

TEXAS COMMISSION ON FIRE PROTECTION
October 26, 2023, 10:00 a.m.
1701 N. Congress Ave., William B. Travis Building, Room 1-104, Austin, Texas

The Texas Commission on Fire Protection (the “Commission”) may discuss and/or act on any of the following agenda items. The Commission may go into executive session on any agenda item listed below as authorized by the Open Meetings Act, Texas Government Code Chapter 551.

- 1. Call to order with invocation and pledge of allegiance.**
- 2. Roll call and excuse Commissioner absences.**
- 3. Commission meeting minutes of August 10, 2023.**
- 4. Recognition of Mala Sharma for her service to TCFP.**
- 5. The Budget and Strategic Plan Subcommittee (the “Subcommittee”) met on October 26, 2023, before the commission meeting and provided a report relating to any recommendations developed by the subcommittee relating to modifications to the agency’s operating budget and strategic plan.**
- 6. Reports from fire service interest groups and agencies on matters relating to their specific organizational purposes, functions, activities, and objectives, including reports from TEEEX, the Texas Fire Chiefs Association, the Texas State Association of Fire Fighters, the State Firefighters and Fire Marshals’ Association of Texas, the Texas Fire Marshal’s Association, the Texas Association of Fire Educators, the Texas A&M Forest Service, the National Fire Protection Association, Texas State Association of Fire and Emergency Districts, the Center for Public Safety Excellence, the State Fire Marshal’s Office, and the National Fallen Fire Fighters Foundation.**
- 7. Report from commission representative to the Homeland Security Council.**
- 8. Report from the Health and Wellness ad-hoc Committee.**
- 9. Subjects for future commission meeting agendas.**
- 10. Future meeting dates.**
- 11. Discussion and possible action on 37 Texas Administrative Code (TAC), Chapter 421, Standards for Certification.**
- 12. Discussion and possible action on 37 TAC, Chapter 403, Criminal Convictions and Eligibility for Certification.**
- 13. Discussion and possible action on 37 TAC, Chapter 463, Advisory Committees.**
- 14. Discussion and possible action on 37 TAC, Chapter 439, Examinations for Certification, matrix 439.19.**

15. Discussion and possible action on matters as referred from the Fire Fighter Advisory Committee:
 - A. Discussion and possible action on New, 37 TAC, Chapter 469, Technical Rescue.
 - B. Discussion and possible action on Rule Review, 37 TAC, Chapter 495, Regulation of Nongovernmental Departments.
16. Discussion and possible action on 37 TAC, Chapter 467, Fire Marshal, as referred from the Curriculum and Testing Committee.
17. Discussion and possible action on filling the current vacancies on committees.
18. Matters from the Agency Chief:
 - A. Update regarding agency duties and responsibilities.
 - B. Decision of the Agency Chief in contested cases and consent orders.
 - C. Status regarding division functions:
 1. Training Approval & Testing – test administered, training approvals, record reviews, and online training audits.
 2. Certification & Professional Development – training applications, IFSAC seals issued, certifications issued, training facilities, curriculum development, library resource requests.
 3. Compliance – biennial inspections, compliance officers training, issues involving regulated entities.
 4. Information Technology – public website design, FARM and FIDO improvements, CAPPS (Central Accounting Payroll/Personnel System), IT security policy, and service requests.
19. Personal matters regarding the appointment, employment, compensation, Evaluation, reassignment, and duties of the Agency Chief.
20. Adjourn meeting.

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

1. Call to order with invocation and pledge of allegiance

2. Roll call and excuse Commissioner absences.

3. Commission meeting minutes of August 10, 2023.

TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, J. P. Steelman, at 10:00 a.m., called the August 10, 2023, meeting of the Texas Commission on Fire Protection to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

Attending	Chris Cantu Mike Jones J. P. Steelman	David Coatney Clyde Loll* Kelly Vandygriff	Sue DeVillez Bob Morgan Rusty Wilson	Michael Glynn Mala Sharma*	Paul Hamilton Tim Smith
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*Excused absence

Staff	Mike Wisko Amanda Khan Robert Reese	Holden Wenger Candace Barnett Grace Wilson	Sami Lepisto Ashley Barnett Rosalind Hunt, Assistant Attorney General	Rick Wallace Justin Fowler
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Guests See Guest List attached.

