - Fire Related	11	1.17%	3	0.36%	12	1.33%	3	0.33%	7	0.81%
Hazmat	0	0	5	0.61%	4	0.44%	1	0.11%	1	0.12%
Total	941	100%	824	100%	901	100%	917	100	869	100%

Emergency vs. Non-Emergency Injuries

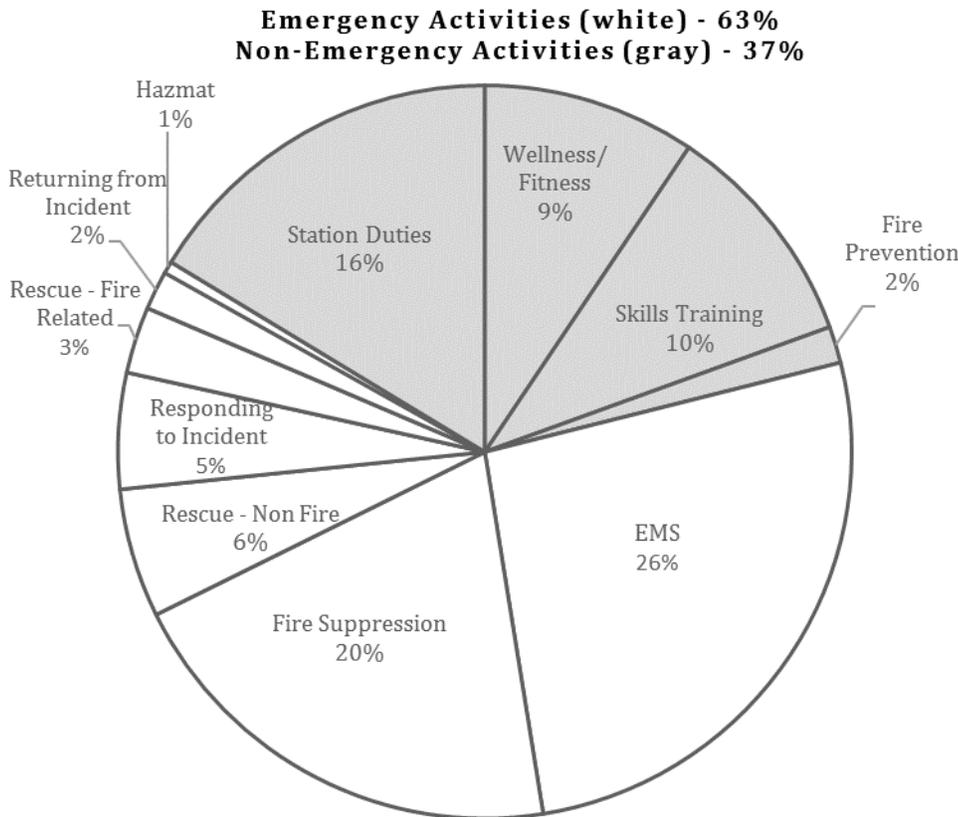
Table 4: Injuries by Emergency Activity and Severity, 2017

Activity	Minor	Serious	Critical	Fatal	Total
EMS	929	147	3		1079
Fire Suppression	662	157	7	1	827
Rescue - Non Fire	206	27			233
Responding to Incident	156	53			209
Rescue - Fire Related	113	7			120
Returning from Incident	42	28			70
Hazmat	21	1			22
Total	2129	420	10	1	2560

Table 5: Injuries by Non-Emergency Activity and Severity, 2017

Activity	Minor	Serious	Critical	Total
Station Duties	481	185	2	668
Skills Training	291	120	1	412
Wellness/Fitness	254	129	1	384
Fire Prevention	50	15	1	66
Total	1076	449	5	1530

Figure 2: Percent of Injuries in Emergency and Non-Emergency Activities, 2017

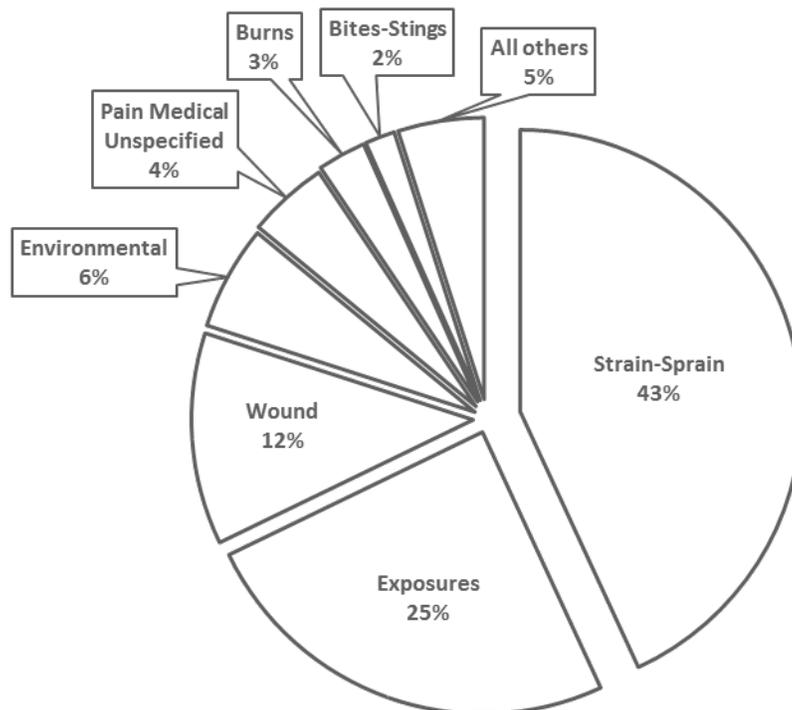


Injuries by Type

Table 6: Types of Injury, 2013-2017 (Note: ordered by 2017, descending)

Type of Injury	2013		2014		2015		2016		2017	
	Count	Percent								
Strain-Sprain	2118	52.28%	1917	47.27%	1839	49.42%	1842	44.96%	1763	43.32%
Exposures	786	19.40%	1117	27.55%	868	23.33%	1092	26.65%	1011	24.84%
Wound	548	13.53%	483	11.91%	491	13.20%	492	12.01%	497	12.21%
Environmental	106	2.62%	101	2.49%	142	3.82%	191	4.66%	245	6.02%
Pain Medical Unspecified	62	1.53%	79	1.95%	66	1.77%	94	2.29%	189	4.64%
Burns	166	4.10%	113	2.79%	95	2.55%	113	2.76%	113	2.78%
Bites-Stings	87	2.15%	79	1.95%	69	1.85%	83	2.03%	70	1.72%
Chest Pains-Cardiac	50	1.23%	46	1.13%	37	0.99%	49	1.20%	51	1.25%
Fractures	59	1.46%	39	0.96%	40	1.07%	41	1.00%	40	0.98%
Debris/Penetrating	38	0.94%	38	0.94%	34	0.91%	35	0.85%	32	0.79%
Hearing Loss - Chronic	2	0.05%	4	0.10%	7	0.19%	35	0.85%	28	0.69%
Hearing Loss - Acute	14	0.35%	21	0.52%	19	0.51%	17	0.41%	23	0.57%
Electrocution	12	0.30%	12	0.30%	9	0.24%	9	0.22%	7	0.17%
Heart Attack	2	0.05%	1	0.02%	3	0.08%	1	0.02%	1	0.02%
Stroke	0	0.00%	1	0.02%	0	0.00%	2	0.05%	0	0.00%
Broken Spine-Neck	1	0.02%	4	0.10%	2	0.05%	1	0.02%	0	0.00%
Total	4051	100%	4055	100%	3721	100%	4097	100%	4070	100%

Figure 3: Types of Injury, 2017



Task at Time of Injury

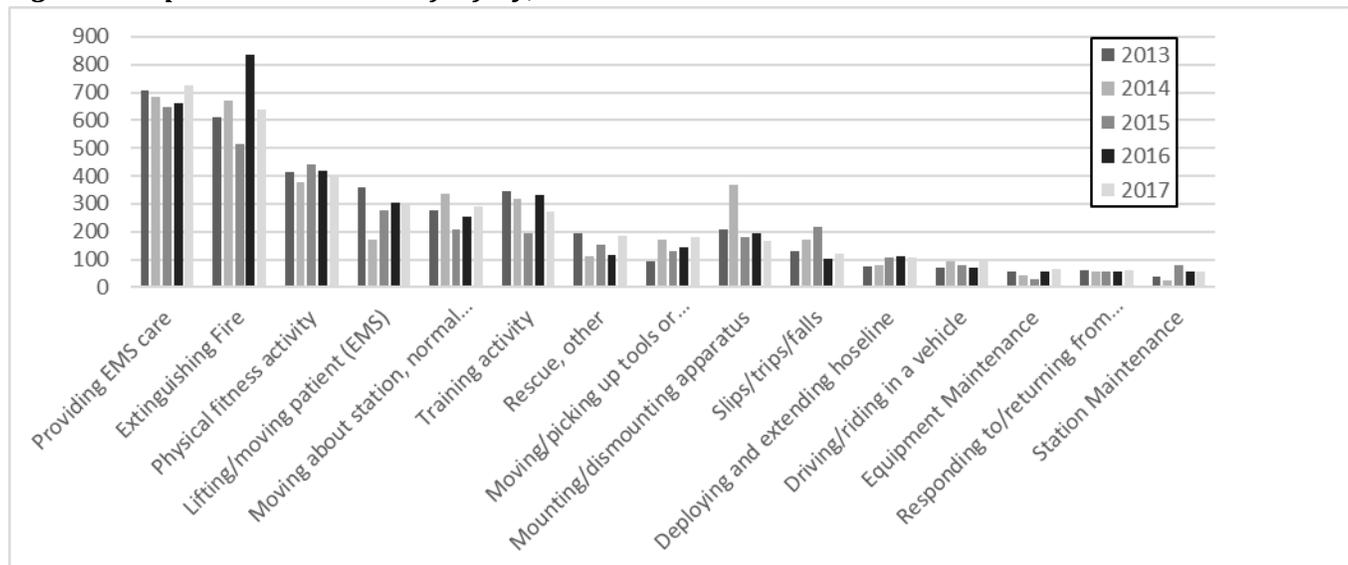
(The commission began gathering task information in mid-2012.)

Table 7: Top 15 Tasks at Time of Injury, 2013-2017 (ordered by 2017, descending)

Task	2013	2014	2015	2016	2017
Providing EMS care	708	686	649	661	728
Extinguishing Fire	609	669	513	837	638
Physical fitness activity	413	376	442	420	401
Lifting/moving patient (EMS)	357	171	275	306	294
Moving about station, normal activity	278	335	206	252	289
Training activity	344	317	193	331	273
Rescue, other	193	110	155	118	183
Moving/picking up tools or equipment	92	173	128	142	179
Mounting/dismounting apparatus	206	367	180	193	166
Slips/trips/falls	131	171	215	105	122
Deploying and extending hoseline	74	82	108	111	106
Driving/riding in a vehicle	72	94	82	70	92
Equipment Maintenance	59	43	29	57	65
Responding to/returning from incident	62	56	59	55	60
Station Maintenance	37	26	81	59	55
All others*	416	379	406	380	440
Total	4051	4055	3721	4097	4090

*All other, 2017: Other: Description: 48; Equipment Maintenance: 43; Extrication: 39; Forcible Entry: 38; Overhaul: 34; Ascending/descending stairs: 32; Operating manual tool: 29; Incident Investigation: 28; Moving about station, alarm sounding: 25; Non-Fire Incidents: 25; Ascending/descending ladder: 22; Inspection Activity: 22; Operating power tool: 11; Manually moving item to gain access: 10; Operating in low/no visibility: 6; Crawling in a confined or otherwise hazardous area: 5; Raising/lowering ladder: 5; Removing equipment from/returning equipment to apparatus: 5; Salvage: 5; Operating nozzle: 3; Carrying/dragging a person (rescue): 2.

Figure 4: Top 15 Tasks at Time of Injury, 2013-2017



Injuries by Body Part

Table 8: Injuries by Body Part, 2013 – 2017 (ordered by 2017, descending)

Body Part	2013	2014	2015	2016	2017
Multiple body parts, whole body	595	901	659	1007	1064
Hand and fingers	403	345	328	359	365
Knee	407	367	369	376	315
Hip, lower back, or buttocks	91	244	316	283	292
Back, except spine	588	372	207	244	248
Shoulder	293	230	241	238	221
Ankle	207	177	202	192	179
Multiple Parts	62	160	180	124	151
Face	128	118	140	116	127
Arm, lower, not including elbow or wrist	84	94	84	109	121
Leg, lower	108	86	117	132	113
Foot and toes	105	79	71	85	87
Head	94	73	69	82	78
Ear	54	52	60	74	76
Chest	66	64	40	82	76
Eye	100	98	75	70	73
Multiple body parts, upper body	57	27	52	61	73
Elbow	68	66	51	47	72
Wrist	79	68	48	74	56
Other body parts injured	381	265	500	342	303
Total	3970	3886	3809	4097	4090

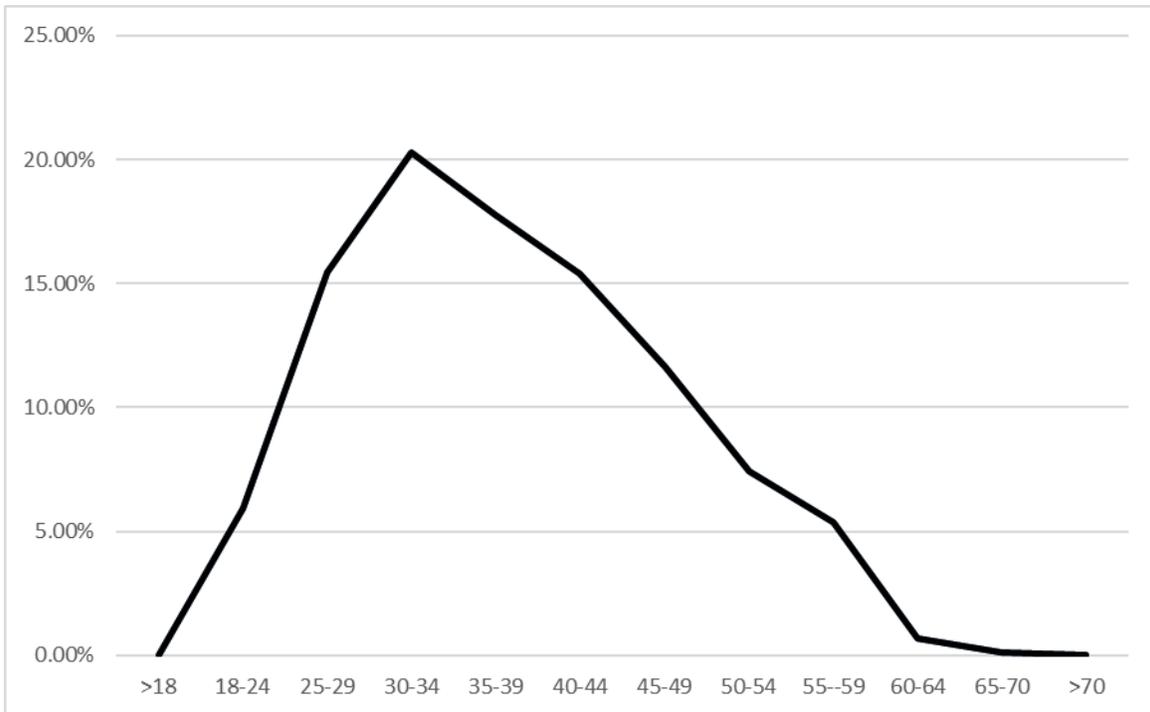
* **Other body parts injured, 2017, in descending order:** Neck: 41; Arm, upper, not including elbow or shoulder: 39; Pelvis or groin: 38; Abdomen: 36; Upper extremities: 28; Leg, upper: 21; Trachea and lungs: 20; Multiple body parts, lower body: 15; Mouth, included are lips, teeth, and interior: 14; Lower Extremities: 13; Neck and Shoulders: 10; Nose: 6; Unidentified: 6; Throat: 5; None: 4; Internal: 3; Thorax: 3; Genito-urinary: 1.

