

**FIRE FIGHTER ADVISORY COMMITTEE  
AGENDA**

**June 29, 2017, 9:00 A.M.**

**1701 N. Congress Ave., William B. Travis Building, Room 1-104, Austin, Texas**

The Fire Fighter Advisory Committee will convene in open session to deliberate and possibly take formal action on any of the following agenda items:

1. Roll call - 9:00 a.m.
2. Election of officers.
3. Adoption of March 23, 2017 Fire Fighter Advisory Committee meeting minutes.
4. Report from the Curriculum and Testing Committee with discussion and possible action on recommendations regarding possible changes to the Reference List for the Incident Safety Officer Curriculum.
5. Discussion and possible action regarding, 37 TAC, Chapter 423, Fire Suppression, including but not limited to, Subchapter A, Minimum Standards for Structure Fire Protection Personnel Certification, §423.1, Minimum Standards for Structure Fire Protection Personnel, §423.3, Minimum Standards for Basic Structure Fire Protection Personnel Certification, §423.5, Minimum Standards for Intermediate Structure Fire Protection Personnel Certification, §423.7, Minimum Standards for Advanced Structure Fire Protection Personnel Certification, §423.9, Minimum Standards for Master Structure Fire Protection Personnel Certification, §423.11, Higher Levels of Certification, §423.13, International Fire Service Accreditation Congress (IFSAC) Seal, Subchapter B, Minimum Standards for Aircraft Rescue Fire Fighting Personnel, §423.201, Minimum Standards for Aircraft Rescue Fire Fighting Personnel, §423.203, Minimum Standards for Aircraft Rescue Fire Fighting Personnel Certification, §423.205, Minimum Standards for Intermediate Aircraft Rescue Fire Fighting Personnel Certification, §423.207, Minimum Standards for Advanced Aircraft Rescue Fire Fighting Personnel Certification, §423.209, Minimum Standards for Master Aircraft Rescue Fire Fighting Personnel Certification, §423.211, International Fire Service Accreditation Congress (IFSAC) Seal, Subchapter C, Minimum Standards for Marine Fire Protection Personnel, §423.301, Minimum Standards for Marine Fire Protection Personnel, §423.303, Minimum Standards for Basic Marine Fire Protection Personnel Certification, §423.205, Minimum Standards for Intermediate Marine Fire Protection Personnel Certification, §423.307, Minimum Standards for Advanced Marine Fire Protection Personnel Certification, §423.309, Minimum Standards for Master Marine Fire Protection Personnel Certification.
6. Discussion and possible action regarding, 37 TAC, Chapter 429, Fire Inspector, including but not limited to, Subchapter A, Minimum Standards For Fire Inspector Certification, §429.1, Minimum Standards for Fire Inspector I Personnel, §429.3, Minimum Standards for Fire Inspector I Certification, §429.5, International Fire Service Accreditation Congress (IFSAC) Seal, Subchapter B, Minimum Standards For Fire Inspector II/Plan Examiner I Certification, §429.201, Minimum Standards for Fire Inspector II/Plan Examiner I Personnel, §429.203, Minimum Standards for Basic Fire Inspector II/Plan Examiner I Certification, §429.205, Minimum Standards for Intermediate Fire Inspector II/Plan Examiner I Certification, §429.207, Minimum Standards for Advanced Fire Inspector II/Plan Examiner I Certification,

**§429.209, Minimum Standards for Master Fire Inspector II/Plan Examiner I Certification, and §429.211, International Fire Service Accreditation Congress (IFSAC) Seal.**

- 7. Discussion and possible action regarding, 37 TAC, Chapter 433, Driver/Operator, including but not limited to, Subchapter A, Minimum Standards for Driver/Operator-Pumper, §433.1, Driver/Operator-Pumper Certification, §433.3, Minimum Standards for Driver/Operator-Pumper Certification, §433.5, Examination Requirements, §433.7, International Fire Service Accreditation Congress (IFSAC) Seal, Subchapter B, Minimum Standards for Driver/Operator-Aerial Apparatus, §433.201, Driver/Operator-Aerial Apparatus Certification, §433.203, Minimum Standards for Driver/Operator-Aerial Apparatus Certification, §433.205, Examination Requirements.**
- 8. Discussion and possible action on setting future meeting dates, locations and agenda items.**
- 9. Adjourn meeting.**

1. Roll call---9:00 a.m.

## **2. Election of officers.**

- 3. Adoption of the March 23, 2017 Fire Fighter Advisory Committee meeting minutes.**

## TEXAS COMMISSION ON FIRE PROTECTION

Assistant Presiding Officer Michael Wisko called the March 23, 2017 meeting of the Fire Fighter Advisory Committee to order at 10:00 a.m. at the William B. Travis Building, 1701 N. Congress Ave., Room 1-104, in Austin, Texas.

Member	Jim Reidy*	Michael Wisko	Amado Cano, Jr.	Ken Swindle	Keith Schmidt
Attendance	Jason Collier*	Daniel DeYear	J. P. Steelman	Daniel Buford	
					*absent entire meeting
					**absent part of meeting

Staff	Tim Rutland	Deborah Cowan	Mark Roughton	Sylvia Miller	Joyce Guinn
	Andrew Lutostanski, Assistant Attorney General				

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| 1. Roll call | Secretary J. P. Steelman called roll and a quorum was present. |
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| 2. Election of Officers | A motion was made by J. P. Steelman and seconded by Amado Cano, Jr. to table the item until the next meeting until all members are present. The motion carried. |
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| 3. Adoption of Minutes | A motion was made by Daniel DeYear and seconded by Ken Swindle to approve the minutes of the September 22, 2016, fire fighter advisory committee meeting as discussed. The motion carried. |
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| 4. Report from Curriculum & Testing Committee | Grace Wilson, Program Specialist, discussed the curricula updates from the last curriculum and testing committee meeting.<br><br>A motion was made by Daniel DeYear and seconded by Keith Schmidt to approve and recommend to the commission the proposed curricula updates for Basic Wildland, Basic Fire Inspector and Hazmat Incident Commander as discussed. The motion carried. |
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| 5. 37 TAC, Chapter 425 | A motion was made by Daniel Buford and seconded by J. P. Steelman to approve for recommendation to the commission amendments to 37 TAC, Chapter 425, §§425.3, 425.5, 425.7, 425.9 as discussed. The motion carried. |
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| 6. 37 TAC, Chapter 431 | A motion was made by Amado Cano Jr. and seconded by Keith Schmidt to approve for recommendation to the commission amendments to 37 TAC, Chapter 431, Subchapter A, Minimum Standards for Arson Investigator Certification, §431.3 and §431.11, and Subchapter B, Minimum Standards for Fire Investigator Certification, §431.201, and §431.203 as discussed. The motion carried. |
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| 7. 37 TAC, Chapter 443 | A motion was made by Daniel Buford and seconded by Amado Cano, Jr. to approve for recommendation to the commission amendments to 37 TAC, Chapter 443, §§443.1, 443.3, 443.5, 443.7 and 443.9 as discussed. The motion carried. |
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8. 37 TAC, Chapter 453 A motion was made by Daniel DeYear and seconded by J. P. Steelman to approve for recommendation to the commission amendments to 37 TAC, Chapter 453, Subchapter A, Minimum Standards for Hazardous Materials Technician, §§453.3, 453.5 and 453.7, and Subchapter B, Minimum Standards for Hazardous Materials Incident Commander, §453.203, and §453.205 as discussed. The motion carried.
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9. 37 TAC, Chapter 455 A motion was made by J. P. Steelman and seconded by Amado Cano, Jr. to approve for recommendation to the commission amendments to 37 TAC, Chapter 455, §455.3 as discussed. The motion carried.
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10. Fire Fighter Injury Report Mark Roughton, gave a brief report on fire fighter injury data collected for 2016. After discussion, a motion was made by Daniel DeYear and seconded by Daniel Buford to accept the report and send to commission for review at its next commission meeting. The motion carried.
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11. Future meeting dates, locations agenda items The next meeting was previously scheduled for June 29, 2017.
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12. Adjournment A motion to adjourn was made by J. P. Steelman and seconded by Keith Schmidt. The motion carried.

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Mike Wisko  
Assistant Presiding Officer

- 4. Report from the Curriculum and Testing Committee with discussion and possible action on recommendations regarding possible changes to the Reference List for the Incident Safety Officer Curriculum.**

**REFERENCE LIST FOR THE  
FIRE DEPARTMENT SAFETY OFFICER  
INCIDENT SAFETY OFFICER CURRICULUM**

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

**Required References**

*Fire Department Incident Safety Officer* (3<sup>rd</sup> ed.) (2016). Dodson, David W. Burlington, MA: Jones and Bartlett Learning.

*NFPA 1500: Standard on Fire Department Occupational Safety and Health Program* (2013 ed.). Quincy, MA: National Fire Protection Association NFPA Publications.

*NFPA 1521: Standard for Fire Department Safety Officer Professional Qualifications* (2015 ed.). Quincy, MA: National Fire Protection Association NFPA Publications.

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

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

**NFPA 1951 Standard on Protective Ensembles for Technical Rescue Incidents. (2013 ed.). Quincy, MA: NFPA Publications. National Fire Protection Association NFPA Publications. (This was moved from recommended to required.)**

**Recommended References**

*Code of Federal Regulations, Title 29 Part 1910.120*. United States. U.S. Department of Labor, Occupational Safety and Health Administration.

*Code of Federal Regulations, Title 29 Part 1910.146*. United States. U.S. Department of Labor, Occupational Safety and Health Administration.

*NFPA 472: Standard for Competence of Responders to Hazardous Materials/Weapons of Mass Destruction Incidents*. (2013 ed.). Quincy, MA: NFPA Publications. National Fire Protection Association NFPA Publications.

*NFPA 1006 Standard for Technical Rescuer Professional Qualifications*. (2013 ed.). Quincy, MA: NFPA Publications. National Fire Protection Association NFPA Publications.

*NFPA 1584 Standard on the Rehabilitation Process for Members During Emergency Operations and Training Exercises*. (2015 ed.). Quincy, MA: NFPA Publications. National Fire Protection Association NFPA Publications.

*NFPA 1710 Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments.* (2016 ed.). Quincy, MA: NFPA Publications. National Fire Protection Association NFPA Publications.

*NFPA 1951 Standard on Protective Ensembles for Technical Rescue Incidents.* (2013 ed.). Quincy, MA: NFPA Publications. National Fire Protection Association NFPA Publications.