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| 1. Invocation and Pledge of Allegiance | The invocation was given by Commissioner Rusty Wilson and the Pledge of Allegiance was lead by Presiding Officer, J. P. Steelman. |
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| 2. Roll call and excuse of Commissioner absences | The roll was called, and a quorum was present. |
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| 3. Adoption of Minutes | A motion was made by Michael Glynn and seconded by David Coatney to approve the minutes of the April 10, 2023, commission meeting. The motion carried. |
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| 4. Recognition of Chief Ken Swindle for his service to TCFP | Chief Swindle was unable to attend, though recognition of his service was announced. A plaque will be presented to him by Daniel DeYear at a later date. |
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| 5. Report from Budget and Strategic Plan Subcommittee | Committee Chair, Bob Morgan announced a committee meeting at 9:00 a.m. on October 26, 2023. |
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| 6. Reports from Interest Groups | A brief report was given by TEEX, the Texas State Association of Fire Fighters, the State Fire Fighters and Fire Marshals' Association of Texas, the Texas Fire Marshal's Association, Texas A&M Forest Service, the National Fire Protection Association, the Texas State Association of Fire and Emergency Districts, and the Center for Public Safety Excellence. |
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| 7. Report from Homeland Security Council | A brief report was given by Agency Chief, Mike Wisko. |
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| 8. Report from Health & Wellness | A brief report was given by Agency Chief, Mike Wisko in the absence of Committee Chair, Mala Sharma. |
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| 9. Subjects for future meeting agendas | Vacancies on all committees. |
| 10. Future meeting Dates | The Commission announced the next meeting date, October 26, 2023, at 10:00 a.m. and set future meeting dates for February 29, 2023, at 10:00 a.m., May 15, 2024, workshop at 10:00 a.m., and May 16, 2024, meeting at 9:00 a.m. August and November dates to be determined at a later date. |
| 11. Discussion and possible action on 37 Texas Administrative Code (TAC), Chapter 443, Certification Curriculum Manual | A motion was made by Chris Cantu and seconded by Paul Hamilton to adopt the proposed changes to 37 Texas Administrative Code (TAC), Chapter 443, Certification Curriculum Manual. |
| 12. Discussion and possible action on 37 TAC, Chapter 421, Standards for Certification | A motion was made by David Coatney and seconded by Chris Cantu to approve for submission to the Texas Register proposed changes to TAC, Chapter 421, Standards for Certification. |
| 13. Discussion and possible action on 37 TAC, Chapter 403, Criminal Convictions and Eligibility for Certification | A motion was made by Chris Cantu and seconded by David Coatney to move to approve for for submission to the Texas Register proposed changes to 37 TAC 403, Criminal Convictions and Eligibility for Certification. |
| 14. Discussion and possible action on 37 TAC, Chapter 463, Advisory Committees | A motion was made by David Coatney and seconded by Rusty Wilson to move to approve for for submission to the Texas Register, subject to approval by the Gover's Office, proposed changes to 37 TAC 463, Advisory Committees, with proposed changes in 463.7. |
| 15. Discussion and possible action on 37 TAC, Chapter 439, Examinations for Certification, matrix 439.19 | A motion was made by Kelly Vandygriff and seconded by David Coatney to approve for submission to the Texas Register proposed changes to 37 TAC, 439, Examinations for Certification, matrix 439.19. |

16. Matters referred from the Curriculum and Testing Committee
- A. A motion was made by Mike Jones and seconded by Bob Morgan to move 37 TAC, 469, Technical Rescue to the Fire Fighter Advisory Committee for further review.
- B. A motion was made by Mike Jones and seconded by David Coatney to charge the Curriculum Testing Committee with the evaluation of the Marine Ad Hoc Committee and its members.
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17. Discussion and possible action on filling the current vacancy on the Fire Fighter Advisory Committee
- A motion made by Mike Jones and seconded by Bob Morgan to table this item until the October 2023 commission meeting.
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18. Fire Fighter Injury Report
- Grace Wilson gave an update on the 2022 data collected regarding the fire fighter injuries and the recommendations to be submitted to the State Fire Marshal's Office.
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19. Matters from Agency Chief
- A. Agency Chief, Mike Wisko, gave an update on agency duties and responsibilities.
- B. Mr. Wisko reported that there was one contested case.
- C. Mr. Wisko reported the status of division functions.
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20. Executive Session
- The Commission went into an executive session at 11:02 a.m. and back into
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20. Executive Session
- The Commission went into an executive session at 11:02 a.m. that ended at 12:04 p.m. No action was taken during the closed session. The Commission reconvened the open meeting at 12:05 p.m. A motion was made by Mike Jones and seconded by Michael Glynn to approve a salary increase from \$123,883.00 to \$140,000.00 for the Agency Chief, Mike Wisko, effective September 1, 2023.
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J. P. Steelman, Presiding Officer