Injuries by Age Group

Table 9: Injuries by Age Group, 2013 - 2017

Age Group	2013		2014		2015		2016		2017	
	Count	Percent								
>18	0	0.00%	1	0.02%	0	0.00%	0	0.00%	0	0.00%
18-24	219	5.41%	178	4.39%	187	5.03%	213	5.20%	242	5.92%
25-29	584	14.42%	573	14.13%	543	14.59%	570	13.91%	631	15.43%
30-34	799	19.72%	749	18.47%	791	21.26%	812	19.82%	829	20.27%
35-39	729	18.00%	833	20.54%	682	18.33%	792	19.33%	727	17.78%
40-44	620	15.30%	674	16.62%	582	15.64%	634	15.47%	629	15.38%
45-49	443	10.94%	438	10.80%	405	10.88%	513	12.52%	476	11.64%
50-54	402	9.92%	380	9.37%	323	8.68%	313	7.64%	303	7.41%
55-59	198	4.89%	173	4.27%	181	4.86%	196	4.78%	219	5.35%
60-64	51	1.26%	49	1.21%	20	0.54%	50	1.22%	28	0.68%
65-70	6	0.15%	6	0.15%	5	0.13%	4	0.10%	5	0.12%
>70	0	0.00%	1	0.02%	2	0.05%	0	0.00%	1	0.02%
Totals	4051	100.00%	4055	100.00%	3721	100.00%	4097	100.00%	4090	100.00%

Figure 5: Injury Percentages by Age Group, 2013- 2017



Injury Activities Resulting in Lost Time

Table 10: Injury Activities Resulting in Lost Time, Totals, 2017

Activity	Count	Days Missed	
		Average	Sum
Station Duties	154	39	5977
Fire Suppression	134	49	6505
EMS	128	57	7274
Wellness/Fitness	115	36	4183
Skills Training	90	46	4132
Responding to Incident	43	31	1338
Rescue - Non Fire	20	27	546
Returning from Incident	24	37	878
Fire Prevention	15	80	1194
Rescue - Fire Related	5	10	51
Hazmat	1	2	2
Total	729	44	32080

Table 11: Activities Resulting in Lost Time, 2017, between 1 and 30 Days

Activity	Count	Days Missed	
		Average	Sum
Station Duties	100	10	1003
Fire Suppression	84	12	1007
Wellness/Fitness	76	11	859
EMS	64	10	656
Skills Training	54	10	547
Responding to Incident	32	9	273
Rescue - Non Fire	14	10	143
Returning from Incident	15	14	209
Fire Prevention	8	17	134
Rescue - Fire Related	5	10	51
Hazmat	1	2	2
Total, Between 1 and 30 Days	453	11	4884

Injury Activities Resulting in Lost Time (continued)

Table 12: Activities Resulting in Lost Time, 2017, between 31 and 90 Days

Activity	Count	Days Missed	
		Average	Sum
EMS	36	58	2099
Station Duties	34	52	1760
Fire Suppression	27	53	1430
Wellness/Fitness	28	60	1688
Skills Training	23	54	1253
Responding to Incident	6	65	390
Rescue - Non Fire	4	35	141
Returning from Incident	6	52	310
Fire Prevention	3	55	166
Total, Between 31 and 90 Days	167	55	9237

Table 13: Activities Resulting in Lost Time, 2017, 91+ Days

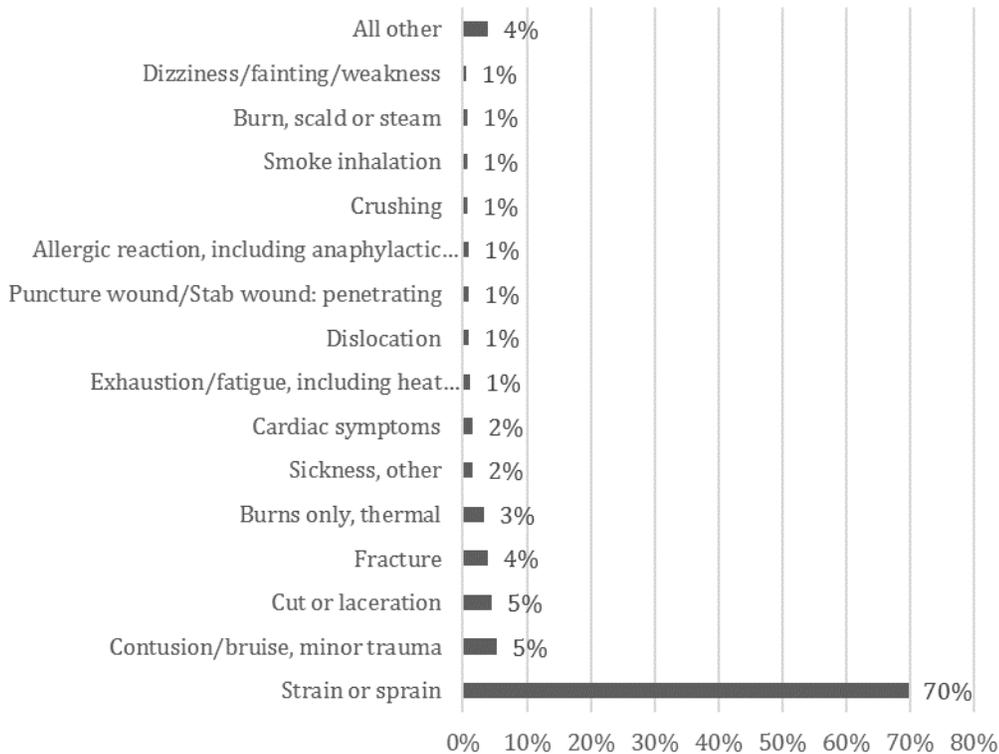
Activity	Count	Days Missed	
		Average	Sum
Fire Suppression	22	181	3991
EMS	28	161	4519
Station Duties	20	161	3214
Skills Training	13	179	2332
Responding to Incident	3	120	359
Wellness/Fitness	11	149	1636
Rescue - Non Fire	2	131	262
Fire Prevention	4	224	894
Returning from Incident	3	120	359
Total, 91+ Days Missed	108	166	17882

Types of Injuries with Lost Time

Table 14: Types of Injuries Resulting in Lost Time, 2017

Type of Injury	Count	Average Days Out
Strain or sprain	509	49
Contusion/bruise, minor trauma	38	39
Cut or laceration	33	14
Burns only, thermal	24	26
Fracture	29	56
Sickness, other	11	57
Cardiac symptoms	11	12
Exhaustion/fatigue, including heat exhaustion	8	14
Dislocation	6	62
Allergic reaction, including anaphylactic shock	6	5
Burn, scald or steam	5	36
Puncture wound/Stab wound: penetrating	6	81
Crushing	5	15
Smoke inhalation	5	17
Dizziness/fainting/weakness	4	8
All other	29	25
Total	729	44

Figure 6: Types of Injuries Resulting in Lost Time, 2017



Burn Injuries

Table 15: All Burns, 2013 - 2017

All Burns - Types	2013	2014	2015	2016	2017
Thermal	92	76	85	92	96
Scald or steam	71	33	10	9	13
Electric	2	2	0	2	0
Chemical	0	2	0	3	4
Total	165	113	95	106	113

Table 16: Burns with Lost Time by Burn Type, 2017

Burns with Lost Time	Count	Average Days Missed	Total Days Missed
Scald or steam	5	36	182
Thermal	24	26	628
Total	29	31	810

Table 17: Burns by Body Part, 2013 - 2017 (ordered by 2017, descending)

Body Part	2013	2014	2015	2016	2017
Hand and fingers	35	18	14	27	22
Ear	29	13	22	14	16
Arm, lower, not including elbow or wrist	12	9	3	2	12
Multiple parts	16	16	8	4	12
Face	14	13	12	16	9
Neck	9	9	6	4	7
Wrist	10	5	4	9	7
Shoulder	13	5	5	3	6
Multiple body parts, upper body	3	4	5	8	4
Leg, lower	4	1	6	3	3
Undetermined	0	0	0	3	2
Arm, upper, not including elbow or shoulder	1	2	2	1	2
Back, except spine	0	2	0	0	2
Pelvis or groin	0	0	0	0	2
Knee	1	0	0	1	2
Elbow	1	0	0	0	1
Head	5	3	4	2	1
Neck and shoulders	1	1	0	0	1
Chest	1	0	0	1	1
Foot and toes	5	2	1	3	1
Eye	0	1	0	0	0
Throat	1	0	0	0	0
Lower extremities	5	2	1	2	0
Upper extremities	0	6	2	2	0
Total	166	112	95	105	113

Burn Injuries (continued)

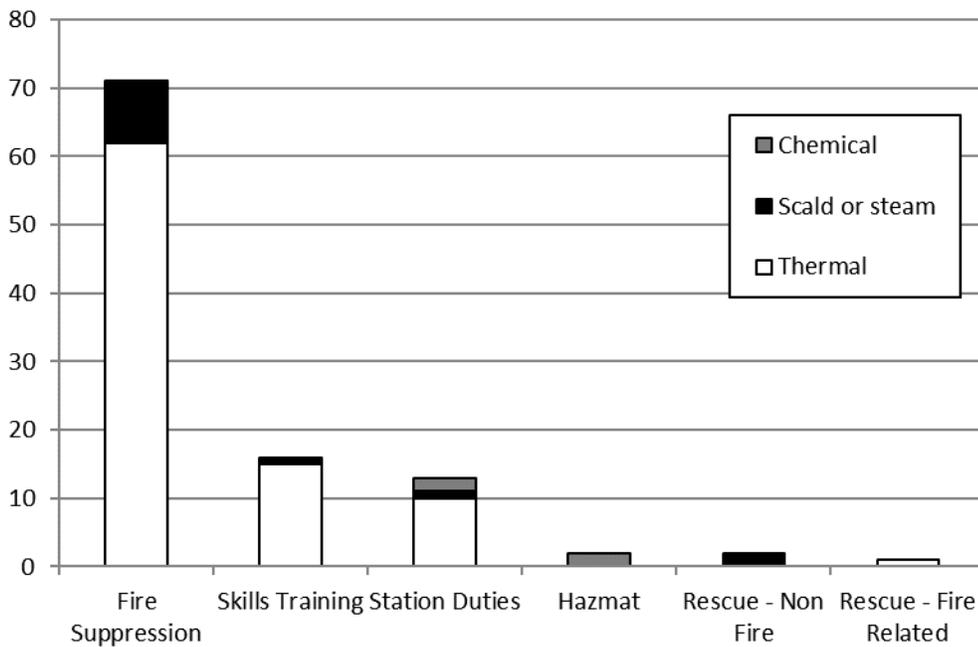
Table 18: Burns by Emergency Activity, 2017

Emergency Activities				
Type	Fire Suppression	Hazmat	Rescue - Non Fire	Rescue - Fire Related
Thermal	68			2
Scald or Steam	9		2	
Chemical		2		
Total	77	2	2	2

Table 19: Burns by Non-Emergency Activity, 2017

Non-Emergency Activities		
Type	Station Duties	Skills Training
Thermal	11	15
Scald or Steam	1	1
Chemical	2	
Total	14	16

Figure 7: Burns by Activity, 2017

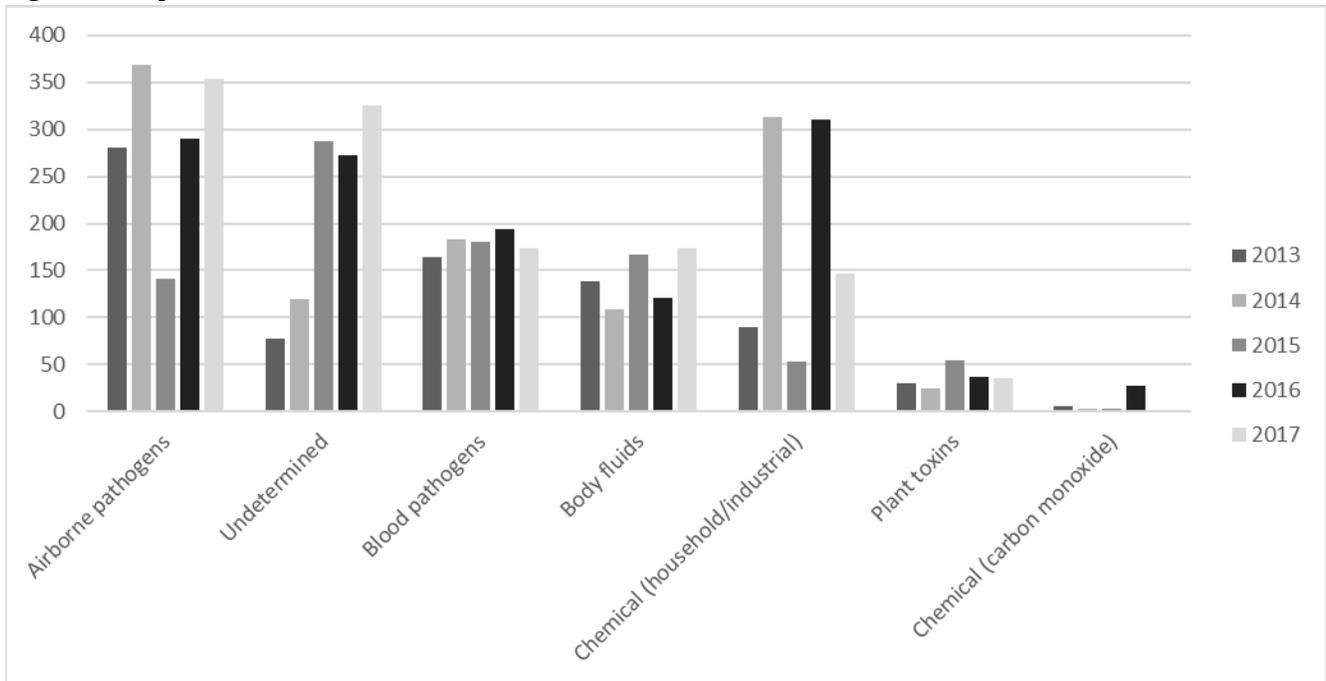


Exposures

Table 20: Routes of Exposure, 2013-2017 (ordered by 2017, descending)

Exposure Routes	2013	2014	2015	2016	2017
Airborne pathogens	281	369	141	290	354
Undetermined	77	120	287	273	325
Blood pathogens	164	183	181	194	174
Body fluids	138	109	167	121	173
Chemical (household/industrial)	90	313	53	310	147
Plant toxins	30	24	54	37	36
Chemical (carbon monoxide)	6	3	3	27	1
Total	786	1121	886	1252	1210

Figure 8: Exposure Routes, 2013 - 2017



Exposures (continued)

Table 21. Exposure description, 2013-2017 (ordered by 2017, descending)

Exposure description	2013	2014	2015	2016	2017
Unknown	51	103	256	148	290
Blood	159	177	167	161	153
Chemicals/household/industrial	89	89	36	310	122
Asbestos	5	384	51	51	112
Tuberculosis	94	93	73	128	109
Body fluids	96	109	92	91	101
Meningitis	129	65	91	62	92
Animals or wildlife	29	63	75	90	58
Sickness, other	5	60	21	24	49
Poison plants	30	24	61	37	37
Vomit	33	16	19	14	17
Chlorine	0	0	4	1	14
Mold	2	0	4	26	10
Airborne, Other	37	15	7	40	7
Staph	1	0	3	0	7
Carbon monoxide	5	6	8	26	5
HIV	4	0	11	4	4
Scabies	8	9	4	21	4
Hepatitis C	8	6	10	14	3
MRSA	16	4	0	14	3
Bacterial pneumonia	0	0	1	0	1
Explosive residue	8	0	0	0	0
Influenza	0	8	0	0	0
Lice	2	0	0	0	0
Strep	0	0	0	1	0
Total	811	1231	984	1263	1210

Note: The commission received 127 exposure reports related directly to Hurricane Harvey; the majority of these exposures were direct exposures to floodwater and/or chemical exposures.