5. Discussion and possible action regarding, Chapter 423, Fire Suppression, including but not limited to, Subchapter A, Minimum Standards for Structure Fire Protection Personnel Certification, §423.1, Minimum Standards for Structure Fire Protection Personnel, §423.3, Minimum Standards for Basic Structure Fire Protection Personnel Certification, §423.5, Minimum Standards for Intermediate Structure Fire Protection Personnel Certification, §423.7, Minimum Standards for Advanced Structure Fire Protection Personnel Certification, §423.9, Minimum Standards for Master Structure Fire Protection Personnel Certification, §423.11, Higher Levels of Certification, §423.13, International Fire Service Accreditation Congress (IFSAC) Seal, Subchapter B, Minimum Standards for Aircraft Rescue Fire Fighting Personnel, §423.201, Minimum Standards for Aircraft Rescue Fire Fighting Personnel, §423.203, Minimum Standards for Aircraft Rescue Fire Fighting Personnel Certification, §423.205, Minimum Standards for Intermediate Aircraft Rescue Fire Fighting Personnel Certification, §423.207, Minimum Standards for Advanced Aircraft Rescue Fire Fighting Personnel Certification, §423.209, Minimum Standards for Master Aircraft Rescue Fire Fighting Personnel Certification, §423.211, International Fire Service Accreditation Congress (IFSAC) Seal, Subchapter C, Minimum Standards for Marine Fire Protection Personnel, §423.301, Minimum Standards for Marine Fire Protection Personnel, §423.303, Minimum Standards for Basic Marine Fire Protection Personnel Certification, §423.205, Minimum Standards for Intermediate Marine Fire Protection Personnel Certification, §423.307, Minimum Standards for Advanced Marine Fire Protection Personnel Certification, §423.309, Minimum Standards for Master Marine Fire Protection Personnel Certification.

**CHAPTER 423**

**FIRE SUPPRESSION**

**SUBCHAPTER A**

**MINIMUM STANDARDS FOR STRUCTURE FIRE PROTECTION PERSONNEL CERTIFICATION**

**§423.1 Minimum Standards for Structure Fire Protection Personnel.**

- (a) Fire protection personnel [~~of any local government entity,~~] who **are appointed** [~~receive probationary or temporary appointment~~] to structure fire protection **duties** [~~duties,~~] must be certified by the **commission** [~~Commission~~] within one year from the date of their appointment [~~in a structural fire protection personnel position~~].
- ~~(b) Prior to being appointed to fire suppression duties or certified as fire protection personnel, the Commission must review and approve the applicants fingerprint based criminal history record information obtained from the Department of Public Safety and the Federal Bureau of Investigation. The individual or fire department must follow the procedure established by the Department of Public Safety to initiate and complete the electronic fingerprint process. The results will be available to the Commission through the Department of Public Safety's data base. The Commission will follow the criteria established in Title 37 Chapter 403 of the Texas Administrative Code (TAC) for denying a person certification based on the results of the fingerprint based criminal history record check.~~
- ~~(b)(c)~~ Prior to being appointed to **structure fire protection** [~~fire suppression~~] duties, personnel must:
- ~~(1)~~ complete a **commission approved** [~~Commission approved~~] basic structure fire **protection** [~~suppression~~] program; and [~~successfully complete a Commission recognized emergency medical course. The individual must~~]
  - ~~(2)~~ successfully pass the **commission examination** [~~Commission examination pertaining to that curriculum~~] as required by §423.3 of this title (**relating to Minimum Standards for Basic Structure Fire Protection Personnel Certification**); and [-]
  - ~~(3)~~ **successfully complete a commission recognized emergency medical training program.**  
The **commission** [~~Commission~~] recognizes the following emergency medical training:
    - ~~(A)~~ [(1)] Department of State Health Services Emergency Medical Service Personnel certification training;
    - ~~(B)~~ [(2)] an American Red Cross Emergency Response course, including the optional lessons and enrichment sections;
    - ~~(C)~~ [(3)] an American Safety and Health Institute First Responder course;
    - ~~(D)~~ [(4)] National Registry of Emergency Medical Technicians certification; or
    - ~~(E)~~ [(5)] medical training deemed equivalent by the **commission** [~~Commission~~].
- ~~(c)~~ [(d)] Personnel holding any level of structure fire protection personnel certification must comply with the continuing education requirements specified in **Chapter 441** [~~§441.7~~] of this title (relating to Continuing Education [~~for Structure Fire Protection Personnel~~]).

### §423.3 Minimum Standards for Basic Structure Fire Protection Personnel Certification.

~~[(a)]~~ In order to ~~be~~ ~~[become]~~ certified as **Basic Structure Fire Protection Personnel**, ~~[basic structure fire protection personnel]~~, an individual must:

- (1) possess valid documentation from the International Fire Service Accreditation Congress or the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2008 or later edition of the NFPA standard applicable to this discipline and meeting the requirements ~~[as]~~ specified in §439.1~~[(a)(2)]~~ of this title (relating to Requirements—General) as:
    - (A) Fire Fighter I, Fire Fighter II, Hazardous Materials Awareness Level Personnel; and
    - (B) Hazardous Materials Operations Level Responders including the Mission-Specific Competencies for Personal Protective Equipment and Product Control under the current edition; or
    - (C) NFPA 472 Hazardous Materials Operations prior to the 2008 edition; and
    - (D) ~~[must]~~ meet the medical requirements outlined in §423.1~~[(c)]~~ of this title (relating to Minimum Standards for Structure Fire Protection Personnel); or
  - (2) complete a **commission approved** ~~[commission approved]~~ basic structure fire **protection** ~~[suppression]~~ program, meet the medical requirements outlined in §423.1~~[(c)]~~ of this title (**relating to Minimum Standards for Structure Fire Protection Personnel**), and successfully pass the commission examination(s) as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved basic structure fire suppression program shall consist of one or any combination of the following:
    - (A) completion of a **commission approved** ~~[commission approved]~~ Basic Fire Suppression Curriculum, as specified in~~[Chapter 1 of]~~ the commission's Certification Curriculum Manual; or
    - (B) completion of an out-of-state, and/or military training program deemed equivalent to the **commission approved**~~[commission approved]~~ Basic Fire Suppression Curriculum; or
    - (C) documentation of the receipt of **a Fire Fighter II certificate**, ~~[or]~~ an advanced certificate, or **confirmation of training** ~~[records]~~ from the State Firemen's and Fire Marshals' Association of Texas~~;~~ that is deemed equivalent to a **commission approved** ~~[commission approved]~~ Basic Fire Suppression Curriculum.
- ~~[(b)] A basic fire suppression program may be submitted to the commission for approval by another jurisdiction as required in Texas Government Code, Chapter 419, §419.032(d), Appointment of Fire Protection Personnel. These programs include out-of-state and military programs, and shall be deemed equivalent by the commission if the subjects taught, subject content, and total hours of training meet or exceed those contained in Chapter 1 of the commission's Certification Curriculum Manual.]~~

### §423.5 Minimum Standards for Intermediate Structure Fire Protection Personnel Certification.

(a) Applicants for Intermediate Structure Fire Protection Personnel **certification**~~[Certification]~~ must complete the following requirements:

- (1) hold, as a prerequisite, a Basic Structure Fire Protection Personnel **certification**~~[Certification]~~ as defined in §423.3 of this title (relating to Minimum Standards for Basic Structure Fire Protection Personnel 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** [~~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** [~~Commission's~~] Certification Curriculum Manual or for experience in 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 Structure Fire Protection Personnel **certification** [~~Certification~~]. Repeating a course or a course of similar content cannot be used towards this level of certification.

**§423.7 Minimum Standards for Advanced Structure Fire Protection Personnel Certification.**

- (a) Applicants for Advanced Structure Fire Protection Personnel certification must complete the following requirements:
- (1) hold as a prerequisite an Intermediate Structure Fire Protection Personnel **certification** [~~Certification~~] as defined in §423.5 of this title (relating to Minimum Standards for Intermediate Structure Fire Protection Personnel 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 Structure Fire Protection Personnel **certification** [Certification]. Repeating a course or a course of similar content cannot be used towards this level of certification.

**§423.9 Minimum Standards for Master Structure Fire Protection Personnel Certification.**

- (a) Applicants for Master Structure Fire Protection Personnel **certification** [Certification] must complete the following requirements:
- (1) hold as a prerequisite an Advanced Structure Fire Protection Personnel **certification** [Certification] as defined in § 423.7 of this title (relating to Minimum Standards for Advanced Structure Fire Protection Personnel Certification); and
  - (2) acquire a minimum of twelve 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 Structure Fire Protection Personnel Certification.**

**§423.11 Higher Levels of Certification.**

- (a) An individual may receive higher levels of certification in **structure** [structural] fire protection while being assigned to another discipline, provided [that] all requirements for the higher level or levels of certification are met.
- (b) Repetitive training cannot be used toward higher levels of certification.

**§423.13 International Fire Service Accreditation Congress (IFSAC) Seal.**

- (a) Individuals completing a commission approved basic **structure fire protection** [fire suppression] program, meeting any other NFPA requirement, and passing the applicable **commission** examination(s) [based on the basic fire suppression curriculum,] may be granted IFSAC seal(s) for Hazardous Materials Awareness Level Personnel, Hazardous Materials Operations Level Responders (including the Mission-Specific Competencies for Personal Protective Equipment and Product Control), Fire Fighter I, and/or Fire Fighter II by making application to the commission for the IFSAC seal(s) and paying applicable fees, provided they meet the following provisions:
- (1) To receive the IFSAC Hazardous Materials Awareness Level Personnel seal, the individual must:
    - (A) complete the Hazardous Materials Awareness section of a commission approved course; and
    - (B) pass the Hazardous Materials Awareness section of a commission examination.
  - (2) To receive the IFSAC Hazardous Materials Operations Level Responders seal (including the Mission-Specific Competencies for Personal Protective Equipment and Product Control) the individual must:
    - (A) complete the Hazardous Materials Operation section of a commission approved course; **and**
    - (B) document possession of an IFSAC Hazardous Materials Awareness Level Personnel seal; and
    - (C) pass the Hazardous Materials Operations section of a commission examination.
  - (3) To receive the IFSAC Fire Fighter I seal, the individual must:
    - (A) complete a commission approved Fire Fighter I course; **and**

- (B) provide medical documentation as outlined in subsection (c) of this section; **and**
  - (C) document possession of an IFSAC Hazardous Materials Awareness Level Personnel seal; and
  - (D) document possession of an IFSAC Hazardous Materials Operations Level Responders seal; and
  - (E) pass the Fire Fighter I section of a commission examination.
- (4) To receive the IFSAC Fire Fighter II seal, the individual must:
- (A) complete a commission approved Fire Fighter II course; **and**
  - (B) document possession of an IFSAC Fire Fighter I seal; and
  - (C) pass the Fire Fighter II section of a commission examination.
- (b) **In order to qualify for a Fire Fighter I seal** ~~[meet the medical requirements of NFPA 1001]~~, the individual must document successful completion of an emergency medical training course or program **that includes those subject areas required by NFPA 1001**. ~~[The commission recognizes the following emergency medical training:]~~
- ~~[- (1) The Texas Department of State Health Services Emergency Medical Service Personnel certification training;]~~
  - ~~[- (2) American Red Cross Response course (including optional lessons and enrichment sections);]~~
  - ~~[- (3) American Safety and Health Institute First Responder course;]~~
  - ~~[- (4) National Registry of Emergency Medical Technicians certification; or]~~
  - ~~[- (5) medical training deemed equivalent by the commission.]~~
- (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.