4. Recognition of Mala Sharma for her service to TCFP.

5. The Budget and Strategic Plan Subcommittee (the “Subcommittee”) met on October 26, 2023, before the commission meeting and provided a report relating to any recommendations developed by the subcommittee relating to modifications to the agency’s operating budget and strategic plan.

6. Reports from fire service interest groups and agencies on matters relating to their specific organizational purposes, functions, activities, and objectives, including reports from TEEEX, the Texas Fire Chiefs Association, the Texas State Association of Fire Fighters, the State Firefighters and Fire Marshals' Association of Texas, the Texas Fire Marshal's Association, the Texas Association of Fire Educators, the Texas A&M Forest Service, the National Fire Protection Association, Texas State Association of Fire and Emergency Districts, the Center for Public Safety Excellence, the State Fire Marshal's Office, and the National Fallen Fire Fighters Foundation.

7. Report from commission representative to the Homeland Security Council.

8. Report from the Health and Wellness ad-hoc Committee.

9. Subjects for future commission meeting agendas.

10. Future meeting dates.

11. Discussion and possible action on 37 Texas Administrative Code (TAC), Chapter 421, Standards for Certification.

CHAPTER 421
STANDARDS FOR CERTIFICATION

§421.1. Procedures for Meetings.

- (a) The Commission may maintain advisory committees and ad hoc committees to assist with rulemaking, curriculum development, and the performance of the Commission's duties. Rules related to these Committees are outlined in **§463 Committees**. ~~These committee names, make up, term limits, roles and meeting requirements will be outlined within this rule. These committees shall exist for no more than five (5) years and shall be reviewed and evaluated for continuance before the end of the fifth year.~~
- (b) ~~Time and place. The committees shall meet at such time and place in the State of Texas as they deem proper.~~
- (c) ~~Meeting called. Meetings shall be called by the Chairperson, by the Commission, or upon the written request of a quorum of members.~~
- (d) ~~Quorum. A majority of members shall constitute a quorum.~~
- (e) ~~Members. Committee members serve at the will of the Commission and may serve six year staggered terms but may not serve more than two (2) consecutive terms.~~
- (f) ~~Officers. Committee Officers shall consist of a Chairperson and vice Chairperson appointed by the Commission.~~
- (g) ~~Responsibility. Committee responsibilities shall be established by the Commission.~~
- (h) ~~Effective Date. All committees will have designated effective dates not to exceed five years without review and re-establishment by the Commission.~~
- (i) ~~Removal. It is a ground for removal from an advisory committee appointed by the Commission if a member is absent from more than half of the regularly scheduled committee meetings that the member is eligible to attend during a calendar year unless the absence is excused by a majority vote of the committee.~~
- (j) ~~Effective in 2021, the Commission established three (3) advisory committees, the Curriculum and Testing, Firefighter Advisory, and Health and Wellness. These committees will expire in 2026 unless reviewed and reestablished by the Commission. The Commission has established two (2) ad hoc committees, 427 and 435, which will exist for the period of time needed, not to exceed two years.~~

Source Note: The provisions of this §421.1 adopted to be effective November 1, 1998, 23 TexReg 10886; amended to be effective March 2, 2000, 25 TexReg 1721; amended to be effective July 29, 2002, 27 TexReg 6722; amended to be effective November 20, 2002, 27 TexReg 10747; amended to be effective November 28, 2007, 32 TexReg 8522; amended to be effective November 25, 2021, 46 TexReg 7897

§421.3. Minimum Standards Set by the Commission.

(a) General statement. It shall be clearly understood that the specified minimum standards described in this section are designated as a minimum program. Employing entities are encouraged to exceed the minimum program wherever possible. Continuous in-service training beyond the minimum standards for fire protection personnel is strongly recommended. Nothing in these regulations shall limit or be construed as limiting the powers of the Civil Service Commission, or the employing entity, to enact rules and regulations which establish a higher standard of training than the minimum specified, or which provides for the termination of the services of unsatisfactory employees during or upon completion of the prescribed probationary period.