Table 22: Chemical/Mineral Exposures, 2017

Chemical / mineral	Count
Carcinogens, unspecified	144
Asbestos	112
Heavy metals	19
Chlorine	17
Sodium bromide	17
Smoke	15
Unknown chemicals	13
Phosphine gas	9
Oil	8
Solvents	8
Lithium ion batteries	4
Battery acid	4
Carbon monoxide	4
Benzene	3
Firefighting foam	3
Cleaning fluid	3
Ammonia	3
Petroleum byproducts	2
IV fluid	2
Methamphetamine	2
Insecticide / pesticide	1
Sodium hydroxide	1
Personal protective equipment	1
Gasoline	1
Fiberglass	1
Potassium acetate	1
Antifreeze	1
Hydraulic fluid	1
Total	400

Table 23: Other Exposures, 2017

Other	Count
Ricin	6
UV / radiation exposure	5
Mercury	3
Fentanyl	1
Other, unknown puncture	1
Total	16

Table 24: Biological Exposures, 2017

Biological	Count
Blood	174
Contaminated water or sewage	111
TB	108
Meningitis	108
Bodily fluids	89
Vomit	23
Chicken pox / shingles	16
Pertussis / whooping cough	15
Undetermined	12
Mold	10

MRSA / Staph	10
Ebola	7
Hepatitis	4
HIV	4
C. Diff	3
Conjunctivitis	2
Malaria	2
Total	698

Table 25: Poisonous Plants Exposures, 2017

Poisonous plants	Count
Poison plants	36

Table 26: Animal/Wildlife Exposures, 2017

Animals / wildlife	Count
Bees	13
Dog bite	12
Unidentified insect	11
Cat bite	9
Wasps	5
Scabies	4
Spider bite	3
Ants	1
Bedbugs	1
Ticks	1
Total	60

Cancer reports

The commission received ten reports of cancer diagnoses from fire departments in 2017:

Prostate – 3
(Males, 50, 54, 54)

Leukemia – 1
(Male, 60)

Oropharyngeal – 1
(Male, 58)

Colon – 1
(Male, 46)

Cervix – 1
(Female, 53)

Liver – 1
(Male, 42)

Unidentified – 2
(Males, 47, 55)

The commission encourages departments to report these illnesses to help the Texas fire service gain a better understanding of long-term illnesses from which fire protection personnel are suffering.

SOP Issues

In 2017 there were 28 injuries attributed to failures of fire protection personnel to follow their departments' standard operating procedures (SOPs). All but a few were instances where the individuals were not wearing their provided PPE/SCBA gear in an environment or situation in which they should have been.

In its compliance inspections, the Texas Commission on Fire Protection verifies that fire departments have written SOPs that cover the appropriate subject matter.

Table 27: Injuries Attributed to SOP Issues, 2017

Activity	Minor	Serious	Critical	Total
Fire Suppression	5	3	1	9
EMS	4	3		7
Responding to Incident	2	1		3
Skills Training	2			2
Station Duties	1	3		4
Wellness/Fitness		1		1
Fire Prevention			1	1
Rescue – Non Fire		1		1
Total	14	12	2	28

Fatalities

The commission's 2017 injury report includes one fatality. Fatalities listed in this report include only those reported to the Texas Commission on Fire Protection (TCFP) by the entities it regulates.

Two other fatalities were recognized and communicated to TCFP, however, they were not reported as LODD in the injury reporting system. One LODD resulted from LODIs received in 2013, and the second was a cancer-related fatality.

The State Fire Marshal's Office investigated four Texas fire fighter LODDs in 2017. (Comprehensive information regarding Texas fire service deaths is included in the State Fire Marshal's Annual Report and on its website at <http://www.tdi.texas.gov/fire/fmloddindividuals.html>.)

Close-up: wellness/fitness injuries

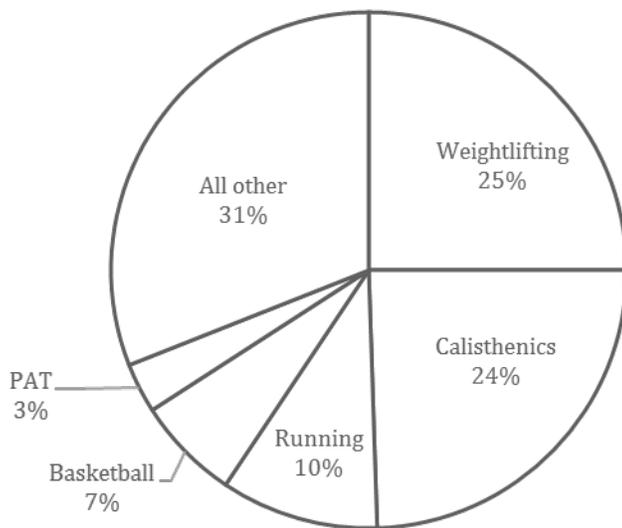
384 wellness/fitness injuries were reported in 2017. The most frequent types of activities that resulted in injury are reported below.

Table 28: Identified fitness activities resulting in injury, 2017

Fitness activity	Count	Percent
Weightlifting	96	25%
Calisthenics	94	24%
Running	38	10%
Basketball	25	7%
PAT/fitness test	12	3%
All other*	119	31%
Total	384	100%

**Other fitness/wellness activities that resulted in injury include a wide variety of activities, such as football, sit ups, push-ups, box jumps, tire flips, squats, burpees, etc.*

Figure 9: Identified fitness/wellness activities resulting in injuries, 2017



Close-up: skills training injuries

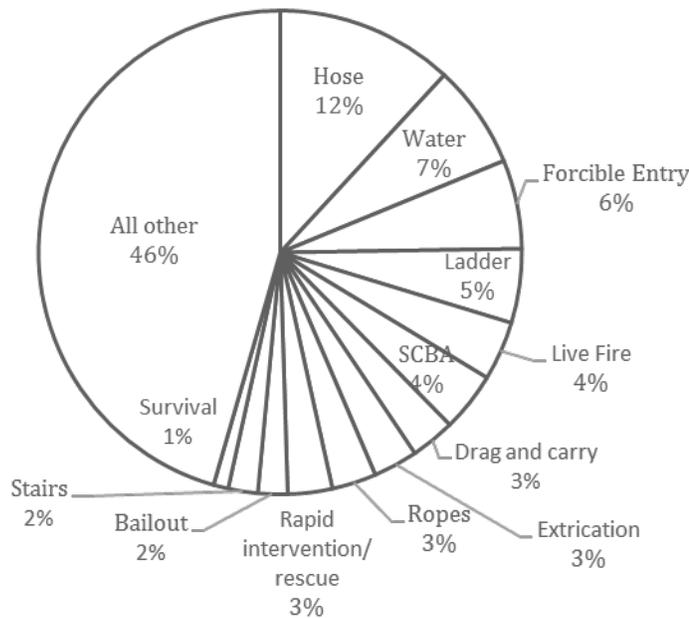
412 skills training injuries were reported in 2017. The most frequent types of activities that resulted in injury are reported below.

Table 29: Identified skills training activities resulting in injury, 2017

Skills training activity	Count	Percent
Deploying/extending hose	49	12%
Water rescue	29	7%
Forcible entry	23	6%
Ladders	21	5%
Live Fire	17	4%
SCBA	17	4%
Drag and carry	14	3%
Extrication	13	3%
Rapid intervention/rescue	13	3%
Ropes	11	3%
Bailout	7	2%
Stairs	7	2%
Survival	3	1%
All other*	188	46%
Total	412	100%

**Other skills training activities that resulted in injury include a wide variety of activities, such as marching, crawling, lifting, high angle, ventilation, wildland, etc.*

Figure 10: Identified skills training activities resulting in injuries, 2017



Comparison between the State of Texas (2017) and National Fire Protection Association (NFPA), U.S. Firefighter Injuries – 2016

For the purposes of comparison, the commission has mapped its categories to the NFPA categories as follows:

- “Fireground” includes the commission’s Fire Suppression and Rescue – Fire Related.
- “Non-Fire” includes Rescue Non-Fire, EMS and Hazmat.
- “Other On-Duty” includes Fire Prevention, Station Duties and Wellness/Fitness.

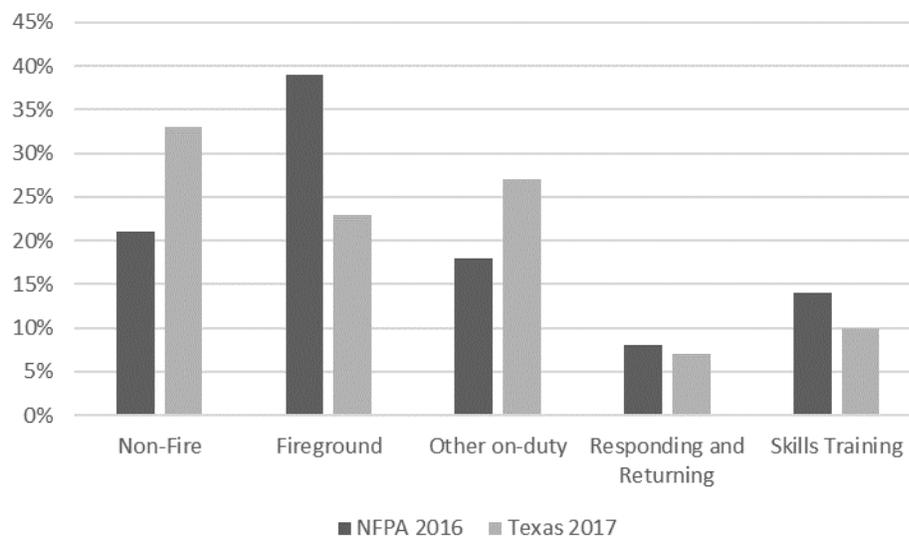
The NFPA’s “Responding and Returning” and “Training” categories appear to correspond closely to the commission’s categories. (The NFPA numbers include Texas statistics, although the reporting populations may not be the same.)

Table 30: Comparison of Texas 2017 and NFPA 2016

Category	Texas 2017		NFPA 2016*	
	Count	Percent	Count	Percent
Fireground	947	23%	24325	39%
Non-Fire	1334	33%	12780	21%
Other On-Duty	1118	27%	11300	18%
Training	412	10%	8480	14%
Responding and Returning	279	7%	5200	8%
Total	4090	100%	62085	100%

* NFPA data is from [U.S. Firefighter Injuries - 2016](#), copyright© 2017 National Fire Protection Association, Quincy, MA.

Figure 11: Injuries by Activity Percentages – Comparing Texas 2017 and NFPA 2016



2017 Findings/Recommendations

The commission would like to thank Texas fire departments for their ongoing participation in reporting fire protection personnel injuries. This report would not be possible without their efforts.

The commission strongly encourages fire departments to continue reporting exposures and further encourages departments to report cancer diagnoses; the commission recognizes that the number of job-related cancers reported during this time period represents only a small fraction of the cases that Texas fire departments are currently managing. There is a growing awareness of the impact that cancer is having on fire protection personnel nationwide, and the commission urges departments to use this reporting tool to help contribute to the education and awareness of the issue in Texas.

Commission-adopted standards

The commission has adopted several NFPA and other nationally recognized standards to help keep Texas fire protection personnel safe. This list summarizes the relationships between some of the Texas laws and national standards and is not intended to be all-inclusive:

Texas Government Code

[§419.040, Protective Clothing](#)

[§419.041, Self-Contained Breathing Apparatus](#)

[§419.042, Personal Alert Safety Systems](#)

[§419.043, Applicable National Fire Protection Association Standard](#)

[§419.044, Incident Management System](#)

[§419.045, Personnel Accountability System](#)

[§419.046, Fire Protection Personnel Operating at Emergency Incidents](#)

[§419.047, Commission Enforcement](#)

Texas Administrative Code

[CHAPTER 425 FIRE SERVICE INSTRUCTORS](#)

[§443.9 National Fire Protection Association Standard](#)

[CHAPTER 435 FIRE FIGHTER SAFETY](#)

[§435.21 Fire Service Joint Labor Management Wellness-Fitness Initiative](#)

[§435.23 Fire Fighter Injuries](#)

[§435.25 Courage to be Safe So Everyone Goes Home Program](#)

[§435.27 Live Fire Training Structure Evolutions](#)

[CHAPTER 451 FIRE OFFICER](#)

[CHAPTER 457 INCIDENT SAFETY OFFICER CERTIFICATION](#)

See also the commission's web page: [NFPA Standards adopted by the commission.](#)

12. Discussion and possible action on request from Chief Danny Kistner regarding the appointment of an ad hoc committee on Health and Wellness.

OFFICE OF THE FIRE CHIEF



Daniel T. Kistner
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March 12, 2018

Commissioner Robert Moore
 Presiding Officer
 Texas Commission on Fire Protection
 PO Box 2286
 Austin, TX 78768-2286

FE: Future agenda items

Commissioner Moore,

Respectfully, I am requesting to appear before the Commission to present and ask for consideration of appointing a separate Health and Wellness Committee as the Commission is authorized to do under Section 419.008 (f) of the Government Code.

Currently, and with the exception of the Injury Reporting Program ad hoc and the Curriculum and Testing Committee, the Fire Advisory Board is the sole entity charged with providing recommendation to the Commission on a broad range of fire service related issues.

As testimony in the past several Commission meetings can attest, firefighter health and wellness is a significant topic for discussion now and into the future. A separate Committee evaluating only firefighter health and wellness issues provides for a targeted group to identify and evaluate emerging issues that may be impacted by existing or future regulation.

Such a group may provide clarity to emerging issues such as contamination of PPE, exposure to environmental hazards in the workplace and on the fireground, firefighter physicals and health monitoring, physical conditioning and cardiovascular health, and others.

Both the Texas Fire Chief's Association and the State Fireman and Fire Marshal's Association have committees assigned to these topics and provide recommendation for best practice, as does the International Association of Fire Chief's.

I am proud of what we have in Texas with the Texas Commission on Fire Protection and hope we can make this addition to keep pace with a developing industry.

Thank you for your consideration,

 A handwritten signature in blue ink, appearing to read "Danny Kistner".

Danny Kistner

13. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 421, Standards for Certification.

CHAPTER 421

STANDARDS FOR CERTIFICATION

§421.1. Procedures for Meetings.

- (a) Time and place. The Fire Fighter Advisory Committee and the Curriculum and Testing Committee shall meet at such time and place in the State of Texas as they deem proper. The Fire Fighter Advisory Committee shall meet at least twice each calendar year.
- (b) Meeting called. Meetings shall be called by the chairman, by the Commission, or upon the written request of five members.
- (c) Quorum. A majority of members shall constitute a quorum.
- (d) Members. The Fire Fighter Advisory Committee shall consist of nine members appointed by the Commission. The Curriculum and Testing Committee shall consist of members appointed by the Commission upon the recommendation of the Fire Fighter Advisory Committee. Committee members serve at the will of the Commission.
- (e) Officers. Officers of the Fire Fighter Advisory Committee and the Curriculum and Testing Committee shall consist of a chairman, vice-chairman, and secretary. Each committee shall elect its officers from the appointed members at its first meeting and thereafter at its first meeting following January 1 of each year or upon the vacancy of an office.
- (f) Responsibility. The Fire Fighter Advisory Committee shall review Commission rules relating to fire protection personnel and fire departments and recommend changes in the rules to the Commission.
- (g) Effective Date. Rules shall become effective no sooner than 20 days after filing with the Texas Register for final adoption. The committee or Commission may recommend a later effective date.
- (h) Removal. It is a ground for removal from an advisory committee appointed by the Commission if a member is absent from more than half of the regularly scheduled committee meetings that the member is eligible to attend during a calendar year unless the absence is excused by a majority vote of the committee.

§421.3. Minimum Standards Set by the Commission.