## CHAPTER 423

### FIRE SUPPRESSION

#### SUBCHAPTER B

#### MINIMUM STANDARDS FOR AIRCRAFT RESCUE FIRE FIGHTING PERSONNEL

##### §423.201 Minimum Standards for Aircraft Rescue Fire Fighting Personnel.

- (a) Aircraft rescue fire fighting personnel are employees of a local governmental entity who are appointed to aircraft rescue **fire fighting** [firefighting] duties. These duties may include fighting aircraft fires at airports, standing by for potential crash landings, and performing aircraft rescue and fire fighting duties.
- (b) Personnel appointed **to aircraft rescue fire fighting duties** [as Aircraft Rescue Fire Fighting Personnel] must be certified [to at least the basic level] by the **commission** [Commission] within one year from **the date of** their **appointment** [employment in an Aircraft Rescue Fire Fighting Personnel position].
- (c) Prior to being appointed to aircraft rescue fire **fighting** [suppression] duties, all personnel must:
- (1) successfully complete a **commission approved** [Commission-approved] basic **structure fire protection program** [suppression course] and pass the **commission's** [Commission's] examination [pertaining to that curriculum]; and
  - (2) successfully complete a **commission approved** [Commission-approved] basic aircraft rescue fire **fighting program** [protection course] and pass the **commission's** [Commission's] examination [pertaining to that curriculum].
- (d) "Stand by" means the act of responding to a designated position in the movement area on the airfield at which initial response fire and rescue units will await the arrival of an aircraft experiencing an announced emergency.
- (e) "Movement area" is comprised of all runways, taxiways, and other areas of the airport which are used for taxiing or hover taxiing, take-off, and landing of aircraft, exclusive of loading ramps and aircraft parking areas.
- (f) Personnel holding any level of aircraft rescue fire fighting personnel certification shall be required to comply with the continuing education specified in **Chapter** [§441.9] of this title (relating to Continuing Education [for Aircraft Rescue Fire Fighting Personnel]).
- (g) Aircraft rescue fire fighting personnel that perform structure fire **protection** [fighting] duties must be certified, as a minimum, as basic **structure** [structural] fire protection personnel.

##### §423.203 Minimum Standards for Basic Aircraft Rescue Fire Fighting Personnel Certification.

In order to **be certified as** [obtain a] Basic Aircraft Rescue Fire Fighting Personnel, **an** [Certification the] individual must:

- (1) hold a Basic Structure Fire Protection Personnel **certification** [Certification]; and
- (2) possess valid documentation as an Airport Fire Fighter 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 2010 or later edition of the NFPA standard applicable to this discipline and meeting the requirements [as ]specified in §439.1[(a)(2)] of this title (relating to Requirements—General); or
- (3) complete a commission approved aircraft rescue fire **fighting** [~~suppression training~~] program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved aircraft rescue fire **fighting**[~~suppression training~~] program shall consist of one of the following:
  - (A) a commission approved Basic Aircraft Rescue Fire Suppression Curriculum as specified in [Chapter ~~2 of~~] the commission's Certification Curriculum Manual; **or** [ ]
  - (B) an out-of-state, and/or military training program that has been submitted to the commission for evaluation and found to be equivalent to or exceeds the commission approved Basic Aircraft Rescue Fire Suppression Curriculum.

**§423.205 Minimum Standards for Intermediate Aircraft Rescue Fire Fighting Personnel Certification.**

- (a) Applicants for Intermediate Aircraft Rescue Fire Fighting Personnel **certification** [~~Certification~~] must complete the following requirements:
  - (1) hold as a prerequisite a Basic Aircraft Rescue Fire Fighting Personnel **certification** [~~Certification~~] as defined in §423.203 of this title (relating to Minimum Standards for Basic Aircraft Rescue Fire Fighting Personnel 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 Aircraft Rescue Fire Fighting **certification** [~~Certification~~]. Repeating a course or a course of similar content cannot be used towards this level of certification.

### **§423.207 Minimum Standards for Advanced Aircraft Rescue Fire Fighting Personnel Certification.**

- (a) Applicants for Advanced Aircraft Rescue Fire Fighting Personnel certification must complete the following requirements:
- (1) hold as a prerequisite an Intermediate Aircraft Rescue Fire Fighting Personnel **certification** [~~Certification~~] as defined in §423.205 of this title (relating to Minimum Standards for Intermediate Aircraft Rescue Fire Fighting Personnel 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 Aircraft Rescue Fire Fighting Personnel **certification** [~~Certification~~]. Repeating a course or a course of similar content cannot be used towards this level of certification.

### **§423.209 Minimum Standards for Master Aircraft Rescue Fire Fighting Personnel Certification.**

- (a) Applicants for Master Aircraft Rescue Fire Fighting Personnel **certification** [~~Certification~~] must complete the following requirements:
- (1) hold, as a prerequisite, an Advanced Aircraft Rescue Fire Fighting Personnel **certification** [~~Certification~~] as defined in §423.207 of this title (relating to Minimum Standards for Advanced Aircraft Rescue Fire Fighting Personnel Certification); and
  - (2) acquire a minimum of twelve years of fire protection experience, and 60 college semester hours or an associate's 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 Aircraft Rescue Fire Fighting Personnel Certification.**

### **§423.211 International Fire Service Accreditation Congress (IFSAC) Seal.**

Individuals completing a commission approved basic aircraft rescue fire **fighting** [~~suppression~~] program, documenting an IFSAC seal for Fire Fighter II, and passing the applicable **commission** [~~state~~] examination may be granted an IFSAC seal as an Airport Fire Fighter by making application to the commission for the IFSAC seal and paying applicable fees. In order to qualify for an IFSAC seal, an individual must submit the application for the seal prior to the expiration of the examination.

CHAPTER 423

FIRE SUPPRESSION

SUBCHAPTER C

MINIMUM STANDARDS FOR MARINE FIRE PROTECTION PERSONNEL

**§423.301 Minimum Standards for Marine Fire Protection Personnel.**

- (a) Marine fire protection personnel are employees of a local governmental entity who work aboard a fire boat with a minimum pumping capacity of 2,000 gallons per minute, and fight fires that occur on or adjacent to a waterway, waterfront, channel, or turning basin.
- (b) Fire protection personnel ~~[of any local government entity, who are]~~ appointed **to** marine fire protection **duties** ~~[duties,]~~ must be certified by the **commission** ~~[Commission]~~ within one year from the date of their appointment ~~[in a marine fire protection personnel position].~~
- (c) Prior to being appointed to marine fire **protection** ~~[suppression]~~ duties, all personnel must:
- (1) successfully complete a **commission approved** ~~[Commission approved]~~ basic **structure** fire **protection program** ~~[suppression course]~~ and pass the **commission's** ~~[Commission's]~~ examination ~~[pertaining to that curriculum]; and~~
  - (2) successfully complete a **commission approved** ~~[Commission approved]~~ basic marine fire **protection program** ~~[suppression course]~~ and pass the **commission's** ~~[Commission's]~~ examination ~~[pertaining to that curriculum].~~
- (d) Personnel holding any level of Marine Fire Protection Personnel certification shall be required to comply with the continuing education specified in **Chapter 441** ~~[-§441[-11-]]~~ of this title (relating to Continuing Education ~~[for Marine Fire Protection Personnel]).~~

**§423.303 Minimum Standards for Basic Marine Fire Protection Personnel Certification.**

In order to **be certified as Basic** ~~[obtain as basic]~~ Marine Fire Protection Personnel ~~[Certification]~~ **an** ~~[the]~~ individual must:

- (1) hold a Basic Structure Fire Protection Personnel **certification** ~~[Certification]~~; **and**
- (2) **complete a commission approved marine fire protection program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved marine fire protection program shall consist** ~~[complete a training program specific to marine fire protection consisting]~~ of one of the following:
  - (A) ~~[complete]~~ the **commission approved** ~~[Commission approved]~~ Basic Marine Fire Protection Curriculum as specified in Chapter 3 ~~[,]~~ of the **commission's** ~~[Commission's]~~ Certification Curriculum Manual; **or** ~~[,]~~
  - (B) An out-of-state, and/or military training program that has been submitted to the **commission** ~~[Commission]~~ for evaluation and found to be equivalent to or exceed the **commission approved** ~~[Commission approved]~~ Basic Marine Fire Protection Curriculum.
  - ~~(3) successfully pass the Commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification) prior to assignment.~~

**§423.305 Minimum Standards for Intermediate Marine Fire Protection Personnel Certification.**

- (a) Applicants for Intermediate Marine Fire Protection Personnel **certification** [~~Certification~~] must complete the following requirements:
- (1) hold, as a prerequisite, a Basic Marine Fire Protection Personnel **certification** [~~Certification~~] as defined in §423.303 of this title (relating to Minimum Standards for Basic Marine Fire Protection Personnel 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** [~~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** [~~Commission's~~] Certification Curriculum Manual or for experience in fire service, may not be counted towards 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 Marine Fire Protection Personnel **certification** [~~Certification~~]. Repeating a course, or a course of similar content, cannot be used towards this level of certification.