- (a) General statement. It shall be clearly understood that the specified minimum standards described in this section are designated as a minimum program. Employing entities are encouraged to exceed the minimum program wherever possible. Continuous in-service training beyond the minimum standards for fire protection personnel is strongly recommended. Nothing in these regulations shall limit or be construed as limiting the powers of the Civil Service Commission, or the employing entity, to enact rules and regulations which establish a higher standard of training than the minimum specified, or which provides for the termination of the services of unsatisfactory employees during or upon completion of the prescribed probationary period.
- (b) Functional position descriptions.
 - (1) Structural Fire Protection personnel. The following general position description for structural fire protection personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the fire fighter operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
 - (A) Qualifications. Successfully complete a commission approved course; achieve a passing score on written and performance certification examinations; must be at least 18 years of age; generally, the knowledge and skills required show the need for a high school education or equivalent; ability to communicate verbally, via telephone and radio equipment; ability to lift, carry, drag, and balance weight equivalent to the average human weight; ability to interpret in English, written and oral instructions; ability to work effectively in high stress situations; ability to work effectively in an environment with loud noises and flashing lights; ability to function through an entire work shift; ability to calculate

weight and volume ratios; ability to read and understand English language manuals including chemical, medical and technical terms, and road maps; ability to accurately discern street signs and address numbers; ability to document in English, all relevant information in prescribed format in light of legal ramifications of such; ability to converse in English with coworkers and other emergency response personnel. Good manual dexterity with ability to perform all tasks related to the protection of life and property; ability to bend, stoop, and crawl on uneven surfaces; ability to withstand varied environmental conditions such as extreme heat, cold, and moisture; and ability to work in low or no light, confined spaces, elevated heights and other dangerous environments.

(B) Competency. A basic fire fighter must demonstrate competency handling emergencies utilizing equipment and skills in accordance with the objectives in Chapter 1 of the commission's Certification Curriculum Manual.

(2) Aircraft Rescue Fire Fighting personnel. The following general position description for aircraft rescue fire fighting personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of aircraft rescue fire fighting personnel operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. In addition to the qualifications for basic structural fire protection personnel: familiarity with geographic and physical components of an airport; ability to use and understand communication equipment, terminology, and procedures utilized by airports; ability and knowledge in the application of fire suppression agents; and ability to effectively perform fire suppression and rescue operations.

(B) Competency. Basic fire fighting and rescue personnel must demonstrate competency handling emergencies utilizing equipment and skills in accordance with the objectives in Chapter 2 of the commission's Certification Curriculum Manual.

(3) Marine Fire Protection personnel. The following general position description for marine fire protection personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the marine fire fighter operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. In addition to the qualifications for basic structural fire protection personnel: familiarity with geographic and physical components of a navigable waterway; ability to use and understand communication equipment, terminology, and procedures used by the maritime industry; and knowledge in the operation of fire fighting vessels.

(B) Competency. A marine fire fighter must demonstrate competency in handling emergencies utilizing equipment and skills in accordance with the objectives in Chapter 3 of the commission's Certification Curriculum Manual.

(4) Fire Inspection personnel. The following general position description for fire inspection personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the fire inspector operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. Successfully complete a commission approved course; achieve a passing score on certification examinations; must be at least 18 years of age; generally, the knowledge and skills required to show the need for a high school education or equivalent; ability to communicate verbally, via telephone and radio equipment; ability to lift, carry, and balance weight equivalent to weight of common tools and equipment necessary for conducting an inspection; ability to interpret written and oral instructions; ability to work effectively with the public; ability to work effectively in an environment with potentially loud noises; ability to function through an entire work shift; ability to calculate area, weight and volume ratios; ability to read and understand English language manuals including chemical, construction and technical terms, building plans and road maps; ability to accurately discern street signs and address numbers; ability to document, in writing, all relevant information in a prescribed format in light of legal ramifications of such; ability to converse in English with coworkers and other personnel. Demonstrate knowledge of characteristics and behavior of fire, and fire prevention principles. Good manual dexterity with the ability to perform all tasks related to the inspection of structures and property; ability to bend, stoop, and crawl on uneven surfaces; ability to climb ladders; ability to

withstand varied environmental conditions such as extreme heat, cold, and moisture; and the ability to work in low light, confined spaces, elevated heights, and other dangerous environments.

- (B) Competency. A fire inspector must demonstrate competency in conducting inspections utilizing equipment and skills in accordance with the objectives in Chapter 4 of the commission's Certification Curriculum Manual.
- (5) Fire Investigator personnel. The following general position description for fire investigator personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the fire investigator operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
- (A) Qualifications. Successfully complete a commission approved course; achieve a passing score on certification examinations; be at least 18 years of age; generally, the knowledge and skills required to show the need for a high school education or equivalent; ability to communicate verbally, via telephone and radio equipment; ability to lift, carry, and balance weight equivalent to weight of common tools and equipment necessary for conducting an investigation; ability to interpret written and oral instructions; ability to work effectively with the public; ability to work effectively in a hazardous environment; ability to function through an entire work shift; ability to calculate area, weight and volume ratios; ability to read and understand English language manuals including chemical, legal and technical terms, building plans and road maps; ability to accurately discern street signs and address numbers; ability to document, in writing, all relevant information in a prescribed format in light of legal ramifications of such; ability to converse in English with coworkers and other personnel. Good manual dexterity with the ability to perform all tasks related to fire investigation; ability to bend, stoop, and walk on uneven surfaces; ability to climb ladders; ability to withstand varied environmental conditions such as extreme heat, cold and moisture; and the ability to work in low light, confined spaces, elevated heights, and other potentially dangerous environments.
- (B) Competency. A fire investigator or arson investigator must demonstrate competency in determining fire cause and origin utilizing equipment and skills in accordance with the objectives in Chapter 5 of the commission's Certification Curriculum Manual.
- (6) Hazardous Materials Technician personnel. The following general position description for hazardous materials personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the hazardous materials technician operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
- (A) Qualifications. In addition to the qualifications for basic structural fire protection personnel: successfully complete a commission approved course; achieving a passing score on the certification examination; the ability to analyze a hazardous materials incident, plan a response, implement the planned response, evaluate the progress of the planned response, and terminate the incident.
- (B) Competency. A hazardous materials technician must demonstrate competency handling emergencies resulting from releases or potential releases of hazardous materials, using specialized chemical protective clothing and control equipment in accordance with the objectives in Chapter 6 of the commission's Certification Curriculum Manual.
- (7) Hazardous Materials Incident Commander personnel. The following general position description for Hazardous Materials Incident Commander serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Hazardous Materials Incident Commander operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
- (A) Qualifications. In addition to the qualifications for awareness and operations level personnel, the Hazardous Materials Incident Commander is an individual who has met all the job performance requirements of Hazardous Materials Incident Commander as defined in Chapter 8 of NFPA 472, Competence of Responders to Hazardous Materials Incidents/Weapons of Mass Destruction. The individual should demonstrate knowledge in the policies, plans, and procedures regarding hazardous materials response as adopted by the local jurisdiction; and all components of the incident command system and their proper utilization.

- (B) Competency. In addition to the competencies of awareness and operations level personnel, a Hazardous Materials Incident Commander must demonstrate competency in such areas as: analyzing an incident via the collection of information and an estimation of potential outcomes; planning appropriate response operations; implementing a planned response; evaluating the progress of a planned response and revising as necessary; terminating an incident; conducting a post-incident critique; and reporting and documenting an incident in a manner consistent with local, state, and federal requirements.
- (8) Driver/Operator-Pumper personnel. The following general position description for driver/operator-pumper personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the driver/operator-pumper of a fire department pumper operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
- (A) Qualifications. In addition to the qualifications for basic structural fire protection personnel: ability to perform specified routine test, inspection, and maintenance functions; ability to perform practical driving exercises; ascertain the expected fire flow; ability to position a fire department pumper to operate at a fire hydrant; ability to produce effective streams; and supply sprinkler and standpipe systems.
- (B) Competency. A driver/operator-pumper must demonstrate competency operating a fire department pumper in accordance with the objectives in Chapter 7 of the commission's Certification Curriculum Manual.
- (9) Fire Officer I personnel. The following general position description for Fire Officer I personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire Officer I operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
- (A) Qualifications. In addition to the qualifications for basic structural fire protection and Fire Instructor I personnel: the ability to supervise personnel, and assign tasks at emergency operations; the ability to direct personnel during training activities; the ability to recommend action for member-related problems; the ability to coordinate assigned tasks and projects, and deal with inquiries and concerns from members of the community; the ability to implement policies; the ability to perform routine administrative functions, perform preliminary fire investigation, secure an incident scene and preserve evidence; the ability to develop pre-incident plans, supervise emergency operations, and develop and implement action plans; the ability to deploy assigned resources to ensure a safe work environment for personnel, conduct initial accident investigation, and document an incident.
- (B) Competency. A Fire Officer I must demonstrate competency in handling emergencies and supervising personnel utilizing skills in accordance with the objectives in Chapter 9 of the commission's Certification Curriculum Manual.
- (10) Fire Officer II personnel. The following general position description for Fire Officer II personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire Officer II operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
- (A) Qualifications. In addition to the qualifications for Fire Officer I and Fire Instructor I personnel: the ability to motivate members for maximum job performance; the ability to evaluate job performance; the ability to deliver life safety and fire prevention education programs; the ability to prepare budget requests, news releases, and policy changes; the ability to conduct pre-incident planning, fire inspections, and fire investigations; the ability to supervise multi-unit emergency operations, identify unsafe work environments or behaviors, review injury, accident, and exposure reports.
- (B) Competency. A Fire Officer II must demonstrate competency in supervising personnel and coordinating multi-unit emergency operations utilizing skills in accordance with the objectives in Chapter 9 of the commission's Certification Curriculum Manual.
- (11) Fire Officer III personnel. The following general position description for Fire Officer III personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire Officer III operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

- (A) **Qualifications.** A Fire Officer III is a midlevel supervisor who performs both supervisory and first-line managerial functions. In addition to the qualifications and competency for Fire Officer II, the Fire Officer III is an individual who has met all the job performance requirements of Fire Officer III as defined in Chapter 6 of NFPA 1021, Standard for Fire Officer Professional Qualifications. Typical duties of an individual at the Fire Officer III level include: establishing procedures for hiring, assignment, and professional development of personnel; developing public service/partnership and programs; preparing budgets and budget management systems; planning for organizational resource management; evaluating inspection and public safety programs and plans; managing multi-agency plans and operations; serving as Incident Commander at expanding emergency incidents for all hazard types; and developing and managing a departmental safety program.
- (B) **Competency.** A Fire Officer III must demonstrate competency doing research; analyzing data and using evaluative techniques; developing proposals; developing, preparing, and implementing various procedures and programs within an organization; managing personnel resources; preparing and managing budgets; utilizing techniques to encourage personnel participation and development; and working in top-level positions within the incident command system.
- (12) **Fire Officer IV personnel.** The following general position description for Fire Officer IV personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire Officer IV operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
- (A) **Qualifications.** A Fire Officer IV is an upper level supervisor who performs both supervisory and managerial functions. In addition to the qualifications and competency for Fire Officer III, the Fire Officer IV is an individual who has met all the job performance requirements of Fire Officer IV as defined in Chapter 7 of NFPA 1021, Standard for Fire Officer Professional Qualifications. Typical duties of an individual at the Fire Officer IV level include: administering job performance requirements; evaluating and making improvements to department operations; developing long-range plans and fiscal projections; developing plans for major disasters; serving as Incident Commander at major incidents for all hazard types; and administering comprehensive risk management programs.
- (B) **Competency.** A Fire Officer IV must demonstrate competency in appraising and evaluating departmental programs to ensure adherence to current laws and best practices; developing medium and long-range plans for organizations; and assuming a top-level leadership role in both the organization and community.
- (13) **Fire Service Instructor I personnel.** The following general position description for Fire Service Instructor I personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire Service Instructor I operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
- (A) **Qualifications.** In addition to successfully completing a commission approved course and achieving a passing score on the certification examination: must have the ability to deliver instructions effectively from a prepared lesson plan; the ability to use instructional aids and evaluation instruments; the ability to adapt to lesson plans to the unique requirements of both student and the jurisdictional authority; the ability to organize the learning environment to its maximum potential; the ability to meet the record-keeping requirements of the jurisdictional authority.
- (B) **Competency.** A Fire Service Instructor I must demonstrate competency in delivering instruction in an environment organized for efficient learning while meeting the record-keeping needs of the authority having jurisdiction, utilizing skills in accordance with the objectives in Chapter 8 of the commission's Certification Curriculum Manual.
- (14) **Fire Service Instructor II personnel.** The following general position description for Fire Service Instructor II personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire Service Instructor II operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
- (A) **Qualifications.** In addition to successfully completing a commission approved course, achieving a passing score on the certification examination, and meeting the qualifications for Fire Service Instructor I: the ability to develop individual lesson plans for a specific topic, including learning objectives, instructional aids, and evaluation instruments; the ability to schedule training sessions based on the

overall training plan of the jurisdictional authority; the ability to supervise and coordinate the activities of other instructors.

- (B) Competency. A Fire Service Instructor II must demonstrate competency in developing individual lesson plans; scheduling training sessions; and supervising other instructors, utilizing skills in accordance with the objectives in Chapter 8 of the commission's Certification Curriculum Manual.
- (15) Fire Service Instructor III personnel. The following general position description for Fire Service Instructor III personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire Service Instructor III operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
- (A) Qualifications. In addition to successfully completing a commission approved course, achieving a passing score on the certification examination, and meeting the qualifications for Fire Service Instructor II: the ability to develop comprehensive training curricula and programs for use by single or multiple organizations; the ability to conduct organizational needs analysis; and the ability to develop training goals and implementation strategies.
- (B) Competency. A Fire Service Instructor III must demonstrate competency in developing comprehensive training curricula and programs; conducting organizational needs analysis; and developing training goals and implementation strategies, utilizing skills in accordance with the objectives in Chapter 8 of the commission's Certification Curriculum Manual.
- (16) Incident Safety Officer personnel. The following general position description for Incident Safety Officer personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Incident Safety Officer operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
- (A) Qualifications. An Incident Safety Officer is an individual who has met the requirements of Fire Officer Level I specified in NFPA 1021, Standard for Fire Officer Professional Qualifications and Chapter 6 of NFPA 1521, Standard for Fire Department Safety Officer and has the knowledge, skill, and abilities to manage incident scene safety. Typical Incident Safety Officer duties include risk and resource evaluation; hazard identification and communication; action plan reviews; safety briefings; accident investigation; post incident analysis; and participation in safety committee activities.
- (B) Competency. An Incident Safety Officer must demonstrate competency in management of incident scene safety through a working knowledge of the various emergency operations as prescribed by the local jurisdiction; an understanding of building construction; fire science and fire behavior; managing an organization's personnel accountability system; and incident scene rehabilitation methodology.
- (17) Basic Wildland Fire Protection personnel. The following general position description for Basic Wildland Fire Protection personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Basic Wildland Fire Fighter operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.
- (A) Qualifications. A Basic Wildland Fire Fighter is an individual who has met the requirements of Chapter 5 of NFPA 1051, Standard for Wildland Fire Fighter Professional qualifications, and should demonstrate knowledge in: wildland fire behavior; fireline safety and use; limitations of personal protective equipment; fire shelter use; fire suppression tactics and techniques in wildland settings; and have an understanding of the fire fighter's role within the local incident management system.
- (B) Competency. A Basic Wildland Fire Fighter must demonstrate competency in such areas as: maintaining personal protective equipment and assigned fire suppression tools and equipment; the ability to quickly prepare for a response when notified; recognizing hazards and unsafe situations in a wildland fire; securing a fire line; mopping up a fire area; and patrolling a fire area so as to ensure fire control.
- (18) Intermediate Wildland Fire Protection personnel. The following general position description for Intermediate Wildland Fire Protection personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Intermediate Wildland Fire

Fighter operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. In addition to the qualifications and competency for the Basic Wildland Fire Fighter, the Intermediate Wildland Fire Fighter is an individual who has met the requirements of Chapter 6 of NFPA 1051, Standard for Wildland Fire Fighter Professional qualifications, and should demonstrate knowledge in: basic map reading; use of a locating device such as a compass; radio procedures as adopted by the local jurisdiction; and record keeping.

(B) Competency. An Intermediate Wildland Fire Fighter must demonstrate competency in such areas as: the ability to lead a team of fire fighters in the performance of assigned tasks while maintaining the safety of personnel; implementing appropriate fireline construction methods and other techniques for protection of exposed property; operation of water delivery equipment; securing an area of suspected fire origin and associated evidence; and serving as a lookout in a wildland fire.

§421.5. Definitions.

The following words and terms, when used in the Standards Manual, shall have the following meanings, unless the context clearly indicates otherwise.

- (1) Admission to employment--An entry level full-time employee of a local government entity in one of the categories of fire protection personnel.
- (2) Appointment--The designation or assignment of a person to a discipline regulated by the commission. The types of appointments are:
 - (A) permanent appointment--the designation or assignment of certified fire protection personnel or certified part time fire protection employees to a particular discipline (See Texas Government Code, Chapter 419, §419.032); and
 - (B) probationary or temporary appointment--the designation or assignment of an individual to a particular discipline, except for head of a fire department, for which the individual has passed the commission's certification and has met the medical requirement of §423.1(c) of this title (relating to Minimum Standards for Structure Fire Protection Personnel), if applicable, but has not yet been certified. (See Texas Government Code, Chapter, §419.032.)
- (3) Approved training--Any training used for a higher level of certification must be approved by the commission and assigned to either the A-List or the B-List. The training submission must be in a manner specified by the commission and contain all information requested by the commission. The commission will not grant credit twice for the same subject content or course. Inclusion on the A-List or B-List does not preclude the course approval process as stated elsewhere in the Standards Manual.
- (4) Assigned/work--A fire protection personnel or a part-time fire protection employee shall be considered "assigned/working" in a position, any time the individual is receiving compensation and performing the duties that are regulated by the commission and has been permanently appointed, as defined in this section, to the particular discipline.
- (5) Assistant fire chief--The officer occupying the first position subordinate to the head of a fire department.
- (6) Auxiliary fire fighter--A volunteer fire fighter.
- (7) Benefits--Benefits shall include, but are not limited to, inclusion in group insurance plans (such as health, life, and disability) or pension plans, stipends, free water usage, and reimbursed travel expenses (such as meals, mileage, and lodging).
- (8) Chief Training Officer--The individual, by whatever title he or she may be called, who coordinates the activities of a certified training facility.
- (9) Class hour--Defined as not less than 50 minutes of instruction, also defined as a contact hour; a standard for certification of fire protection personnel.
- (10) Code--The official legislation creating the commission.

- (11) College credits--Credits earned for studies satisfactorily completed at an institution of higher education accredited by an agency recognized by the U.S. Secretary of Education and including National Fire Academy (NFA) open learning program colleges, or courses recommended for college credit by the American Council on Education (ACE) or delivered through the National Emergency Training Center (both EMI and NFA) programs. A course of study satisfactorily completed and identified on an official transcript from a college or in the ACE National Guide that is primarily related to Fire Service, Emergency Medicine, Emergency Management, or Public Administration is defined as applicable for Fire Science college credit, and is acceptable for higher levels of certification. A criminal justice course related to fire and or arson investigation that is satisfactorily completed and identified on an official transcript from a college or in the ACE National Guide may be used to qualify for Master Arson Investigator certification.
- (12) Commission--Texas Commission on Fire Protection.
- (13) Commission-recognized training--A curriculum or training program which carries written approval from the commission, or credit hours that appear on an official transcript from an accredited college or university, or any fire service training received from a nationally recognized source, i.e., the National Fire Academy.
- (14) Compensation--Compensation is to include wages, salaries, and "per call" payments (for attending drills, meetings or answering emergencies).
- (15) Expired--Any certification that has not been renewed on or before the end of the certification period.
- (16) Federal fire fighter--A person as defined in Texas Government Code, Chapter 419, §419.084(h).
- (17) Fire chief--The head of a fire department.
- (18) Fire department--A department of a local government that is staffed by one or more fire protection personnel or part-time fire protection employees.
- (19) Fire protection personnel--Any person who is a permanent full-time employee of a fire department or governmental entity and who is appointed duties in one of the following categories/disciplines: fire suppression, fire inspection, fire and arson investigation, marine fire fighting, aircraft rescue fire fighting, fire training, fire education, fire administration and others employed in related positions necessarily or customarily appertaining thereto.
- (20) Fire Code Inspection—Also called Fire Safety Inspection as referenced in Texas Government Code, Chapter 419, §419.909. An inspection performed for the purpose of determining and enforcing compliance with an adopted fire code.
- (21) Fire suppression duties--Engaging in the controlling or extinguishment of a fire of any type or performing activities which are required for and directly related to the control and extinguishment of fires or standing by on the employer's premises or apparatus or nearby in a state of readiness to perform these duties.
- (22) Full-time--An officer or employee is considered full-time if the employee works an average of 40 hours a week or averages 40 hours per week or more during a work cycle in a calendar year. For the purposes of this definition paid leave will be considered time worked.
- (23) Government entity--The local authority having jurisdiction as employer of full-time fire protection personnel in a state agency, incorporated city, village, town or county, education institution or political subdivision.
- (24) High school--A school accredited as a high school by the Texas Education Agency or equivalent accreditation agency from another jurisdiction.
- (25) Immediately dangerous to life or health (IDLH)--An atmosphere that poses an immediate threat to life, would cause irreversible adverse health effects, or would impair an individual's ability to escape from a dangerous atmosphere.

- (26) Incipient stage fire--A fire which is in the initial or beginning stage and which can be controlled or extinguished by portable fire extinguishers, Class II standpipe or small hose systems without the need for protective clothing or breathing apparatus.
- (27) Instructor:
- (A) Lead Instructor--Oversees the presentation of an entire course and assures that course objectives are met in accordance with the applicable curriculum or course material. The lead instructor should have sufficient experience in presenting all units of the course so as to be capable of last-minute substitution for other instructors.
- (B) Instructor (also Unit Instructor for wildland courses)--Responsible for the successful presentation of one or more areas of instruction within a course, and should be experienced in the lesson content they are presenting.
- (C) Guest Instructor--An individual who may or may not hold Instructor certification but whose special knowledge, skill, and expertise in a particular subject area may enhance the effectiveness of the training in a course. Guest instructors shall teach under the endorsement of the lead instructor.
- (28) Interior structural fire fighting--The physical activity of fire suppression, rescue or both, inside of buildings or enclosed structures which are involved in a fire situation beyond the incipient stage. (See 29 CFR §1910.155.)
- (29) Military active duty (or active duty)--Current full-time military service in the armed forces of the United States, or full-time military service as a member of the Texas military forces or a similar service of another state.
- (30) Military service member--A person who is on active duty.
- (31) Military spouse--A person who is married to a military service member.
- (32) Military veteran--A person who has served on active duty and who was discharged or released from active duty.
- (33) Municipality--Any incorporated city, village, or town of this state and any county or political subdivision or district in this state. Municipal pertains to a municipality as defined in this section.
- (34) National Fire Academy semester credit hours--The number of hours credited for attendance of National Fire Academy courses is determined as recommended in the most recent edition of the "National Guide to Educational Credit for Training Programs," American Council on Education (ACE).
- (35) National Fire Protection Association (NFPA)--An organization established to provide and advocate consensus codes and standards, research, training, and education for fire protection.
- (36) National Wildfire Coordinating Group (NWCG)--An operational group designed to establish, implement, maintain, and communicate policy, standards, guidelines, and qualifications for wildland fire program management among participating agencies.
- (37) Non-self-serving affidavit--A sworn document executed by someone other than the individual seeking certification.
- (38) Participating volunteer fire fighter--An individual who voluntarily seeks certification and regulation by the commission under the Texas Government Code, Chapter 419, Subchapter D.
- (39) Participating volunteer fire service organization--A fire department that voluntarily seeks regulation by the commission under the Texas Government Code, Chapter 419, Subchapter D.
- (40) Part-time fire protection employee--An individual who is appointed as a part-time fire protection employee and who receives compensation, including benefits and reimbursement for expenses. A part-time fire protection employee is not full-time as defined in this section.

- (41) Personal alert safety system (PASS)--Devices that are certified as being compliant with NFPA 1982 and that automatically activates an alarm signal (which can also be manually activated) to alert and assist others in locating a fire fighter or emergency services person who is in danger.
- (42) Political subdivision--A political subdivision of the State of Texas that includes, but is not limited to the following:
- (A) city;
 - (B) county;
 - (C) school district;
 - (D) junior college district;
 - (E) levee improvement district;
 - (F) drainage district;
 - (G) irrigation district;
 - (H) water improvement district;
 - (I) water control and improvement district;
 - (J) water control and preservation district;
 - (K) freshwater supply district;
 - (L) navigation district;
 - (M) conservation and reclamation district;
 - (N) soil conservation district;
 - (O) communication district;
 - (P) public health district;
 - (Q) river authority;
 - (R) municipal utility district;
 - (S) transit authority;
 - (T) hospital district;
 - (U) emergency services district;
 - (V) rural fire prevention district; and
 - (W) any other governmental entity that:
 - (i) embraces a geographical area with a defined boundary;
 - (ii) exists for the purpose of discharging functions of the government; and
 - (iii) possesses authority for subordinate self-government through officers selected by it.
- (43) Pre-fire Planning—Also called a Pre-fire Survey. A walk-through performed by fire fighters for the purpose of gaining familiarity with a building, its contents, and its occupancy.

- (44) Reciprocity for IFSAC seals and TEEEX Pro Board certificates--Valid documentation of accreditation from the International Fire Service Accreditation Congress and the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service used for commission certification may only be used for obtaining an initial certification.
- (45) Recognition of training--A document issued by the commission stating that an individual has completed the training requirements of a specific phase level of the Basic Fire Suppression Curriculum.
- (46) School--Any school, college, university, academy, or local training program which offers fire service training and included within its meaning the combination of course curriculum, instructors, and facilities.
- (47) Structural fire protection personnel--Any person who is a permanent full-time employee of a government entity who engages in fire fighting activities involving structures and may perform other emergency activities typically associated with fire fighting activities such as rescue, emergency medical response, confined space rescue, hazardous materials response, and wildland fire fighting.
- (48) Trainee--An individual who is participating in a commission approved training program.
- (49) Volunteer fire protection personnel--Any person who has met the requirements for membership in a volunteer fire service organization, who is assigned duties in one of the following categories: fire suppression, fire inspection, fire and arson investigation, marine fire fighting, aircraft rescue fire fighting, fire training, fire education, fire administration and others in related positions necessarily or customarily appertaining thereto.
- (50) Volunteer fire service organization--A volunteer fire department or organization not under mandatory regulation by the commission.
- (51) Years of experience--For purposes of higher levels of certification or fire service instructor certification:
- (A) Except as provided in subparagraph (B) of this paragraph, years of experience is defined as full years of full-time, part-time or volunteer fire service while holding:
- (i) a commission certification as a full-time, or part-time employee of a government entity, a member in a volunteer fire service organization, and/or an employee of a regulated non-governmental fire department; or
- (ii) a State Firemen's and Fire Marshals' Association advanced fire fighter certification and have successfully completed, as a minimum, the requirements for an Emergency Care Attendant (ECA) as specified by the Department of State Health Services (DSHS), or its successor agency, or its equivalent; or
- (iii) an equivalent certification as a full-time fire protection personnel of a governmental entity from another jurisdiction, including the military, or while a member in a volunteer fire service organization from another jurisdiction, and have, as a minimum, the requirements for an ECA as specified by the DSHS, or its successor agency, or its equivalent; or
- (iv) for fire service instructor eligibility only, a State Firemen's and Fire Marshals' Association Level II Instructor Certification, received prior to June 1, 2008 or Instructor I received on or after June 1, 2008 or an equivalent instructor certification from the DSHS or the Texas Commission on Law Enforcement. Documentation of at least three years of experience as a volunteer in the fire service shall be in the form of a non self-serving sworn affidavit.
- (B) For fire service personnel certified as required in subparagraph (A) of this paragraph on or before October 31, 1998, years of experience includes the time from the date of employment or membership to date of certification not to exceed one year.

§421.9. Designation of Fire Protection Duties.

- (a) An individual who performs one or more fire protection duties, listed in the Texas Government Code, §419.021(3)(C), for a fire department of local government entity shall be designated to only one of the following categories:
- (1) fire protection personnel;
 - (2) a part-time fire protection employee; or
 - (3) a volunteer fire fighter or other auxiliary fire fighter.
- (b) A fire department regulated by the Commission may not designate the same person under more than one category under this section. The designation shall be made on the records of the department and the designation shall be made available for inspection by the Commission or sent to the Commission on request.
- (c) A fire department regulated by the Commission shall report the appointment of fire protection personnel to a regulated discipline via the Commission's online management program, or the appropriate form if available. Fire protection personnel who are assigned to a regulated discipline as part of their regularly assigned duties shall be appointed to that discipline with the Commission. No individual may be appointed to a discipline without approval by the Commission. The Commission shall not approve an initial appointment to a regulated discipline until it has reviewed and approved a person's fingerprint-based criminal history record. Termination of fire protection personnel or part-time fire protection employees shall be reported to the Commission via the Commission's online management program, or the appropriate form if available within 14 calendar days of the action. In the case of termination, the employing entity shall report an individual's last known home address to the Commission. A Removal from Appointment form may be submitted without the employee's signature.
- (d) A fire department may not in a calendar year compensate, reimburse, or provide benefits to a person the department has designated as a volunteer or other auxiliary fire fighter in an amount that is equal to or more than what a person receives working 2,080 hours at the federal minimum wage.
- (e) A person certified as fire protection personnel in one fire department may be employed and designated as a part-time fire protection employee in another fire department without additional certification as a part-time fire protection employee.

§421.11. Requirement To Be Certified Within One Year.

- (a) Fire protection personnel or part-time fire protection employees of a fire department who are appointed duties identified as fire protection personnel duties must be certified by the Commission in the discipline(s) to which they are assigned within one year of their appointment to the duties or within two years of successfully passing the applicable Commission examination, whichever is less. The Commission shall not approve an initial certification for a regulated discipline until it has reviewed and approved a person's fingerprint-based criminal history record. An individual who accepts appointment(s) in violation of this section shall be removed from the appointment(s) and will be subject to administrative penalties. A department or local government that appoints an individual in violation of this section will also be subject to administrative penalties.
- (b) An individual who has been removed from appointment to duties identified as fire protection personnel duties for violation of this section must petition the Commission in writing for permission to be reappointed to the duties from which they were removed. The petition will be considered only if the individual has obtained all appropriate certification(s) applicable to the duties to which the individual seeks reappointment.

§421.13. Individual Certificate Holders.

- (a) Employment is not mandatory for certification. An individual may hold or renew any certificate issued by the commission for which they maintain their qualifications.

- (b) An individual certificate holder must notify the commission of a change of his or her home address within 14 calendar days of a change of address.

§421.15. Extension of Training Period.

A fire department may apply to the commission for an extension of the one-year training period, identified in §419.032(c) of the Government Code, for a time period not exceeding two years from the date of original appointment as follows:

- (1) the request for extension shall be placed on the Fire Fighter Advisory Committee's (FFAC's) agenda to be heard at its next regular or special called meeting after submission of the request;
- (2) after review by the FFAC, the application along with the FFAC's recommendations will be sent to the commission to be heard at its next regular meeting. If the request for extension is approved by the commission, the extension shall become effective immediately; and
- (3) the one-year extension of training time, if granted, shall run from the date of forfeiture and removal or, at the latest, from one year after the original date training began, whichever occurs first.

§421.17. Requirement to Maintain Certification.