**§423.307 Minimum Standards for Advanced Marine Fire Protection Personnel Certification.**

- (a) Applicants for Advanced Marine Fire Protection Personnel certification must complete the following requirements:
- (1) hold as a prerequisite an Intermediate Marine Fire Protection Personnel **certification** [~~Certification~~] as defined in §423.305 of this title (relating to Minimum Standards for Intermediate Marine Fire Protection Personnel 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 towards 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 Marine Fire Protection Personnel **certification** [~~Certification~~]. Repeating a course or a course of similar content cannot be used towards this level of certification.

**§423.309 Minimum Standards for Master Marine Fire Protection Personnel Certification.**

- (a) Applicants for Master Marine Fire Protection Personnel **certification** [~~Certification~~] must complete the following requirements:
- (1) hold, as a prerequisite, an Advanced Marine Fire Protection Personnel **certification** [~~Certification~~] as defined in §423.307 of this title (relating to Minimum Standards for Advanced Marine Fire Protection Personnel Certification); and
  - (2) acquire a minimum of twelve years of fire protection experience, 60 college semester hours or an associate's 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 Marine Fire Protection Personnel Certification.**

6. **Discussion and possible action regarding, Chapter 429, Fire Inspector, including but not limited to, Subchapter A, Minimum Standards For Fire Inspector Certification, §429.1, Minimum Standards for Fire Inspector I Personnel, §429.3, Minimum Standards for Fire Inspector I Certification, §429.5, International Fire Service Accreditation Congress (IFSAC) Seal, Subchapter B, Minimum Standards For Fire Inspector II/Plan Examiner I Certification, §429.201, Minimum Standards for Fire Inspector II/Plan Examiner I Personnel, §429.203, Minimum Standards for Basic Fire Inspector II/Plan Examiner I Certification, §429.205, Minimum Standards for Intermediate Fire Inspector II/Plan Examiner I Certification, §429.207, Minimum Standards for Advanced Fire Inspector II/Plan Examiner I Certification, §429.209, Minimum Standards for Master Fire Inspector II/Plan Examiner I Certification, and §429.211, International Fire Service Accreditation Congress (IFSAC) Seal.**

CHAPTER 429

FIRE INSPECTOR

SUBCHAPTER A

MINIMUM STANDARDS FOR FIRE INSPECTOR I CERTIFICATION

§429.1 Minimum Standards for Fire Inspector I Personnel.

- (a) Fire protection personnel of a governmental entity who are appointed to fire code enforcement duties at the Fire Inspector I level must be certified, as a minimum, as a Fire Inspector I as specified in §429.3 of this title (relating to Minimum Standards for Fire Inspector I 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 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 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 may only engage in fire code enforcement duties that are commensurate with the job performance requirements listed for Fire Inspector I in the current edition of NFPA 1031: Standard for Professional Qualifications for Fire Inspector and Plan Examiner, or its successor.

§429.3 Minimum Standards for Fire Inspector I Certification.

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

- (1) possess valid documentation as an Inspector 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 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 training program shall consist of one of the following:
  - (A) completion of the commission approved Fire Inspector 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 Curriculum as specified in the commission's Certification Curriculum Manual; or**

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

**§429.5 International Fire Service Accreditation Congress (IFSAC) Seal.**

**Individuals who pass the state examination for Fire Inspector I may be granted an IFSAC seal for Inspector I by making application to the commission for the IFSAC seal and paying the applicable fee. In order to qualify for the IFSAC seal, an individual must submit the application for the seal prior to the expiration of the examination.**

**CHAPTER 429**

**FIRE INSPECTOR**

**SUBCHAPTER B**

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

**§429.201 Minimum Standards for Fire Inspector 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 II/Plan Examiner I level** must be certified, as a minimum, as a **Basic Fire Inspector II/Plan Examiner I** [basic fire inspector] as specified in §429.203 of this title (relating to Minimum Standards for Basic Fire Inspector 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 II/Plan Examiner I level**, all personnel must complete **the applicable commission approved** [a Commission approved basic] fire inspection training program and successfully pass the **commission** [Commission] examination pertaining to that curriculum.
- (c) Individuals holding any level of fire inspector certification shall be required to comply with **all applicable** [the] continuing education requirements in **Chapter 441** [§441.13] of this title (**relating to Continuing Education**). [relating to Continuing Education for Fire Inspection Personnel].
- (d) **Fire code** [Code] enforcement is defined as the enforcement of laws, codes, and ordinances of the authority having jurisdiction pertaining to fire prevention.
- (e) Individuals who supervise others in the area of fire code enforcement, or manage fire code enforcement programs must be certified as Fire Inspector II/Plan Examiner I, or hold a Fire Inspector certification issued prior to September 1, 2017.**
- (f) Individuals wishing to satisfy the requirements for Head of a Prevention-Only Fire Department by holding a Fire Inspector certification must hold Fire Inspector II/Plan Examiner I certification, or hold a Fire Inspector certification issued prior to September 1, 2017.**

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

In order to be certified as a **Basic Fire Inspector II/Plan Examiner I**, [basic fire inspector,] an individual must:

- (1) possess valid documentation as an Inspector I, 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** [§439.1(a)(2)] of this title (relating to Requirements—General); or
- (2) complete a commission approved [Basic] Fire Inspector **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 ~~[basic]~~ fire inspection training program shall consist of one or any combination of the following:

- (A) completion of the commission approved ~~[Basic]~~ Fire Inspector **II/Plan Examiner I** Curriculum, as specified in ~~[Chapter 4 of]~~ 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 ~~[as listed]~~ in the commission approved ~~[Basic]~~ Fire Inspector **II/Plan Examiner I** Curriculum as specified in ~~[Chapter 4 of]~~ 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 ~~[Basic]~~ Fire Inspector **II/Plan Examiner I** curriculum.

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

- (a) Applicants for Intermediate Fire Inspector **II/Plan Examiner I** Certification must meet the following requirements:
  - (1) hold as a prerequisite Basic Fire Inspector **II/Plan Examiner I** Certification as defined in §429.203 of this title (relating to Minimum Standards for Basic Fire Inspector **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** ~~[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 **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 II/Plan Examiner I Certification.**

- (a) Applicants for Advanced Fire Inspector **II/Plan Examiner I** Certification must complete the following requirements:
- (1) hold as a prerequisite an Intermediate Fire Inspector **II/Plan Examiner I** Certification as defined in §429.205 of this title (relating to Minimum Standards for Intermediate Fire Inspector **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** [~~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 **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 II/Plan Examiner I Certification.**

- (a) Applicants for Master Fire Inspector **II/Plan Examiner I** Certification must complete the following requirements:
- (1) hold as a prerequisite an Advanced Fire Inspector **II/Plan Examiner I** Certification as defined in §429.207 of this title (relating to Minimum Standards for Advanced Fire Inspector **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 Certification.

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

- (a) Individuals who hold commission 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 seal(s) for Inspector I, Inspector II, and/or Plan Examiner I by making application to the commission for the IFSAC seal(s) and paying the applicable fees, provided they meet the following provisions:
  - (1) To receive the IFSAC Inspector I seal, the individual must:
    - (A) complete the Inspector I section of a commission approved course; and
    - (B) pass the Inspector I section of a commission examination.
  - (2) To receive the IFSAC Inspector II seal, the individual must:
    - (A) complete the Inspector II section of a commission approved course;
    - (B) document possession of an IFSAC Inspector I seal; and
    - (C) pass the Inspector II section of a commission examination.
  - (3) To receive the IFSAC Plan Examiner I 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.

**Deborah Cowan**

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**From:** Deborah Cowan  
**Sent:** Friday, August 26, 2016 3:52 PM  
**To:** COMMISSIONERS  
**Cc:** Daniel DeYear(2), Daniel DeYear, J. P. Steelman; Jason Collier; Jim Reidy; Ken Swindle; Mike Wisko (mwisko@galvestontx.gov); Mike Wisko; Amado Cano; Daniel Buford; Keith Alan Schmidt  
**Subject:** Inspector ad-hoc committee recommendations

Good afternoon everyone,

*Following you will find the Inspector ad hoc committee report, drafted and submitted by Commissioner Ekiss, that includes the committee recommendations regarding an additional TCFP Fire Inspector certification. This will be an agenda item for the next Commission meeting (October 27<sup>th</sup>).*

Deb

[Beginning of committee report]

The Ad Hoc Committee met in Taylor in an attempt to gain additional insight on the possibility of altering the current Inspector Certification offered by TCFP. I want to first extend my sincere appreciation to each member for your dedication and desire to propose change where change is of benefit to those whom we represent. Many of you had done extensive research prior to the meeting and your input was an extreme advantage to all of us during the decision making process - thank you. Below you will find a recap of the discussion in brief as well as action items to be requested of the Presiding Officer.

All agreed that some form of alteration, amendment or addition to the current certification is in order. The discussion was not simply focused on the positives expressed by those who wrote letters of support for change. The committee spent a good deal of time discussing any negatives, hurdles or legal ramifications of making any changes or additions to the Inspector certification. The discussion played close attention to the ability of staff to conduct the work required by such a change, as well as the ability of academies and institutions offering advanced level education to deliver the necessary training and the impact and hopeful benefits to our partners in the volunteer and rural county settings. I appreciate the candor and respect given to each of those institutions and firmly believe that if/when challenged about our decision we can assure all parties that consideration was given to their individual needs and concerns. In the end, here is our resolve:

- The Inspector certification currently offered by the Commission is of extreme value and should NOT be changed or altered.
- A NEW certification should be created and (if possible) titled "Company Level Inspector." To hold this certification one must be appointed to the suppression or inspection (Fire Marshal) division of the AHJ and charged either by law or ordinance to conduct inspections on behalf of the AHJ. This individual would be trained and tested to a level equal to that of the Inspector I as described by NFPA standards which are - - *Fire Inspector I. An individual at the first level of progression who has met the job performance requirements specified in this standard for Level I. The Fire Inspector I conducts basic fire inspections and applies codes and standards and This duty involves the preparation of correspondence and inspection reports, handling of complaints, and maintenance of records, as well as participation in legal proceedings and maintenance of an open dialogue with the plan examiner and emergency response personnel, according to the following job performance requirements...*
- The committee respectfully requests that the Presiding Officer direct the curriculum and testing committees to convene as soon as practical and that they be given a *charge* to develop the process to pull Inspector 1

curriculum and test questions from the existing data base (if at all possible) to assist in streamlining the process and reduce the possibility of additional work or research. Meaning – the components are already in place. Make this happen with the resources already at hand.