- (a) All full-time or part-time employees of a fire department or local government assigned duties identified as fire protection personnel duties must maintain certification by the commission in the discipline(s) to which they are assigned for the duration of their assignment.
- (b) In order to maintain the certification required by this section, the certificate(s) of the employees must be renewed annually by complying with §437.5 of this title (relating to Renewal Fees) and Chapter 441 of this title (relating to Continuing Education) of the commission standards manual.
- (c) Except for subsection (d) of this section, an individual whose certificate has been expired for one year or longer may not renew the certificate previously held. To obtain a new certification, an individual must meet the requirements in Chapter 439 of this title (relating to Examinations for Certification).
- (d) A military service member whose certificate has been expired for three years or longer may not renew the certificate previously held. To obtain a new certification, the person must meet the requirements in Chapter 439 of this title (relating to Examinations for Certification). In order to qualify for this provision, the individual must have been a military service member at the time the certificate expired and continued in that status for the duration of the three year period.
- (e) The commission will provide proof of current certification to individuals whose certification has been renewed.
- (f) All certificate holders are subject to the requirements of §57.491 of the Texas Education Code regarding license renewal and default on student loans.

14. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 429, Minimum Standards For Fire Inspector Certification.

PRIOR PROPOSED LANGUAGE
 FAILED FINAL ADOPTION AT
 JANUARY 2018 COMMISSION MEETING

CHAPTER 429

FIRE INSPECTOR

SUBCHAPTER A

MINIMUM STANDARDS FOR FIRE INSPECTOR I/II CERTIFICATION

§429.1. Minimum Standards for Fire Inspector I/II Personnel.

- (a) Fire protection personnel of a governmental entity who are appointed to fire code enforcement duties at the Fire Inspector I/II level must be certified, at a minimum, as a Basic Fire Inspector I/II as specified in §429.3 of this title (relating to Minimum Standards for Basic Fire Inspector I/II Certification) within one year of initial appointment to such duties.
- (b) Prior to being appointed to fire code enforcement duties at the Fire Inspector I/II level, all personnel must complete the applicable commission approved Fire Inspector I/II training program and successfully pass the commission examination pertaining to that curriculum.
- (c) Individuals holding any level of fire inspector certification will be required to comply with all applicable continuing education requirements in Chapter 441 of this title (relating to Continuing Education).
- (d) Fire code enforcement is defined as the enforcement of laws, codes, and ordinances of the authority having jurisdiction pertaining to fire prevention.
- (e) Personnel certified as Fire Inspector I/II may only engage in fire code enforcement duties that are commensurate with the job performance requirements listed for Fire Inspector I or II in the current edition of NFPA 1031: Standard for Professional Qualifications for Fire Inspector and Plan Examiner, or its successor.
- (f) Individuals who were issued a Basic Fire Inspector certification prior to January 1, 2005, and who currently hold a basic certification or higher, are deemed to hold the same level of certification referenced in this subchapter.

§429.3. Minimum Standards for Basic Fire Inspector I/II Certification.

In order to be certified as a Basic Fire Inspector I/II, an individual must:

(1) possess valid documentation as a Fire Inspector I and Fire Inspector II from either:

(A) the International Fire Service Accreditation Congress; or

(B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2009 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1 of this title (relating to Requirements—General); or

(2) complete a commission approved Fire Inspector I/II training program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Fire Inspector I/II training program shall consist of one of the following:

(A) completion of the commission approved Fire Inspector I/II Curriculum, as specified in the commission's Certification Curriculum Manual; or

(B) successful completion of an out-of-state, NFA, and/or military training program which has been submitted to the commission for evaluation and found to meet the minimum requirements in the commission approved Fire Inspector I/II Curriculum as specified in the commission's Certification Curriculum Manual; or

(C) documentation of the receipt of Fire Inspector I and Fire Inspector II certificates issued by the State Firemen's and Fire Marshals' Association of Texas that are deemed equivalent to a commission approved Fire Inspector I/II curriculum.

§429.5. Minimum Standards for Intermediate Fire Inspector I/II Certification.

(a) Applicants for Intermediate Fire Inspector I/II Certification must meet the following requirements:

(1) hold as a prerequisite Basic Fire Inspector I/II Certification as defined in §429.3 of this title (relating to Minimum Standards for Basic Fire Inspector I/II Certification); and

(2) acquire a minimum of four years of fire protection experience and complete the training listed in one of the following options:

(A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or

(B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses. (See the exception outlined in subsection (c) of this section); or

(C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1 with either one A-List course or four B-List courses. (See the exception outlined in subsection (c) of this section.)

(b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in the fire service, may not be counted toward this level of certification.

(c) The training required in this section must be in addition to any training used to qualify for any lower level of Fire Inspector I/II Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§429.7. Minimum Standards for Advanced Fire Inspector I/II Certification.

(a) Applicants for Advanced Fire Inspector I/II Certification must complete the following requirements:

(1) hold as a prerequisite an Intermediate Fire Inspector I/II Certification as defined in §429.5 of this title (relating to Minimum Standards for Intermediate Fire Inspector I/II Certification); and

(2) acquire a minimum of eight years of fire protection experience and complete the training listed in one of the following options:

(A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or

(B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses. (See the exception outlined in subsection (c) of this section); or

(C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1 with either one A-List course or four B-List courses. (See the exception outlined in subsection (c) of this section.)

(b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in the fire service, may not be counted toward this level of certification.

(c) The training required in this section must be in addition to any training used to qualify for any lower level of Fire Inspector I/II Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§429.9. Minimum Standards for Master Fire Inspector I/II Certification.

(a) Applicants for Master Fire Inspector I/II Certification must complete the following requirements:

(1) hold as a prerequisite an Advanced Fire Inspector I/II Certification as defined in §429.7 of this title (relating to Minimum Standards for Advanced Fire Inspector I/II Certification); and

(2) acquire a minimum of 12 years of fire protection experience, and 60 college semester hours or an associate degree, which includes at least 18 college semester hours in fire science subjects.

(b) College level courses from both the upper and lower division may be used to satisfy the education requirement for Master Fire Inspector I/II Certification.

§429.11. International Fire Service Accreditation Congress (IFSAC) Seal.

(a) Individuals who pass the applicable sections of the state examination may be granted IFSAC seals for Fire Inspector I and Fire Inspector II by making application to the commission for the IFSAC seals and paying the applicable fees, provided they meet the following provisions:

(1) To receive the Fire Inspector I IFSAC seal, the individual must:

(A) complete the Fire Inspector I section of a commission approved course; and

(B) pass the Fire Inspector I section of a commission examination.

(2) To receive the Fire Inspector II IFSAC seal, the individual must:

(A) complete the Fire Inspector II section of a commission approved course;

(B) document possession of a Fire Inspector I IFSAC seal; and

(C) pass the Fire Inspector II section of a commission examination.

(b) In order to qualify for an IFSAC seal, an individual must submit the application for the seal prior to the expiration of the examination.

SUBCHAPTER B

MINIMUM STANDARDS FOR FIRE INSPECTOR I/II/PLAN EXAMINER I CERTIFICATION

§429.201. Minimum Standards for Fire Inspector I/II/Plan Examiner I Personnel.

- (a) Fire protection personnel of a governmental entity who are appointed to fire code enforcement duties at the Fire Inspector I/II/Plan Examiner I level must be certified, at a minimum, as a Basic Fire Inspector I/II/Plan Examiner I as specified in §429.203 of this title (relating to Minimum Standards for Basic Fire Inspector I/II/Plan Examiner I Certification) within one year of initial appointment to such position.
- (b) Prior to being appointed to fire code enforcement duties at the Fire Inspector I/II/Plan Examiner I level, all personnel must complete the applicable commission approved fire inspection training program and successfully pass the commission examination pertaining to that curriculum.
- (c) Individuals holding any level of fire inspector certification shall be required to comply with all applicable continuing education requirements in Chapter 441 of this title (relating to Continuing Education).
- (d) Fire code enforcement is defined as the enforcement of laws, codes, and ordinances of the authority having jurisdiction pertaining to fire prevention.
- (e) Individuals other than the head of a department who supervise personnel in fire code enforcement duties, or manage fire code enforcement programs, must be certified as Fire Inspector I/II/Plan Examiner I, or hold any Fire Inspector certification issued prior to March 1, 2018.
- (f) After March 1, 2018, individuals wishing to satisfy the requirements for Head of a Prevention-Only Fire Department must hold Fire Inspector I/II/Plan Examiner I if fire code enforcement is one of the activities of the organization. Individuals already serving as Head of a Prevention Only Fire Department prior to this date are exempt.
- (g) Individuals who were issued a Basic Fire Inspector certification after January 1, 2005, and who currently hold basic certification or higher, are deemed to hold the same level of certification referenced in this subchapter.

§429.203. Minimum Standards for Basic Fire Inspector I/II/Plan Examiner I Certification.

In order to be certified as a Basic Fire Inspector I/II/Plan Examiner I, an individual must:

- (1) possess valid documentation as Fire Inspector I, Fire Inspector II, and Plan Examiner I from either:

(A) the International Fire Service Accreditation Congress; or

(B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2009 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1 of this title (relating to Requirements—General); or

- (2) complete a commission approved Fire Inspector I/II/Plan Examiner I program and successfully pass the commission examination(s) as specified in Chapter 439 of this title

(relating to Examinations for Certification). An approved fire inspection training program shall consist of one or any combination of the following:

(A) completion of the commission approved Fire Inspector I/II/Plan Examiner I Curriculum, as specified in the commission's Certification Curriculum Manual; or

(B) successful completion of an out-of-state, NFA, and/or military training program which has been submitted to the commission for evaluation and found to meet the minimum requirements in the commission approved Fire Inspector I/II/Plan Examiner I Curriculum as specified in the commission's Certification Curriculum Manual; or

(C) successful completion of the following college courses:

(i) Fire Protection Systems, three semester hours;

(ii) Fire Prevention Codes and Inspections, three semester hours;

(iii) Building Construction in the Fire Service or Building Codes and Construction, three semester hours;

(iv) Hazardous Materials I, II, or III, three semester hours (total semester hours, 12).

(D) documentation of the receipt of Fire Inspector I, Fire Inspector II, and Plan Examiner I certificates issued by the State Firemen's and Fire Marshals' Association of Texas that are deemed equivalent to a commission approved Fire Inspector I/II/Plan Examiner I curriculum.

§429.205. Minimum Standards for Intermediate Fire Inspector I/II/Plan Examiner I Certification.

(a) Applicants for Intermediate Fire Inspector I/II/Plan Examiner I Certification must meet the following requirements:

(1) hold as a prerequisite Basic Fire Inspector I/II/Plan Examiner I Certification as defined in §429.203 of this title (relating to Minimum Standards for Basic Fire Inspector I/II/Plan Examiner I Certification); and

(2) acquire a minimum of four years of fire protection experience and complete the training listed in one of the following options:

(A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or

(B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses. (See the exception outlined in subsection (c) of this section); or

(C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1 with either one A-List course or four B-List courses. (See the exception outlined in subsection (c) of this section.)

(b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in the fire service, may not be counted toward this level of certification.

(c) The training required in this section must be in addition to any training used to qualify for any lower level of Fire Inspector I/II/Plan Examiner I Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§429.207. Minimum Standards for Advanced Fire Inspector I/II/Plan Examiner I Certification.

(a) Applicants for Advanced Fire Inspector I/II/Plan Examiner I Certification must complete the following requirements:

(1) hold as a prerequisite an Intermediate Fire Inspector I/II/Plan Examiner I Certification as defined in §429.205 of this title (relating to Minimum Standards for Intermediate Fire Inspector I/II/Plan Examiner I Certification); and

(2) acquire a minimum of eight years of fire protection experience and complete the training listed in one of the following options:

(A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or

(B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses. (See the exception outlined in subsection (c) of this section); or

(C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1 with either one A-List course or four B-List courses. (See the exception outlined in subsection (c) of this section.)

(b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in the fire service, may not be counted toward this level of certification.

(c) The training required in this section must be in addition to any training used to qualify for any lower level of Fire Inspector I/II/Plan Examiner I Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§429.209. Minimum Standards for Master Fire Inspector I/II/Plan Examiner I Certification.

(a) Applicants for Master Fire Inspector I/II/Plan Examiner I Certification must complete the following requirements:

(1) hold as a prerequisite an Advanced Fire Inspector I/II/Plan Examiner I Certification as defined in §429.207 of this title (relating to Minimum Standards for Advanced Fire Inspector I/II/Plan Examiner I Certification); and

(2) acquire a minimum of 12 years of fire protection experience, and 60 college semester hours or an associate degree, which includes at least 18 college semester hours in fire science subjects.

(b) College level courses from both the upper and lower division may be used to satisfy the education requirement for Master Fire Inspector I/II/Plan Examiner I Certification.

§429.211. International Fire Service Accreditation Congress (IFSAC) Seal.

(a) Individuals who hold Fire Inspector certification issued prior to January 1, 2005, may apply to test for Plan Examiner I. Upon successful completion of the examination, an IFSAC seal for Plan Examiner I may be granted by making application to the commission for the IFSAC seal and paying the applicable fee.

(b) Individuals who pass the applicable section of the state examination may be granted IFSAC seals for Fire Inspector I, Fire Inspector II, and/or Plan Examiner I by making application to the commission for the IFSAC seals and paying the applicable fees, provided they meet the following provisions:

(1) To receive the Fire Inspector I IFSAC seal, the individual must:

(A) complete the Fire Inspector I section of a commission approved course; and

(B) pass the Fire Inspector I section of a commission examination.

(2) To receive the Fire Inspector II IFSAC seal, the individual must:

(A) complete the Fire Inspector II section of a commission approved course;

(B) document possession of a Fire Inspector I IFSAC seal; and

(C) pass the Fire Inspector II section of a commission examination.

(3) To receive the Plan Examiner I IFSAC seal, the individual must:

(A) complete the Plan Examiner I section of a commission approved course; and

(B) pass the Plan Examiner I section of a commission examination.

(c) In order to qualify for an IFSAC seal, an individual must submit the application for the seal prior to the expiration of the examination.

OFFICE OF THE FIRE CHIEF



Daniel T. Kistner
 Fire Chief
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February 15, 2018

Commissioner Robert Moore
 Presiding Officer
 Texas Commission on Fire Protection
 PO Box 2286
 Austin, TX 78768-2286

RE: Future agenda items

Commissioner Moore,

I am disappointed the Fire Inspector Rule amendment was not adopted at the January meeting as proposed by the Commission. However, I do understand and appreciate the policy making process.

Respectfully, I am requesting the item be brought back up at a future meeting. I add the following rationale that I do not recall discussed previously:

The fiscal note for HB 3866 (Fire Inspector Rule) noted NO fiscal impact expected on local governments...The bill authors stated, "However, most directives do not specify who can perform these inspections and to what standard they are to be inspected. As a result, many facility operators contract with inspectors who have no specific training or expertise in the fire safety inspection process, and often there is no written standard to guide the property owner or the inspector. Consequently, the agency, the business owner, and the building occupants do not get what was intended or paid for, and the results can be devastating."

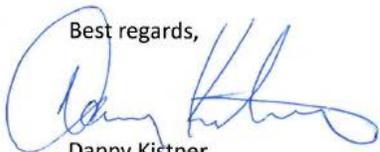
The premise for the bill seems to be private contractors charging for a service without any demonstrated competency and not because fire service agencies were incompetent. Additionally, legislators felt no undue burden on organizations would be incurred. Practical experience suggests that is not necessarily the case.

I further add that it was referenced in past meetings a certification already existed, incorporating Inspector I and II for a basic fire inspector certification. I believe currently 600 individuals were grandfathered into the new basic fire inspector certification without having to demonstrate competency in plans review.

On a separate note, I appreciate the previous discussion regarding firefighter physicals though the Commission took no action. I respectfully request this item be brought up again for discussion and request the Commission construct a symbolic position statement endorsing the value of firefighter physicals. I believe such a statement provided by the Commission naturally complements the injury prevention program and segues into cancer identification and prevention – the next complex topic. This request for the development of a position statement from the Commission is consistent with the goals of the injury prevention program as noted on the Commission web page.