- The committee recommends that the curriculum committee be advised that we are seeking to recommend a program that may be delivered in a *maximum* of 80 contact hours (the final determination could actually be set by the entity providing the training but we believe it would be impossible to deliver the necessary component in less than 40 hours).
- The proposed certification does not fall within the confines of current IFSAC requirements and would therefore eliminate the possibility of an IFSAC Seal accompanying the certification. The committee believes that this is not a major issue and sees little if any discussion coming from the public once the process is fully explained.
- The proposed certification will *NOT* replace the need for the Inspector certification currently offered by TCFP. Many jurisdictions employ individuals to inspect State facilities and those described in Statute that will require interpretation of the codes and an advanced knowledge and skill set pertaining to Plans Review. This proposed certification does however address and meet the need of many departments needing additional personnel to inspect or preplan other facilities within their jurisdiction where code interpretation and plan review is not necessary or required. We firmly believe that this gives *options* to fire departments and fire marshals. Working within the scope and intent of the law they can now develop their program around the needs and expectations of their community or area served.
- The committee has agreed that **discussion outside of our workgroup about the process or preliminary findings and recommendations would be detrimental to the overall process and end result.** We have however agreed to answer any questions or concerns while in a group setting; be it during a conference call or in person during a called meeting. We are committed to a process that exemplifies a unified and cooperative approach of all parties involved and in the best interest of our chosen professions.

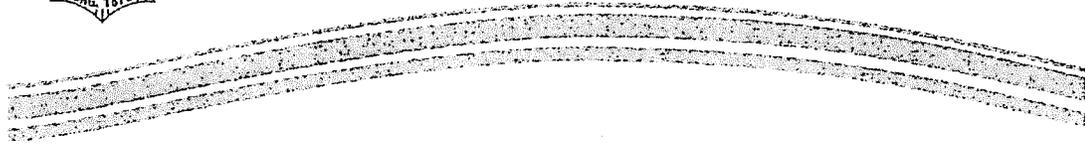
In the end, this will probably not be a project that can be addressed and completed in a few weeks or even months. The process will need to take its course. However, we do believe that the ground work and final package should be completed in short order. Once done we propose a meeting be called with the Presiding Officer, TCFP Executive Director and Advisory Committee Chair to present the proposed change as a committee. Once again, our goal is to present a proposal in a unified fashion that addresses the concerns of all interested and responsible parties while limiting unnecessary discussion or further scrutiny of the plan. Our hopes are that we can complete this task to everyone's satisfaction in the shortest time possible.

{End of committee report}



# STATE FIREFIGHTERS' AND FIRE MARSHALS' ASSOCIATION OF TEXAS

*Promote, Unify, Represent, and Educate The Fire Service of Texas*



October 13, 2016

Commissioners  
Texas Commission on Fire Protection  
PO Box 2286  
Austin, TX 78768-2286

Dear TCFP Commissioners,

As you are aware in the 81st legislative session, HB3866 was passed that required all fire safety inspections to be performed by only a TCFP Fire Inspector. This law greatly affected a volunteer fire department's ability to perform inspections on home health care, foster care, or other child care facilities which require a basic fire safety inspection. The hindrance of this law put local VFDs and local communities in a situation in which they either had to find a way to get one of their personnel the training needed to become an inspector, pay for the class, testing, and certification or having to find the closest TCFP certified inspector. This has left numerous facilities across Texas either not getting inspected or having such a wait to get inspected that more lives are actually at risk by not allowing a local fire service official being able to perform these basic life safety inspections. We feel this delay and lack of inspections has been an unintended consequence of the law.

As you know there is a request to break out the TCFP Inspector Certification into three separate certifications. The State Firefighters' and Fire Marshals' Association agrees and supports breaking this into three certifications would greatly benefit ALL of the fire service of Texas. Paid and Volunteer! We feel that this would not only encourage volunteers to go after the Inspector I certifications but would also result in increased revenue to TCFP. As it stands right now, the long length of time necessary to get the TCFP Fire Inspector certification, the associated fees, the difficulty of the test and the fact that the plans review portion of the program may never be used by a small fire department, are all some of the reasons why more personnel (paid and volunteer) are not seeking the certification.

We strongly encourage breaking the certification into Fire Inspector I, Inspector II and Plans Examiner. This change would greatly help the fire service and furthermore, local government.



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can get more line officers the Inspector I certification so they can perform these life safety inspections. If a local community wants to make Inspector II or Plans Examiner a requirement to perform these basic life safety inspections, then that AHJ can make that decision. Attached are a couple examples (Texas State Fire Marshal's Office and City of Waco) of the life safety inspection forms which should not require anyone more than an Inspector I to complete it.

Thank you for your consideration.



Chris Barron  
Executive Director



PO Box 1709, Manchaca, TX, 78652-1709  
[www.sffma.org](http://www.sffma.org)

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**Texas Department of Insurance  
State Fire Marshal's Office**

**Foster Family Home Fire Safety Evaluation Checklist**  
Revised March 2010

Name of Owner(s): \_\_\_\_\_ Telephone: \_\_\_\_\_

Home Address: \_\_\_\_\_

	Yes	No	Item
1.	<input type="checkbox"/>	<input type="checkbox"/>	Will there be less than seven children be living in the Foster Home?
2.	<input type="checkbox"/>	<input type="checkbox"/>	Are all the children ambulatory and capable of self preservation?
3.	<input type="checkbox"/>	<input type="checkbox"/>	Is a working smoke detector installed in each sleeping room?
4.	<input type="checkbox"/>	<input type="checkbox"/>	Is a working smoke detector installed in the hallway near the sleeping rooms?
5.	<input type="checkbox"/>	<input type="checkbox"/>	If the house is more than one story is a working smoke detector installed at the top of the stairs?
6.	<input type="checkbox"/>	<input type="checkbox"/>	Does each sleeping room and living area have at least one of the following secondary means of escape other than the "front" or "back" door of the home? A) A door, stairway, passage or hall providing unobstructed travel leading directly to the outside of the dwelling; or B) An outside window with a minimum opening of not less than 5.7 sq. ft. in area, minimum of 20 inches wide, and at least 24 inches high, and no higher than 44 inches above the floor, located within 20 ft. of grade accessible to fire department apparatus; or C) A non-locking door into an adjoining room that has a means of escape described in A or B above.
7.	<input type="checkbox"/>	<input type="checkbox"/>	Can a person travel from any room of the house to an exit that leads directly outside without having to pass through an interior door than can be locked?
8.	<input type="checkbox"/>	<input type="checkbox"/>	Can all primary exterior exit doors, windows used as a secondary means of escape, and any security bars incorporated with these primary and secondary means of escape, be opened from the inside without the use of a key, tool or special knowledge (security code, combination)?
9.	<input type="checkbox"/>	<input type="checkbox"/>	Are the closet doors equipped so that a child can open the door from the inside?
10.	<input type="checkbox"/>	<input type="checkbox"/>	If the bathroom door is equipped with a lock, can the door be unlocked from the outside during an emergency?
11.	<input type="checkbox"/>	<input type="checkbox"/>	Can all bedrooms and/or living areas above the first floor be accessed by a standard set of stairs?
12.	<input type="checkbox"/>	<input type="checkbox"/>	Are all gas, wood, or fuel-fired heaters used in the home vented to the outside? (unless listed and approved)
13.	<input type="checkbox"/>	<input type="checkbox"/>	Are heaters, including wood burning or gas log fireplaces, equipped with immovable screens or barriers to prevent contact with open flames or hot surfaces?
14.	<input type="checkbox"/>	<input type="checkbox"/>	Are gas appliances (heaters, water heaters, stoves) equipped with metal tubing and metal connectors?
15.	<input type="checkbox"/>	<input type="checkbox"/>	Are all gas-fired heaters inspected annually by a qualified technician?
16.	<input type="checkbox"/>	<input type="checkbox"/>	Are combustible items (things that burn) stored away from any stove, heater, or fireplace in the Foster Home?
17.	<input type="checkbox"/>	<input type="checkbox"/>	Are all lighters and matches kept out of the reach of children?
18.	<input type="checkbox"/>	<input type="checkbox"/>	Are flammable liquids stored in safety cans and kept away from heat and children?
19.	<input type="checkbox"/>	<input type="checkbox"/>	Is there an operable five-pound dry chemical fire extinguisher available for use in the kitchen?
20.	<input type="checkbox"/>	<input type="checkbox"/>	Has a Home Fire Escape Plan been written, practiced, and documented?
21.	<input type="checkbox"/>	<input type="checkbox"/>	Does the electrical system appear to be in good condition?

Signature of Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

Comments:

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# FIRE INSPECTION CHECKLIST

Facility Name	Facility Address	Telephone No.
---------------	------------------	---------------

	Yes	No	N/A
1. There are at least two unblocked exits to the outside from the home (can include windows) .....	<input type="checkbox"/>	<input type="checkbox"/>	
2. Electrical wiring system appears in good repair. ....	<input type="checkbox"/>	<input type="checkbox"/>	
3. Electrical outlets in rooms used by children have child-proof covers or are safety outlets .....	<input type="checkbox"/>	<input type="checkbox"/>	
4. Fuses or circuit breakers in fuse box appear in good operating condition.....	<input type="checkbox"/>	<input type="checkbox"/>	
5. Cords for electrical appliances and lighting fixtures appear in good operating condition .....	<input type="checkbox"/>	<input type="checkbox"/>	
6. Extension cords are used properly. (Not run under rugs, not hooked over nails, not overloaded). Check N/A if extension cords are not in use.	<input type="checkbox"/>	<input type="checkbox"/>	
7. Space heaters are enclosed to prevent children from burning themselves .....	<input type="checkbox"/>	<input type="checkbox"/>	
8. Space heaters are vented to the outside. (Check N/A if space heaters are not designed to vent to the outside).....	<input type="checkbox"/>	<input type="checkbox"/>	
9. Gas appliances (heaters, water heaters, stoves) have metal tubing and metal connections.....	<input type="checkbox"/>	<input type="checkbox"/>	
10. Central heating system is periodically inspected by a qualified inspector. ....	<input type="checkbox"/>	<input type="checkbox"/>	
11. Wood burning or gas log fireplaces are protected with a spark screen or guard.....	<input type="checkbox"/>	<input type="checkbox"/>	
12. Combustibles are stored or placed well away from any stove, heater, or fireplacc in the home.....	<input type="checkbox"/>	<input type="checkbox"/>	
13. All lighters and matches are kept out of reach of children.....	<input type="checkbox"/>	<input type="checkbox"/>	
14. Flammable liquids are stored in safety cans and kept away from heat and children.....	<input type="checkbox"/>	<input type="checkbox"/>	
15. Paint is kept in tightly closed metal containers.....	<input type="checkbox"/>	<input type="checkbox"/>	
16. The premises are free of rubbish, especially the attic, garage and basement.....	<input type="checkbox"/>	<input type="checkbox"/>	
17. Trash is burned in an area away from the children.....	<input type="checkbox"/>	<input type="checkbox"/>	
18. There is an operable #5 pound dry chemical fire extinguisher available for use in the kitchen.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. Fire extinguisher is serviced after each use and checked for proper weight at least once a year.....	<input type="checkbox"/>	<input type="checkbox"/>	
20. Family has an evacuation plan for emergencies and plan is posted.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Fire drills are practiced regularly.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. There is a method available to alert family to a fire (alarm, bell, etc.) .....	<input type="checkbox"/>	<input type="checkbox"/>	