Thank you for your consideration,

Best regards,

A handwritten signature in blue ink, appearing to read "Danny Kistner". The signature is fluid and cursive, with a large initial "D" and "K".

Danny Kistner
Fire Chief
McKinney Fire Department



MEMORANDUM
From the Office of the Fire Chief

Date: February 27, 2018

To: Commissioner Robert Moore

Presiding Officer

Texas Commission on Fire Protection

PO Box 2286

Austin, TX 78768-2286

From: Sam Greif

Subject: Fire Inspector Rule Amendment

Commissioner Moore,

I would like to echo the disappointment shared by many chiefs across the state regarding the Commission's decision not to adopt the proposed Fire Inspector Rule amendment. HB 3866 hampers departments, particularly larger organizations, in their utilization of fire companies to perform routine fire inspections in basic commercial occupancies. Company-level fire inspections were performed successfully for many years prior to the passage of HB 3866. The apparent focus of legislators was preventing unqualified private contractors from performing inspections. Unfortunately, the legislation has had a negative fiscal and operational impact on many fire service agencies.

I believe the Commission should revisit this amendment at its next meeting. The benefit of preventing unqualified individuals from performing fire inspections is obvious but the unintended impacts that HB 3866 has on Texas fire departments need to be mitigated.

Respectfully,

Sam Greif

Fire Chief

Plano Fire-Rescue



Hays County Fire Chief's Association

P.O. Box 1122
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June 12, 2018

Honorable Commissioners
Texas Commission on Fire Protection
P.O. Box 2286
Austin, TX 78768-2286

RE: Fire Inspector Certification

Dear Commissioners,

At our May 2018 meeting, members of the Hays County Fire Chiefs Association voted unanimously passing a resolution calling for the Commission to separate the current Inspector certification into two different certifications, Inspector I and Inspector II/Plans Examiner. Members of the Hays County Fire Chief's Association include: Buda, Chisholm Trail, Hays County Fire Marshal, Kyle, North Hays, San Marcos, South Hays, and Wimberley.

In July 2016, the Commission received a letter from Austin Assistant Chief Doug Fowler which explained very well the position of a large majority, if not an overwhelming majority of the Texas fire service. The body of that letter is included below for your review. In it, Chief Fowler was writing on behalf of six of the seven largest fire departments in the state; Austin, Corpus Christie, Dallas, El Paso, Fort Worth, and San Antonio.

"The current Texas Commission on Fire Protection (TCFP) certification for fire inspector does not meet the business needs of many Texas fire departments. Currently, there is only one certification for Fire Inspector. That certification is required regardless of the individual's assignment – a shift working company officer of a full-time (non-operations) fire prevention professional. The resources required to achieve the Fire Inspector Certification are not utilized in the most economical manner.

In the view of the fire protection professionals listed below, the fire safety inspections accomplished by company officers in operations are far less technical



Hays County Fire Chief's Association

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in comparison to the work accomplished by fire prevention staff professionals. The inspections conducted by company officers primarily involve site visits of small businesses and multi-family dwellings. The technical inspections conducted by fire prevention professionals typically include site visits to large commercial businesses involved in complex processes with multiple safety concerns that require a level of training and expertise beyond that of a company officer. Additionally, fire prevention staff is responsible for the following:

- Approve plans for new construction
- Conduct site inspections during the new construction process
- Conduct technical fire safety inspections for properties such as of public assemblies, health care facilities, manufacturing plants, high rises, and many others
- Follow up on non-compliance issues found by operations company officers
- Are the technical resource to operations company officers

The current TCFP Fire Inspector certification requires approximately 196 hours of instruction. Fire departments must train both company officers and fire prevention staff to the same high level. Since the majority of fire inspectors certified in large career departments are company officers, a great deal of expense in training is not targeted appropriately. For this reason, the Fire Chiefs from six of the largest fire departments in Texas support right sizing the current Fire Inspector Certification into two certifications – Fire Inspector I and Fire Inspector II/Plans Examiner. For these six fire departments, company officers will require Fire Inspector I, and fire prevention staff professionals will require Fire Inspector II/Plans Examiner.

In conclusion, the reasons for changing the Fire Inspector Certification is to require the appropriate certification to match job responsibilities and to utilize training time and expense more appropriately. Thank you for your consideration of this proposal.”

In addition to the departments represented in Chief Fowler's letter, the Commission has also received letters from Dallas County Fire Chiefs Association President, Robert Fite. Chief Fite's group also supported the “separation of the segments of the Basic Fire Inspector Certification.” McKinney Assistant Chief, Tim Mock, representing the Collin County Fire Chief's Association also wrote in support of the Commission's decision “to separate the segments of the Basic Fire Inspector Certification.” Chief Chris Barron, writing on behalf of the State Fireman and Fire Marshals Association has also written to, “strongly encourage breaking the certification into Fire Inspector I, Inspector II, and Plans Examiner.” Beyond these letters, the Commission has also heard from numerous individual Departments in support of separating out the inspector



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certification. In that same time period, the Commission has received **only** six letters in opposition; two of those were from the Burluson Fire Department and two of them were from the Portland Fire Department, respectively.

Below is a list of all of the Departments who, either individually or collectively through their respective County Associations, have expressed, in writing, their support for breaking up the Inspector Certification. I know many more have spoken at the Advisory Board or Commission meetings.

Austin	Corpus Christie	Dallas	El Paso	Fort Worth	San Antonio
Addison	Balch Springs	Carrollton	Cedar Hill	Cockrell Hill	Coppell
Dallas	Dallas Co. Fire Marshal	DFW Airport	De Soto	Duncanville	Farmers Branch
Ferris	Garland	Grand Prairie	Grapevine	Highland Park	Hutchins
Irving	Lancaster	Lewisville	Mesquite	Ovilla	Red Oak
Richardson	Rowlett	Sachse	Seagoville	Sunnyvale	University Park
Wilmer	Allen	Anna	Blue Ridge	Celina	Collin Co. Fire Marshal
Fairview	Farmersville	Frisco	Lowry Crossing	Lucas	McKinney
Melissa	Murphy	Nevada	Parker	Plano	Princeton
Prosper	Richardson	Royse City	Leander	Weston	Westminster
Buda	Chisholm Trail	Hays Co. Fire Marshal	Kyle	North Hays	San Marcos
South Hays	Wimberley	Hutto	Cedar Park		

Note: the City of Wylie has written separately in opposition of the change so they are not included on the list despite being a member of the Collin County Fire Chief's Association.

In conclusion, the structure of this particular certification is a complete departure from the structure of every other certification administered by the TCFP. Aircraft Rescue Fire Protection, Marine Fire Protection, Arson Investigator, Basic Fire Suppression, Fire Officer, Hazardous Materials, Fire Instructor, and Wildland Fire Fighter, all of which have two or more levels of certification, don't require the individual to obtain an advanced level certification to perform basic tasks within their specific discipline. The same should be true for Fire Inspector. We



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respectfully request that the Commission listens to the overwhelming majority and makes the change that is being requested. Those departments with sufficient resources will still be able to train all of their personnel to Inspector I, Inspector II, and Plans Examiner if they so desire. This change will simply allow other departments an opportunity to resume their company level business inspection programs of existing occupancies without having to bear the unreasonable burden of a 196 hour course.

Respectfully,

A handwritten signature in black ink, appearing to read "David Smith", written over a horizontal line.

David Smith
President, Hays County Fire Chief's Association

15. Discussion and possible action on the petition for rulemaking filed by the International Code Council requesting changes to 37 TAC, Chapter 429, Minimum Standards for Fire Inspector Certification. Possible actions the Commission may take include but are not limited to denying the petition for rulemaking or initiating a rulemaking proceeding concerning 37 TAC, Chapter 429.



International Code Council
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01/22/2018

Texas Commission on Fire Protection
 P.O. Box 2286
 Austin, Texas 78768-2286

Dear Commissioners,

I am writing on behalf of the International Code Council (the "Code Council") to respectfully provide public comment for the Texas Commission on Fire Protection's proposed amendments to Chapter 429, Subchapter A, Section 429.3 which sets forth the Minimum Standards for Basic Fire Inspector I/ II Certification.

The Code Council is a member-focused association dedicated to building safety, fire prevention, and sustainability. The Code Council develops the model building construction codes and fire safety codes used to construct most residential and commercial buildings and ensure these buildings remain safe throughout their useful life. It is the mission of the Code Council to provide the highest quality codes, standards, products, services and certifications for all concerned with safety and performance of the built environment. The family of correlated codes, called the I-Codes, undergo a tri-annual review and revision process that is an open and consensus-based code development forum. Our code development process considers new building and fire safety data and research reports, the latest technology, installation techniques, new building products and methods in producing the published model codes every three years.

The I-Codes, including the International Building Code (IBC) and International Fire Code (IFC), are adopted and enforced by the majority of Texas Jurisdictions. The provisions of both the IBC and IFC provide protection for public health, safety and welfare from the hazards of fire, explosion or dangerous conditions in buildings, structures and premises.

In association with the I-Codes, the Code Council offers a comprehensive Fire Inspector I and Fire Inspector II certification program which is professionally recognized throughout the United States. To this end, the Code Council certification examinations are maintained to the highest standards and include continuous review by committees of experienced professionals.

In addition, the National Board on Fire Service Professional Qualifications (Pro Board) Committee on Accreditation accredited the Code Council Fire Inspector I and Fire Inspector II certifications. The Pro Board accredits organizations that use the National Fire Protection Association's professional qualification standards. Its purpose is to establish an internationally recognized means of acknowledging professional achievement.

Notably, the Texas Commission on Fire Protection states that its mission is to, "aid in the protection of lives and property of Texas citizens through the development and enforcement of recognized professional standards for individuals and the fire service."

Therefore, the Code Council respectfully requests the Commission to include the International Code Council's nationally recognized and comprehensive Fire Inspector I and Fire Inspector II Certifications as professional certification options for Texas and amend the proposed language in Section 429.3 Minimum Standards for Basic Fire Inspector I/ II Certification to read:

§429.3. Minimum Standards for Basic Fire Inspector I/II Certification.

In order to be certified as a Basic Fire Inspector I/II, an individual must:

(1) possess valid documentation as a Fire Inspector I and Fire Inspector II from either:

(A) the International Fire Service Accreditation Congress; or

(B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2009 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1 of this title (relating to Requirements-General); or

(C) the International Code Council using the 2009 or later editions of the building construction and fire safety codes applicable to the State; or

(2) complete a commission approved Fire Inspector I/II training program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Fire Inspector I/II training program shall consist of one of the following:

(A) completion of the commission approved Fire Inspector I/II Curriculum, as specified in the commission's Certification Curriculum Manual; or

(B) successful completion of an out-of-state, NFA National Fire Academy, International Code Council, and/or military training program which has been submitted to the commission for evaluation and found to meet the minimum requirements in the commission approved Fire Inspector I/II Curriculum as specified in the commission's Certification Curriculum Manual; or

(C) documentation of the receipt of Fire Inspector I and Fire Inspector II certificates issued by the State Firemen's and Fire Marshals' Association of Texas that are deemed equivalent to a commission approved Fire Inspector I/II curriculum.

Thank you for the opportunity to comment on this important rule addressing Basic Fire Inspector I/ II Certification. The Code Council, through its 4,200 Texas members and 16 active Texas Chapters, looks forward to the opportunity to work with the state to help meet these Basic Fire Inspector I/ II Certifications.

Sincerely,

Kelly D. Sadler

Kelly D. Sadler, J.D.
International Code Council
Government Relations Regional Manager

16. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 449, Head of a Fire Department.



Texas Commission on Fire Protection Agenda Item Summary

MEETING: Commission

DATE: 07/12/2018

Agenda Item #: 16

Agenda Title: Chapter 449, Head of a Fire Department

Action to be taken: Proposal to Publish

Origin of Item: Staff

1. INTRODUCTION/PURPOSE

Proposed rule revisions for Head of a Fire Department

2. DESCRIPTION/ JUSTIFICATION

The proposed rule revisions seek to clarify what is required of an individual being appointed to a head of department position. Current rule language is confusing to the applicant and difficult to implement by agency staff.

3. BUDGET IMPACT

No impact is anticipated

4. TIMELINE CONSIDERATIONS

Propose for publication

5. RECOMMENDATION

Recommended by staff

6. REFERENCES

37 TAC, Chapter 449, Head of a Fire Department

CHAPTER 449

HEAD OF A FIRE DEPARTMENT

SUBCHAPTER A

MINIMUM STANDARDS FOR HEAD OF A SUPPRESSION FIRE DEPARTMENT

§449.1. Minimum Standards for the Head of a Suppression Fire Department.

- (a) An individual who becomes employed and is **appointed** ~~[assigned]~~ as the head of a suppression fire department must be certified by the commission as Head of a Suppression Fire Department; within one year of appointment.
- (b) **Prior to being appointed as the head of a suppression fire department, an individual must:** ~~[An individual appointed head of a suppression fire department must be eligible to be certified at the time of the appointment or will become eligible to be certified within one year of the appointment and must submit an affidavit verifying eligibility status at the time of the appointment if not holding a commission certification.]~~
- (1) hold a Texas Commission on Fire Protection certification as fire protection personnel in any discipline that has a commission approved curriculum that requires structural fire protection personnel certification. The individual must have five years of experience in a full-time fire suppression position or ten years in a part-time fire suppression position at the time of appointment, or attain the required years of experience within one year of the appointment; or**
- (2) provide documentation of accreditation from the International Fire Service Accreditation Congress that is deemed equivalent to the commission's approved basic fire suppression curriculum, and provide documentation in the form of a sworn non-self serving affidavit of five years of experience in a full-time fire suppression position in a jurisdiction other than Texas; or**
- (3) provide documentation in the form of a sworn non-self serving affidavit of ten years of experience as an employee of a local governmental entity in a full-time structural fire protection personnel position in a jurisdiction other than Texas; or**
- (4) provide documentation in the form of a sworn non-self serving affidavit of ten years of experience as an active volunteer fire fighter in one or more volunteer fire departments. The ten years of volunteer service must include documentation of attendance at 40% of the drills for each year and attendance of at least 25% of a department's emergencies in a calendar year while a member of a volunteer fire department or departments with ten or more active members that conducts a minimum of 48 hours of drills in a calendar year.**
- (c) Holding the Head of a Fire Suppression Fire Department certification does not qualify an individual for any other certification. An individual who seeks certification in another discipline must meet the requirements for that discipline.
- (d) Nothing contained in this chapter shall be construed to supersede Chapter 143, Local Government Code, in regard to appointment of a head of a suppression fire department.
- (e) Individuals certified as the Head of a Suppression Fire Department must meet the continuing education requirement as provided for in Chapter 441 of this title (relating to Continuing Education).
- (f) An individual certified as Head of a Suppression Fire Department under this subchapter may engage in fire fighting activities only as the head of a suppression fire department. These activities include incident command, direction of fire fighting activities or other emergency activities typically associated with fire fighting duties, i.e. rescue, confined space and hazardous materials response.

§449.3. Minimum Standards for Head of a Suppression Fire Department Certification.