COMMENTS:

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Signature	Title	Date
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*The intent of the (NFPA 1031 Technical) committee is that individuals at the Fire Inspector II level perform fire safety inspections with moderate technical challenges. This level can include Fire Inspector I individuals who through experience and formal continuing education have achieved the prerequisite knowledge and skills noted and graduates of degree programs in associated fields who can demonstrate the prerequisite knowledge and skills noted. Formal continuing education is essential to maintaining the skill level of a Fire Inspector II and to continue an individual's advancement to the more skilled Fire Inspector III level.*

As you know "interpret" means to explain the meaning of something. It will be the job of the TCFP Fire Inspector II Plans Examiner to analyze and determine how to apply the AHJ's adopted code. This is the job that an individual does in a fire prevention bureau, not the person who is assigned to an engine company or a truck company, that is conducting a basic fire inspection. This TCFP Fire Inspector II Plans Examiner for example will be working with new business making sure that they have the correct type of fire extinguishers, have the correct occupancy classification, have a correctly installed fire sprinkler system and or fire detection system, have the correct number of exits and exit signs, and have other life safety items as required by the code.

Actually as it currently stands the TCFP certification for Fire Inspector, is more in line with NFPA 1031 Fire Inspector III level. According to NFPA 1031 a Fire Inspector III "...performs all type of fire inspections, plans review duties, and resolves complex code-related issues". As noted in A.6.1 of NFPA 1031 (2014 edition):

*The intent of the (NFPA 1031 Technical) committee is that individuals at the Fire Inspector III level perform fire safety inspections with advanced technical challenges. This level can include Fire Inspector II individuals who through experience and formal education have achieved the prerequisite knowledge and skills noted and graduates of degree programs in a technical field who can demonstrate the prerequisite knowledge and skills noted. Continuing education in formal programs is essential to maintaining the skill level of a Fire Inspector III.*

While it is important for a TCFP fire inspector to have the knowledge, skills, and abilities to properly apply, interpret, analyze, and enforce the AHJ's adopted fire code, there are several ways that this can be accomplished. Splitting the TCFP Fire Inspector into two different certifications is one of those ways. Currently the TCFP Fire Inspector program requires that the Fire Inspector I, Fire Inspector II, and Plans Examiner must all be passed to achieve a TCFP Fire Inspector certification. If the TCFP wants to have just one level of fire inspector in Texas, then why is the Fire Inspector III certification not required as well as the Plans Examiner II certification? While I am not promoting adding additional levels of certification, I am asking you to look at the different ways the fire inspector certification can be approached for all Texas communities.

Again Commissioners I am asking for the TCFP Fire Inspector certification to be split into two levels: Fire Inspector I and Fire Inspector II Plans Examiner. As always, I stand and remain committed to serve in whatever capacity I am requested by the Texas Commission on Fire Protection. Thank you for your time.

Yours in the Fire Service



Scott D. Kerwood, PhD, CEO, FFO, CFMSO, FM, CFPS, FSCEO, FI-FireE  
Fire Chief

Cc: Tim Rutland, Executive Director  
Pat Ekiss, Commissioner



June 29, 2016

EMAILED

Commissioner Pat Ekiss  
Texas Commission on Fire Protection  
PO Box 2286  
Austin Texas 78768

RE: Fire Inspector Certification

Commissioner Ekiss,

I would like to thank you for listening to me at the last commission meeting and referring the fire inspector certification to the firefighter advisory board. I have discussed this issue with many area fire chiefs and personnel/fire chiefs representing Austin Community College and we all feel there is a problem with how the inspector certifications are grouped together unlike other commission certifications. Currently, the Texas Commission on Fire Protection (TCFP) Basic Fire Inspector Certification recommends 196 hours of instruction, to include: 81 hours of Fire Inspector I, 80 hours of Fire Inspector II, and 35 hours of Plans Examiner I. 196 hours of instruction is not possible within a normal 3 hour classroom semester course.

The proposed recommendation would be to "break-up" the certifications required to meet the Basic Fire Inspector Certification but not eliminate them.

1. The Basic Certification would include Fire Inspector 1 and be required for company officers in operations that perform basic company inspections.
2. Fire Inspector 2 and plans Examiner could be grouped together as a separate certification and would be required for officers and/or personnel assigned to perform plan reviews and inspections when assigned to the fire prevention or fire marshal's office within the fire department.

This will allow the Chief Officer, Head of Department to determine which certifications best represent the need of his/her fire department to best accomplish the mission of their Fire Prevention Program. In addition, it will allow the Fire Chiefs the opportunity to maximize their budgets to meet these training requirements.

This break up would also meet the NFPA 1301 Standard for Professional Qualifications for Fire Inspector and Plan Examiner which states the following.

Fire Inspector 1

**4.2\* Administration.** This duty involves the preparation of correspondence and inspection reports, handling of complaints, and maintenance of records, as well as participation in legal proceedings and maintenance of an open dialogue with the plan examiner and emergency response personnel, according to the following job performance requirements.



Fire Inspector 2

**5.2\* Administration.** This duty involves conducting research, interpreting codes, implementing policy, testifying at legal proceedings, and creating forms and job aids, according to the following job performance requirements.

Plan Examiner I

**7.2\* Administration.** This duty involves the review of plans, preparation of correspondence and plan review reports, communication with fire inspectors and emergency response personnel, handling of complaints, maintenance of records, participation in legal proceedings, identification of when additional expertise is required, and familiarity with procedures used by the jurisdiction to evaluate alternative methods, according to the following job performance requirements.

NFPA 1301 also has recommendations for Fire Inspector III and Plan Reviewer II certifications which are not current certifications within the commission and could be further training required by a fire department when deemed necessary.

I respectfully request that you and your fellow commissioners consider the breakup of the basic inspector certification and the possible expansion of inspector certifications and described above.

Thank You,

James Mallinger, EFO, CFO, FSCEO  
Fire Chief City of Cedar Park  
Austin Community College Fire Advisory Chair.

CC  
Texas Fire Protection Commissioners  
Tim Rutland, Executive Director



# Austin Fire Department

*"Our Mission Goes Beyond Our Name"*

4201 Ed Bluestein, Austin, TX 78721

(512) 974-0130

[www.austinfiredepartment.org](http://www.austinfiredepartment.org)

July 11, 2016

Honorable Commissioners  
Texas Commission on Fire Protection  
PO Box 2286  
Austin, TX 78768-2286

RE: Fire Inspector Certification

Dear Commissioners,

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 or 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 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.

The following Fire Chiefs are in full support of this initiative:

- Austin Fire Chief Rhoda Mae Kerr
- Corpus Christi Fire Chief Robert Rocha
- Dallas Fire Chief David Coatney
- El Paso Fire Chief Samuel Pena
- Fort Worth Fire Chief Rudy Jackson
- San Antonio Fire Chief Charles Hood

Respectfully,

Doug Fowler, MPA, CFO, EFO  
Assistant Chief



July 12, 2016

Presiding Officer Robert Moore  
Texas Commission on Fire Protection  
P.O. Box 2286  
Austin, Texas 78768-2286

**Re: Discussion on Fire Inspector Certification**

Dear Commissioner Moore,

I apologize for not being able to attend the commission meeting July 14, 2016. I will be out of state this week and I cannot make it to Austin for the meeting.

I wanted to take a few moments of the commissioner's time to provide input to the discussion of the Fire Inspector Certification. There have been two letters that I have reviewed for this meeting. Both letters discuss a Fire Inspector certification and splitting them up for Fire Inspector I. A second certification for Fire Inspector II and Plans Examiner is what is being proposed.

Originally, I was not supporting of splitting the certification up. However, I have examined this further and will support splitting the certification for Fire Inspector I and II as one type of Fire Inspector Certification per NFPA 1031. The second certification would be Inspector III and Plans Examiner I per NFPA 1031. Inspector III is not currently being incorporated into the commission's curriculum and should be.

I want to take a moment and explain my reasoning here. This request is different than the proposed letters submitted for review. However, I think we need to examine this closer. Different fire departments in the State of Texas utilize Company Officers in different ways completing fire inspections. Some departments use the Company Officers as the only Fire Inspectors within the Department and other Departments do not. I could make some arguments on items that NFPA 1031 discusses that fire inspectors needs and challenge the levels, but I will not. I will say that a Company Officer will need to know more than the Fire Inspector I level to meet the needs to the citizen of that community.

Fire Inspector II level perform fire safety inspections with moderate technical challenges. I do agree that the large cities have a fire prevention staff and/or a fire marshal offices. However, not all cities have those options for fire prevention within their communities.

Company Officer inspectors in some cities perform inspections with technical challenges such as new construction inspections, inspections of numerous types of occupancies such as hazardous materials storage and usage, high heat release rated materials, building modifications that need to be identified as needing a permit and completing a more complex inspection in instances that changed or unknown. Fire Inspector I will not catch the items a fire inspector would need that a Fire Inspector II learned to reduce a risk from fire or a firefighter hazard. These items include analyzing occupant loads for new and existing structures, identifying the problems and recognize hazards and violations within the building, proper code interpretation for educating the citizens and obtaining compliance, evaluation fire protection systems for life safety and property protection.

FRISCO FIRE DEPARTMENT  
CITY OF FRISCO  
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for occupancy, acceptable means of egress devices (life safety issue), ability to address basic fire code issues and resolution, proper protection of flammable and combustible liquids, and familiarization for fire rated assemblies and construction. The depth of these issues need for proper fire prevention is not adequate for Fire Inspector I.

I do believe there could be some items that might not be necessary for Company Officer inspections in certain instances of Fire Inspector II. However, there are numerous items in the Inspector II certification that are very applicable to Company Officers for fire inspections and these items are necessary in tactical operations and building familiarization.

I do agree that splitting the Fire Inspector into two parts could be successful; however, the split needs to be Fire Inspector I and II as one certification and Fire Inspector III and Plans Examiner I as the other certification. Making the split between Fire Inspector I and II will not be successful due to the objectives being missed due to the lack of training and education that effecting the citizens within our communities.

Again, I apologize for not being at the meeting this week. If there are any questions please call my cell phone at 214-385-7423 and I will respond to you the day of the meeting.

In the Interest of Fire Safety.

*John K. Gillette III*

John K. Gillette P.E.  
Commissioner

OFFICE OF THE FIRE CHIEF



Daniel T. Kistner  
Fire Chief  
2200 Taylor-Burk Drive  
McKinney, TX 75071  
972-547-2850 Office  
972-547-2858 Fax

July 12, 2016

Pat Ekiss,  
Commissioner

Tim Rutland,  
Executive Director  
Texas Commission on Fire Protection  
PO Box 2286  
Austin, TX 78768-2286

RE: *Fire Inspector Certification*

Dear Commissioner Ekiss and Executive Director Rutland:

In the event I am unable to attend the July 14, 2016 Commission meeting, I am submitting this written response. Respectfully, I would like the contents entered into the record.

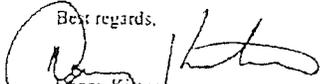
It is my understanding that other fire chief(s) may have submitted a concern regarding the current Fire Inspector Rule which requires Inspector I, II, and Plans Examiner to qualify for a TCFP Basic Fire Inspector certification. Summarily, it is my understanding you have been asked to review and the IFAC discussed on June 2, 2016.

If you recall, I spoke to the Commission on this subject previously requesting a separation of the sections or a variation of the requirement for "engine company" inspections, or routine annual. The cost to some departments may prohibit or greatly inhibit the ability to maintain an annual inspection program in a preferred configuration. My fear is that many departments assign a single individual(s) to conduct the annual inspections lessening time spent by firefighters in buildings they protect. Individuals tasked with the annuals may be overburdened which may lead to a dilution of quality.

The argument has been used that firefighters are preplanning buildings and review building interiors at that time; however, should firefighters notice a potential code violation, a certified inspector must be summoned to require the occupant to comply. Inspectors now taxed with annuals become increasingly burdened with compliance inspections.

Further, routine company inspections do not require plans review. Ultimately, firefighters may become less proficient in this skill set since it is underused.

Respectfully, I would like to go on record supporting a variation from the current Fire Inspector Rule to provide for an expedited certification.

Best regards,  
  
Daniel T. Kistner  
Fire Chief

**Tim Rutland**

---

**From:** Peggy Adkins <peggy.adkins@townofsunnyvale.org>  
**Sent:** Wednesday, July 13, 2016 3:57 PM  
**To:** Tim Rutland  
**Subject:** Inspector certifications

Mr. Rutland,

I understand this is a current topic being discussed, as to staying 1 certification, 2 or 3 separate certifications moving forward. I just wanted to share my thoughts quickly with you on the subject. I currently am a TCFP Certified Inspector and I went through certification as one entire process online. I went through the 3 separate phases for Investigator through TEEX. During my Inspection training, I would have preferred to have been focusing on the inspection portion of my training at the time and not the plans review portion. This was made especially clear when I did not pass the Insp. 11 portion of the test.

I also saw the problem with taking it through TEEX in 3 separate phases over 1 1/2 yrs for my Investigation cert, and can see where it would be beneficial not just to the individual but also their department, if currently employed by a department, to receive a certification after each phase. This would allow the individual to start working and learning their new skill as they move forward with their certifications. It would also allow for on shift firefighters to be certified to the Inspector 1 level and able to conduct certain inspections while on shift.

I would prefer to have them separated out into 3 separate certifications.

Thank you for your time and hope this helps as you go into tomorrow.

Best Regards,

Peggy Adkins  
Arson Investigator  
Sunnyvale Fire Rescue



# TEXAS STATE ASSOCIATION OF FIRE FIGHTERS

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September 9, 2016

Robert Moore  
 Presiding Officer  
 Texas Commission on Fire Protection  
 1701 North Congress, Suite 105  
 Austin, Texas 78701

Dear Chairman Moore:

I am writing to comment on the Inspector Ad Hoc committee recommendations forwarded by Chief Ekiss. We were somewhat concerned that professional fire fighters were not offered a place on the committee and wanted to put our initial thoughts in writing.

I represent over 14,000 professional fire fighters from across the state as President of the Texas State Association of Fire Fighters. We have always been very big supporters of the Commission and have been there to lend a hand when things at the agency were not going well. That is why we were surprised that we were not consulted or offered a seat at the table to help come up with recommendations related to fire inspectors since it is such an important issue to our personal safety. While I realize this is only the initial phases of any alteration, I feel it necessary to comment on the recommendations that we feel could be dangerous to my members' lives, open to even more confusion and not be the statutory intent of the Legislature. The Commission was given this authority in 2009 to ensure that fire inspectors met a specific set of qualifications and specifically not to give cities a buffet of options to meet their specific wants. We want to ensure that this does not result in a backslide to the old system that resulted in the Paris, Texas fire deaths.

Below is a list of some of our initial reservations. This topic being in its infancy, needs to be studied long term to develop a more comprehensive and proper response.

1. **There appears to be no consensus to what the actual problem is concerning the current system.** The Commission has approximately 4500 inspectors certified statewide. The problems mentioned vary from cities needing more inspectors, cities getting tired of paying for the full education cost and rural areas having few inspectors. None of these concerns seem to rise to the level of an emergency or the reason to put lives in danger by lessening standards and should probably be taken care of using other methods than changing rules. We believe that there are already resources available to help put more inspectors in areas where they are needed and multiple ways to obtain the education that keep costs low such as the internet.
2. **The Ad Hoc Committee lacked any representation from professional fire fighters.** The agency is responsible for the protection and licensing of professional fire fighters and we feel that we should at least be invited to the table. The makeup of the committee was as follows: 3 fire chiefs; a volunteer fire fighter; an assistant fire chief; a county fire marshal and a staff person.

Most of these people will not have to enter into an inspected building in the event of a fire. The meeting was also held in Taylor, Texas and not at the Commission which makes attendance difficult.

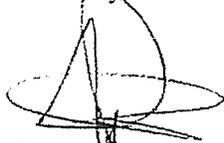
3. **The report states the following:** *“The discussion played(sic) close attention to the ability of staff to conduct the work required by such a change, as well as the ability of academies and institutions offering advanced level education to deliver the necessary training and the impact and hopeful benefits to our partners in the volunteer and rural county settings.”*. We find this statement to completely ignore the fact that inspectors are there to ensure buildings are safe for the public and fire fighters where they are legally allowed to inspect. Going further, there is mention of volunteer fire fighters and rural settings most of which the Commission has no statutory authority over. These groups have fought successfully to keep themselves out of the realm of regulation and catering to them would then be neglecting those the law states the Commission is responsible for. As to educational institutions, we believe that it is the institution’s duty to meet the recommendations and not the Commission’s job to design programs to meet every single institution’s desires. Once again, they have been able to educate thousands of people and around 4500 are currently certified.
4. **The creation of a “Company Level Inspector” seems to blur the lines between things that fire fighters can do now and what the Commission says they will have to have a new certification for.** Currently company inspections or preplanning inspections are done most of the time by certified fire fighters for internal use and in this circumstance there is no statutory requirement to have an inspector certification. Why would the committee recommend there now be a certification? Nothing in law demands this. This would mean that to perform a preplanning inspection a fire fighter would have to be certified at this new level. It appears that many fire chiefs and cities are under the assumption that only a fire inspector can perform these functions. That is false. Also, there is confusion as to whether anyone can make a complaint about possible noncompliance. Any member of the public, including fire fighters can at any time call the fire marshal to report a violation. While this carries no force of law it can be investigated.
5. **It has been proposed to use current resources to develop systems and processes to institute the new system.** This is not how the Legislature believes this agency should be run. Prices for certification fees should be raised immediately to accommodate the changes desired. Robbing resources from one part of the Commission to another is not appropriate in this circumstance.
6. **The ad hoc committee recommends as little as 40 hours to be the necessary amount of training required for this position. This is less than a quarter of the training required now.** This will endanger lives and render obsolete all of the training others were required to attend. They also propose to allow the number of hours to be set by other entities instead of the agency. The Commission has been charged by the Legislature to develop a program and we do not feel it appropriate to punt the requirements to others.
7. **This proposed certification does not fall within IFSAC requirements.** This is not considered to be a major issue by the committee but we would disagree. Creating a certification that is cheaper, with less educational requirements that allows one to perform fire inspections will result in worse fire inspections and less educated fire inspectors statewide. It will create a race to the bottom.

8. **The Committee seems to take issue with discussion outside of their workgroup and believe it to be detrimental to the overall process.** We believe in processes but also prefer them to be open and without a conclusion in mind. We believe that the committee should have first investigated the problem to see if a change was really warranted by opening up the discussion. The report goes further to state that the proposal should be presented in a uniform fashion that addresses the concerns of all interested parties but should limit further scrutiny of the plan as well as unnecessary discussion. That is a contradictory set of statements and I assume was meant to shut out those that disagree with the plan.

Commissioner Moore, I would appreciate the opportunity to discuss this further with you at your convenience before the next Commission meeting so I can try to understand why the Commission appears to be moving forward with this at such an accelerated pace that it needs to limit scrutiny. My Legislative Director Glenn Deshields can assist in coordinating this meeting. His contact info is [gdeshields@tsaff.org](mailto:gdeshields@tsaff.org) and 512-947-1349.

Thank you for your time and your service to the State of Texas.

Sincerely,



John Riddle  
President

Texas State Association of Fire Fighters

[jriddle@tsaff.org](mailto:jriddle@tsaff.org)

(936)537-0727

CC: Tim Rutland, Executive Director, Texas Commission on Fire Protection  
Seth Christensen, Policy Advisor, Office of the Governor  
Chief Pat Ekiss, Commissioner, Texas Commission on Fire Protection

From: Bill Gardner <[bgardner@leandertx.gov](mailto:bgardner@leandertx.gov)<mailto:bgardner@leandertx.gov>>  
Date: October 20, 2016 at 16:04:37 CDT  
To: Commissioners  
Subject: Separation of Inspector Certification

Commissioner,

As you know there is a request to break out the TCFP Inspector Certification into three separate certifications. As the Fire Chief for the Leander Fire Department, one of the fastest growing cities in the United States according to the US Census Bureau, my agency faces numerous reviews and inspections while still trying to address the need for preplanning and response personnel being safe from events caused by uncorrected fire code violations. I am hoping that you will take action to move this forward and grant the creation of three levels of certifications.