- ~~[(a)]~~ Applicants for Head of a Suppression Fire Department Certification must complete the following requirements:

- (1) must be appointed as head of a fire department; and
- (2) complete the Standards Review Assignment for Head of a Fire Department identified in the applicable chapter of the Certification Curriculum Manual; and
- (3) meet with a Texas Commission on Fire Protection Compliance Section representative for review and approval of the Standards Review Assignment; and
- (4) attend at least one Texas Commission on Fire Protection regularly scheduled commission meeting or one regularly scheduled fire fighter advisory committee meeting in the first year of appointment; and
- (5) document completion of the National Incident Management System courses 100, 200, 300, 400, 700, and 800_ [~~;and~~]
- ~~[(6) hold a Texas Commission on Fire Protection certification as a fire protection personnel in any discipline that has a commission approved curriculum that requires structural fire protection personnel certification and five years experience in a full-time fire suppression position; or]~~
- ~~[(7) an individual from another jurisdiction who possesses valid documentation of accreditation from the International Fire Service Accreditation Congress that is deemed equivalent to the commission's approved basic fire suppression curriculum and provide documentation in the form of a sworn non-self serving affidavit of five years experience in a full-time fire suppression position; or]~~
- ~~[(8) provide documentation in the form of a non-self serving sworn affidavit of ten years experience as an employee of a local governmental entity in a full-time structural fire protection personnel position in a jurisdiction other than Texas; or]~~
- ~~[(9) provide documentation in the form of a sworn non-self serving affidavit of ten years of experience as a certified structural part-time fire protection employee; or]~~
- ~~[(10) provide documentation in the form of a sworn non-self serving affidavit of ten years experience as an active volunteer fire fighter in one or more volunteer fire departments that meet the requirements of subsection (b) of this section.]~~
- ~~[(b) The ten years of volunteer service referenced in subsection (a) paragraph (10) must include documentation of attendance at 40% of the drills for each year and attendance of at least 25% of a department's emergencies in a calendar year while a member of a volunteer fire department or departments with ten or more active members that conducts a minimum of 48 hours of drills in a calendar year.]~~

SUBCHAPTER B

MINIMUM STANDARDS FOR HEAD OF A PREVENTION ONLY FIRE DEPARTMENT

§449.201. Minimum Standards for the Head of a Prevention Only Fire Department.

- (a) An individual who becomes employed and is **appointed** ~~[assigned]~~ as the head of a prevention only fire department must be certified by the commission as Head of a Prevention Only Fire Department, within one year of appointment.
- (b) **Prior to being appointed as the head of a prevention only fire department, an individual must:**
~~[An individual appointed head of a prevention only fire department must be eligible to be certified at the time of the appointment or will become eligible to be certified within one year of the appointment and must submit an affidavit verifying eligibility status at the time of the appointment if not holding a commission certification.]~~
- (1) hold a Texas Commission on Fire Protection certification as a fire inspector, fire investigator, or arson investigator. The individual must have five years of experience in a full-time fire prevention position or ten years in a part-time fire prevention position at the time of appointment, or attain the required years of experience within one year of the appointment; or**
- (2) possess valid documentation of accreditation from the International Fire Service Accreditation Congress that is deemed equivalent to the commission's approved basic arson investigator, fire investigator or fire inspector curriculum and provide documentation in the form of a sworn non-self serving affidavit of five years of experience in a full-time fire prevention position in a jurisdiction other than Texas; or**
- (3) provide documentation in the form of a sworn non-self serving affidavit of ten years of experience as an employee of a local governmental entity in a full-time fire inspector, fire investigator, or arson investigator position in a jurisdiction other than Texas; or**
- (4) provide documentation in the form of a sworn non-self serving affidavit of ten years of experience as a certified fire investigator, fire inspector or arson investigator as a part-time fire prevention employee; or**
- (5) provide documentation in the form of a sworn non-self serving affidavit of ten years of fire prevention experience as an active volunteer fire inspector, fire investigator, or arson investigator.**
- (c) Holding the Head of a Prevention Only Fire Department certification does not qualify an individual for any other certification. An individual who seeks certification in another discipline must meet the requirements for that discipline.
- (d) Nothing contained in this chapter shall be construed to supersede Chapter 143, Local Government Code, **regarding** ~~in regard to~~ appointment **as the** ~~[of a]~~ head of a prevention only fire department.
- (e) Individuals certified as the Head of a Prevention Only Fire Department must meet the continuing education requirement as provided for in Chapter 441 of this title (relating to Continuing Education).

§449.203. Minimum Standards for Head of a Prevention Only Fire Department Certification.

Applicants for Head of a Prevention Only Fire Department Certification must complete the following requirements:

- (1) must be appointed as head of a prevention only fire department; and
- (2) complete the Standards Review Assignment for Head of a Fire Department identified in the applicable chapter of the Certification Curriculum Manual; and
- (3) meet with a Texas Commission on Fire Protection Compliance Section representative for review and approval of the Standards Review Assignment; and

- (4) attend at least one Texas Commission on Fire Protection regularly scheduled commission meeting or one regularly scheduled fire fighter advisory committee meeting in the first year of appointment; and
- (5) documentation of completion of National Incident Management System **courses** 100, 200, 300, 400, 700 and 800. ~~[; and]~~
- ~~[(6) hold a Texas Commission on Fire Protection certification as a fire inspector, fire investigator, or arson investigator and have five years experience in a full-time fire prevention position; or]~~
- ~~[(7) an individual from another jurisdiction who possesses valid documentation of accreditation from the International Fire Service Accreditation Congress that is deemed equivalent to the commission's approved basic arson investigator, fire investigator or fire inspector curriculum and provide documentation in the form of a sworn non-self serving affidavit of five years experience in a full-time fire prevention position; or]~~
- ~~[(8) provide documentation in the form of a sworn non-self serving affidavit of ten years experience as an employee of a local governmental entity in a full-time fire inspector, fire investigator, or arson investigator position in a jurisdiction other than Texas; or]~~
- ~~[(9) provide documentation in the form of a sworn non-self serving affidavit of ten years experience as a certified fire investigator, fire inspector or arson investigator as a part-time fire prevention employee; or]~~
- ~~[(10) provide documentation in the form of a sworn non-self serving affidavit of ten years fire prevention experience as an active volunteer fire inspector, fire investigator, or arson investigator.]~~

17. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 455, Minimum Standards for Wildland Fire Protection Certification.



**Texas Commission on Fire Protection
Agenda Item Summary**

**MEETING: Commission
DATE: 07/12/2018**

Agenda Item #: 17

Agenda Title: Chapter 455, Minimum Standards for Wildland Fire Protection Certification

Action to be taken: Proposal to Publish

Origin of Item: Staff

1. INTRODUCTION/PURPOSE

The proposed rule revision provides for an update to wildland training that can be used toward TCFP wildland certification.

2. DESCRIPTION/ JUSTIFICATION

Certain wildland training was recently combined so that two previous courses are now contained in a single course.

3. BUDGET IMPACT

No impact is anticipated

4. TIMELINE CONSIDERATIONS

Propose for publication

5. RECOMMENDATION

Recommended by staff

6. REFERENCES

37 TAC, Chapter 455, Minimum Standards for Wildland Fire Protection Certification

CHAPTER 455

MINIMUM STANDARDS FOR WILDLAND FIRE PROTECTION CERTIFICATION

§455.1. Minimum Standards for Wildland Fire Protection Personnel.

- (a) A wildland fire fighter is defined as an individual whose assigned function is suppression of fires in the wildland or wildland-urban interface setting.
- (b) Individuals holding Wildland Fire Protection certification shall be required to comply with the continuing education requirements in Chapter 441 of this title (relating to Continuing Education).
- (c) All Wildland Fire Protection certifications issued by the commission and referenced in this chapter are voluntary.

§455.3. Minimum Standards for Basic Wildland Fire Protection Certification.

In order to be certified as Basic Wildland Fire Protection personnel, an individual must:

- (1) possess valid documentation of accreditation from the International Fire Service Accreditation Congress as Wildland Fire Fighter Level I; or
- (2) complete a commission approved Basic Wildland Fire Protection program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Basic Wildland Fire Protection training program shall consist of one of the following:
 - (A) completion of the commission approved Basic Wildland Fire Fighter training program, as specified in the applicable chapter of the commission's Certification Curriculum Manual; or
 - (B) completion of the following National Wildfire Coordinating Group (NWCG) courses:
 - (i) S-130: Firefighter Training;
 - (ii) S-190: Introduction to Wildland Fire Behavior;
 - (iii) L-180: Human Factors on the Fireline; and
 - (iv) I-100: Introduction to the Incident Command System, or an equivalent basic incident command system course such as NIMS IS-100

§455.5. Minimum Standards for Intermediate Wildland Fire Protection Certification.

In order to be certified as Intermediate Wildland Fire Protection personnel, an individual must:

- (1) hold Basic Wildland Fire Protection certification issued by the commission; and
- (2) complete the associated position task book as adopted by the National Wildfire Coordinating Group (NWCG) 310-1. Proof of completion of the position task book must be from the Texas Intrastate Fire Mutual Aid System (TIFMAS) (e.g. task book approval form or TIFMAS card); and
- (3) individual who hold Structure Fire Protection certification issued by the commission must complete a commission approved Intermediate Wildland Fire Protection program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Intermediate Wildland Fire Protection training program shall consist of one of the following:
 - (A) completion of the commission approved Intermediate Wildland Fire Fighter Curriculum, as specified in the applicable chapter of the commission's Certification Curriculum Manual; or
 - (B) completion of the NWCG course G-131: Wildland Training (FFT1) for Structural Fire Fighters; or

(C) completion of the NWCG courses S-131 and S-133 **prior to October 1, 2016, or only S-131 on or after October 1, 2016;** or

(4) individuals who hold a State Firemen's and Fire Marshals' Association Advanced Accredited certification issued prior to January 1, 2012, or a State Firemen's and Fire Marshals' Association Firefighter II certification issued on or after January 1, 2012, must complete a commission approved Intermediate Wildland Fire Protection program and successfully pass the commission examination which includes both Basic Structure Fire Protection and Intermediate Wildland Fire Protection, as specified in Chapter 439 of this title. An approved Intermediate Wildland Fire Protection training program shall consist of one of the following:

(A) completion of the commission approved Intermediate Wildland Fire Fighter Curriculum, as specified in the applicable chapter of the commission's Certification Curriculum Manual; or

(B) completion of the NWCG course G-131: Wildland Training (FFT1) for Structural Fire Fighters; or

(C) completion of the NWCG courses S-131 and S-133 **prior to October 1, 2016, or only S-131 on or after October 1, 2016.**

§455.7. Examination Requirements.

- (a) Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive Wildland Fire Protection Certification.
- (b) Persons seeking a commission certification referenced in this chapter who do not currently hold a certification issued by the commission must meet all requirements regarding application for initial certification.

18. Discussion and possible action on matters from the Executive Director.

A. Decisions of the Executive Director in contested cases and consent orders.

18. Discussion and possible action on matters from the Executive Director.

B. Status of division functions.

Commission Report, 3rd Quarter FY2018

Overview and Executive Office

The third quarter of FY2018 continued as an extremely busy and challenging time for the agency.

Developments and fixes continued with the new data management system that had been launched in January. Much of the work focused on the user interface for both customers and staff, and expanding the capabilities of all users to access data and perform various functions.

Testing and certification issuance both remain at very high levels. The long-awaited online testing feature saw a limited launch at the end of the quarter, with two instructor levels and two officer levels made available as online exams. Additional types of exams are being added as the system demonstrates success. By the end of the calendar year, it is anticipated that all exams except one will be available to customers in online format if they so choose. The Structure Fire Protection test is still under development as an online exam (although the hazmat components of that test will be available). The agency is utilizing the services of a number of community college testing centers around the state to deliver the online exams. Approximately 15 testing centers are participating, with others likely being added over the course of the coming year.

The overall pass rate for exams continues to be impacted because of the rules adopted in January 2017, calling for examinees to pass all sections of the Structural FP and Fire Inspector exams to qualify for state certification. However, training facilities are adjusting their programs to improve their own pass rates. Currently the planned launch date for online delivery of state certification exams is May 1st. The initial launch will occur with a limited number of disciplines, slowly expanding to a full offering as the program demonstrates success, and work on remaining test banks is completed.

Staff continued with its general review of all agency rules as required by the Secretary of State. The review is required to ensure that agencies' rules remain valid and up-to-date. Staff will bring recommended rule changes to the commissioners as needed.

Commission Quarterly Report

Training Approval and Testing Section

Test Administration, Training Approvals, Record Reviews, and Training Audits Statistics – 3rd Quarter, FY 2018

- o Test Administration – 4276 exams were administered with a pass rate of 84.69%.
- o Training Approvals – Total of 513 were submitted in the commission’s Training Facility Management System.
- o Record Reviews – Eighty-nine (89) reviews for equivalency were conducted (24 SFFMA/26 out of state/39 BWFF). One hundred twenty-six (126) Qual #s were issued in the Training Facility Management System.
- o Training and Skill Testing Audits – No online training audits were conducted during the 3rd quarter due to responsible staff member assisting with the processing of applications submitted online, increased volume of phone calls and establishment of online testing sites.

• Activities for the Next Quarter

- o Continue to work with IT staff resolve any remaining issues encountered with test scheduling procedures, payment processes, and web-based testing. The online application and payment process is now available. Online testing launched for limited number of disciplines. Will continue to add additional disciplines over the next few months.
- o Continue to assist training providers with resolving issues created with the launch of the new system.

Certification, Renewal and Curriculum 3rd Quarter Report, FY 2018

Certification/Renewal

- 1938 IFSAC seals issued
- 4441 Certificates issued
- 158 Service Time applications processed
- 2975 Professional Development applications reviewed
- 100 Individual certificate holders renewed
- 547 CE Audits processed
- 30 Training Facility Certificates issued

Curriculum Development

March 2018 – May 2018

Meetings

March 5-6: Fire and Life Safety Educator ad hoc committee

March 8: Firefighter Advisory committee

April 11-14: IFSAC annual meetings, OKC

April 26: Commission meeting

May 30-31: Curriculum and Testing committee

Meetings Detail

- **FLSE ad hoc committee**
Reviewed curriculum manual documents for level II certification, and reviewed test questions for level II test bank.
- **Firefighter Advisory committee**
Revised reference lists for Hazmat IC and Hazmat Tech were reviewed and approved
- **Curriculum & Testing committee**
[Here](#) is a link to the agenda, if you would like more info on items that were discussed.
- **Commission meeting**
Same items as FF Advisory committee
- **Commission meeting**
Same items as FF Advisory committee

Compliance Report 3rd Qtr FY 18

- All Compliance Officers completed HR training in the following topics: Human Trafficking, Ethics Refresher, Diversity, EEO and Discrimination Prevention. In addition to the above the Compliance Manager completed Active Shooter Training conducted by DPS.
- A Compliance Officer attended the Curriculum and Testing Committee (C&T) meeting to help the compliance team coordinate training program audits with the C&T committee perspectives.
- A Compliance Officer successfully completed 2 Investigations resulting from valid complaints filed with TCFP. One Investigation regarded Live Fire Training requirements, another involved Personal Protective Clothing requirements. All rule violations are either corrected or non-founded. Investigations were successfully closed without administrative actions.
- The Compliance Officers tested the Compliance Inspections module in the new FARM and worked with Programmer Derrell Beasley to make improvement changes following launch in January. The team continues to work with Derrell to make adjustments changes, and improvements so that new FARM functionality enables the Compliance activities to continue uninterrupted to the greatest extent possible.
- A Compliance Officer traveled to Austin and worked for 2 days with IT programmer to improve the FARM Inspections modules. IT programing on these improvements are to be completed at a later time.
- The Compliance Team assembled to successfully complete a large department biennial inspection.
- The Compliance Team updated telecommute policies to remain compliant with State and HR requirements.
- The Compliance Manager completed review and comment of State Fire Marshal Office Line of Duty Death draft reports.
- The Compliance Team continues to increase its use of SKYPE for training and coordination of activities.
- A Compliance Officer and the Compliance Manager are working with a fire fighter member of the Lake Travis Fire Rescue Department to create a training video to help fire departments prepare for biennial inspections.
- The Compliance Team continues to actively track and review the Commission and Fire Fighter Advisory Committee's proposal related to NFPA 1851 Selection Care and Maintenance of PPE.
- Compliance Officer Fred Green celebrated his 20-year employment anniversary with TCFP as a Compliance Officer. Thank you for your service to TCFP and congratulations Fred!

- 19. Executive session pursuant to Texas Government Code, Section 551.074(1), for the discussion of personnel matters regarding the appointment, employment, compensation, evaluation, reassignment, duties, discipline, or dismissal of the Executive Director, and the appointment, employment, reassignment, or duties of personnel acting on an interim basis in this position**

20. Open session for further discussion and possible action regarding preceding agenda item.

21. Adjourn meeting.