I feel the delaying until the NFPA Standard changes is detrimental to the safety of citizens and firefighters. The NFPA Standard is being reviewed and headed to a change of separation of inspector levels and plan reviewers with each level having specific limits, which are the same limits and thoughts that are being requested to take place with this change in Texas today.

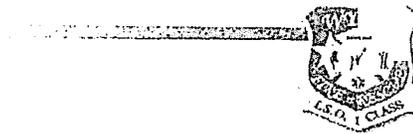
I strongly encourage breaking the certification into Fire Inspector I, Inspector II and Plans Examiner. This change would greatly help fast growing communities to educate engine companies that while doing preplans and company level reviews to be trained and legal to discuss and direct corrections while doing the preplans.

As the local government authority I can get more line officers the Inspector I certification so they can perform these life safety inspections while already performing daily task and not wait for an understaffed prevention division to get out to the reported violation from the engine company on the preplan. This may not be a choice for all agencies, but it is a great possibility for a growing community like is occurring in most parts of Texas. The ability to get life safety inspections completed and not having to make the decision if staff will be added to emergency operations division or prevention division, this change would allow emergency responders to be added and still cover meet basic life safety inspections. If a local community wants to make Inspector II or Plans Examiner a requirement to perform these basic life safety inspections, then that AHJ can make that decision but give my community the choice not an ongoing unfunded mandate that makes me train company officers to be plan reviewers when that is not and will not be part of the actions they take. Because we cannot train everyone to that level because of time, money, and conflicting priorities. This is being requested to help make firefighters and citizens safer by reasonable education for responders and that matches what the level of activity will be for the person.

Thank you for your consideration.

Bill Gardner  
Fire Chief/Emergency Mgmt Coord.  
Leander Fire Department  
Office- (512) 528-1664  
"Saving Lives and Property with Commitment and Excellence

**The following comments were presented to the commission at their January 5, 2017 commission meeting.**



Office of the Fire Chief

November 9, 2016

Commissioner Perez,

Fire prevention and education is the most important aspect of the fire service. Fire inspections are conducted for a variety of reasons. The top reasons in my opinion are to keep firefighters safe, ensure buildings are constructed to code, keep businesses open and people employed. Commercial occupancies are also critical to a city's tax base. As a Texas fire chief, I am extremely disappointed we would consider a "more basic" fire inspector certification. If fire departments are going to use operation personnel to conduct formal fire inspections, then they should be certified as a basic inspector. For such an important job, the current minimum requirements for a basic inspector should be the standard.

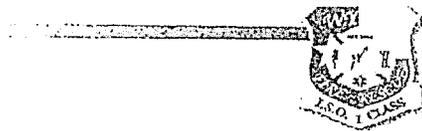
The below statement was taken directly from the TCFP website which clarifies the current requirements and understanding.

*"It has recently come to the agency's attention that there may be some confusion regarding certification requirements for fire inspectors and how TCFP is managing those requirements. It should go without saying how important it is for the agency to apply current statutes and codes correctly. However, it is equally important that departments throughout the state understand TCFP's approach so they can continue to manage their resources appropriately.*

- *Chapter 419.902 of the Texas Government Code says in part: "Only an individual certified by the commission as a fire inspector may conduct a fire safety inspection required by a state or local law, rule, regulation, or ordinance." It is TCFP's position that this statute in no way addresses, nor should it be seen as interfering with, the ability of departments to conduct pre-fire planning activities, sometimes called pre-fire surveys, company surveys, etc. One concern regards what should occur if, in the course of conducting a pre-fire planning activity, personnel come upon an obvious safety hazard or code violation. TCFP's position is that the prudent and appropriate response is to make the situation known to the property owner and inform them of the need to correct the hazard/violation. A person does not need to hold inspector certification to take this kind of action. Personnel should then contact their fire prevention office regarding the issue for follow-up and possible enforcement purposes.*
- *Two definitions in TCFP rules serve to clarify the distinction between code enforcement inspections and pre-fire planning activities. They are found in Chapter 421.5 of the commission rules.*
- *Referring again to the first bullet above: It has been suggested that, in the absence of a state or local law, rule, regulation, or ordinance, personnel are not required to hold fire inspector certification to conduct code enforcement inspections. However, please keep in mind that the commission rules also say: Fire protection personnel of a governmental entity who are appointed to fire code enforcement duties must be certified, as a minimum, as a basic fire inspector as specified in §429.203 of this title (relating to Minimum Standards for Basic Fire Inspector Certification) within one year of initial appointment to such position.(See Chapter 429.201(a).)*

*and:*

*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*



*Office of the Fire Chief*

*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. (See Chapter 421.9(c).)*  
*It is important that the personnel you have assigned to code enforcement duties carry the necessary credentials, and possess the expertise for the job you've asked them to do."*

I support the current requirements and do not want to see a "more basic" certification included. The Texas fire service continues to progress in the right direction and set the standard. Let's keep it that way!

Thank you for serving.

Respectfully,

J. Brent Parker  
 Fire Chief  
 Wylie Fire Rescue



January 4, 2017

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Possible Change of Inspector Certification Requirements

Executive Director Rutland & TCFP Commissioners,

It has come to my attention that there is some discussion at the TCFP level of possible changes in certification requirements for those at the fire company level that conduct fire inspections. It is my understanding that this issue is being brought to the commissioners for possible action in the near future. I wanted to express my objection to making any changes and express that I support the current requirements.

As we all know fire inspections and code enforcement inspections have been at the top of the news lately due to the tragic accident in California. Fire inspections and prevention activities are done mainly to protect the lives of those that occupy/use the building and our firefighters. These inspections need to be done by somebody that has been trained to conduct fire inspections. The current certification program that has been set-up by the TCFP teaches all aspects of fire code enforcement, fire protection system and building code requirements. This is the type of knowledge one needs to conduct a proper inspection. Cutting back on any of the areas taught will be detrimental to the inspection process. I do not think a "more basic" certification will teach what an inspector needs to know to conduct a quality inspection. TCFP has made great strides in its inspection certification program and we should not back track.

I would ask that this letter of opposition to changing the requirements to a lesser standard be read into the record of any TCFP commissioners meeting dealing with this subject.

Sincerely,

Stacy Singleton

Fire Marshal

City of Burleson

A handwritten signature in black ink, appearing to read "Stacy Singleton". The signature is written in a cursive style with a large, sweeping flourish at the end.

**The following comments were presented to the commission at their April 27, 2017 commission meeting.**

**From:** Glenn Deshields  
**Sent:** Monday, February 20, 2017 12:59 PM  
**To:** Tim Rutland; Jim Reidy  
**Subject:** Inspector Rule Draft

Tim and Jim:

I had our attorney draft up rules for the new inspector requirement (see attachment). We concur with what Gillette said about including inspector 1 and 2 into the new inspector spot. We can comment further as needed.

Thanks,

Glenn Deshields  
Legislative Director  
Texas State Association of Fire Fighters



7. **Discussion and possible action regarding, Chapter 433, Driver/Operator, including but not limited to, Subchapter A, Minimum Standards for Driver/Operator-Pumper, §433.1, Driver/Operator-Pumper Certification, §433.3, Minimum Standards for Driver/Operator-Pumper Certification, §433.5, Examination Requirements, §433.7, International Fire Service Accreditation Congress (IFSAC) Seal, Subchapter B, Minimum Standards for Driver/Operator-Aerial Apparatus, §433.201, Driver/Operator-Aerial Apparatus Certification, §433.203, Minimum Standards for Driver/Operator-Aerial Apparatus Certification, §433.205, Examination Requirements.**

**CHAPTER 433**

**DRIVER/OPERATOR**

**SUBCHAPTER A**

**MINIMUM STANDARDS FOR DRIVER/OPERATOR-PUMPER**

**§433.1 Driver/Operator-Pumper Certification.**

A driver/operator-pumper is defined as an individual who safely operates a fire pumper in accordance with all state and local laws; operates a fire pump in a safe manner; and determines effective fire stream calculations and pump discharge pressures. Responsibilities include routine apparatus tests, maintenance, inspections, and servicing functions.

**§433.3 Minimum Standards for Driver/Operator-Pumper Certification.**

(a) In order to obtain Driver/Operator-Pumper 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-Pumper 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 ~~{§439.1(a)(2)}~~ of this title (relating to Requirements—General); or
  - (3) complete a commission approved Driver/Operator-Pumper Curriculum and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved driver/operator-pumper program must consist of one of the following:
    - (A) complete a commission approved Driver/Operator-Pumper Curriculum as specified in Chapter 7 of the commission's Certification Curriculum Manual;
    - (B) complete an out-of-state training program that has been submitted to the commission for evaluation and found to be equivalent to or exceeds the commission approved Driver/Operator-Pumper Curriculum; or
    - (C) complete a military training program that has been submitted to the commission for evaluation and found to be equivalent to or exceeds the commission approved Driver/Operator-Pumper Curriculum.
- (b) Out-of-state or military training programs, which are submitted to the commission for the purpose of determining equivalency, will be considered equivalent if all competencies set forth in Chapter 7 (pertaining to Driver/Operator-Pumper) of the commission's Certification Curriculum Manual are met.

**§433.5 Examination Requirements.**

- (a) Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive driver/operator-pumper certification.

- (b) Individuals will be permitted to take the commission examination for driver/operator-pumper by documenting, as a minimum, completion of the NFPA 1001 Fire Fighter I training, and completing a commission approved driver/operator-pumper curriculum.

**§433.7 International Fire Service Accreditation Congress (IFSAC) Seal.**

Individuals completing a commission approved driver/operator-pumper program; documenting, as a minimum, an IFSAC seal for Fire Fighter I; and passing the applicable state examination may be granted an IFSAC seal as a Driver/Operator-Pumper by making application to the commission for the IFSAC seal and paying applicable fees. In order to qualify for an IFSAC seal, an individual must submit the application for the seal prior to the expiration of the examination.

**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 **NFPA 1002** [~~the National Fire Protection Association Standard 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** [~~February 28, 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** [~~439.1(a)(2)~~] 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.

8. **Discussion and possible action on setting future meeting dates, locations and agenda items.**

**9. Adjourn meeting.**