(b) Functional position descriptions.

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

(A) Qualifications. Successfully complete a commission approved course; achieve a passing score on written and performance certification examinations; must be at least 18 years of age; generally, the knowledge and skills required show the need for a high school education or equivalent; ability to communicate verbally, via telephone and radio equipment; ability to lift, carry, drag, and balance weight equivalent to the average human weight; ability to interpret in English, written and oral instructions; ability to work effectively in high stress situations; ability to work effectively in an environment with loud noises and flashing lights; ability to function through an entire work shift; ability to calculate weight and volume ratios; ability to read and understand English language manuals including chemical, medical and technical terms, and road maps; ability to accurately discern street signs and address numbers; ability to document in English, all relevant information in prescribed format in light of legal ramifications of such; ability to converse in English with coworkers and other emergency response personnel. Good manual dexterity with ability to perform all tasks related to the protection of life and property; ability to bend, stoop, and crawl on uneven surfaces; ability to withstand varied environmental conditions such as extreme heat, cold, and moisture; and ability to work in low or no light, confined spaces, elevated heights and other dangerous environments.

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

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

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

knowledge in the application of fire suppression agents; and ability to effectively perform fire suppression and rescue operations.

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

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

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

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

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

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

~~—(B) Competency. A fire inspector must demonstrate competency in conducting inspections utilizing equipment and skills in accordance with the objectives in Chapter 4 of the commission's Certification Curriculum Manual.~~

(A) Qualifications. A Fire Inspector is an individual who has met the requirements of Fire Inspector specified in NFPA 1030 (1031) Chapter 7, Standard for Professional Qualifications for Fire Prevention Program Positions.

(B) Competency. A Fire Inspector is an individual who applies codes and standards, performs fire inspections, plans review duties, facilitates training, and resolves code-related issues.

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

(A) Qualifications. Successfully complete a commission approved course; achieve a passing score on certification examinations; be at least 18 years of age; generally, the knowledge and skills required to show the need for a high school education or equivalent; ability to communicate verbally, via telephone and radio equipment; ability to lift, carry, and balance weight equivalent to weight of common tools and equipment necessary for conducting an investigation; ability to interpret written and oral instructions; ability to work effectively with the public; ability to work effectively in a hazardous environment; ability to function through an entire work shift; ability to calculate area, weight and volume ratios; ability to read and understand English language manuals including chemical, legal and technical terms, building plans and road maps; ability to accurately discern street signs and address numbers; ability to document, in writing, all relevant information in a prescribed format in light of legal ramifications of such; ability to converse in English with coworkers and other personnel. Good manual dexterity with the ability to perform all tasks related to fire investigation; ability to bend, stoop, and walk on uneven surfaces; ability to climb ladders; ability to withstand varied environmental conditions such as extreme heat, cold and moisture; and the ability to work in low light, confined spaces, elevated heights, and other potentially dangerous environments.

(B) Competency. A fire investigator or arson investigator must demonstrate competency in determining fire cause and origin utilizing equipment and skills in accordance with the objectives in Chapter 5 of the commission's Certification Curriculum Manual.

(6) Hazardous Materials Technician personnel. The following general position description for hazardous materials personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the hazardous materials technician operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. In addition to the qualifications for basic structural fire protection personnel: successfully complete a commission approved course; achieving a passing score on the certification examination; the ability to analyze a hazardous materials incident, plan a response, implement the planned response, evaluate the progress of the planned response, and terminate the incident.

(B) Competency. A hazardous materials technician must demonstrate competency handling emergencies resulting from releases or potential releases of hazardous materials, using specialized chemical protective clothing and control equipment in accordance with the objectives in Chapter 6 of the commission's Certification Curriculum Manual.

(7) Hazardous Materials Incident Commander personnel. The following general position description for Hazardous Materials Incident Commander serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Hazardous Materials Incident Commander operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. In addition to the qualifications for awareness and operations level personnel, the Hazardous Materials Incident Commander is an individual who has met all the job performance requirements of Hazardous Materials Incident Commander as defined in Chapter 8 of NFPA 472, Competence of Responders to Hazardous Materials Incidents/Weapons of Mass Destruction. The individual should demonstrate knowledge in the policies, plans, and procedures regarding hazardous materials response as adopted by the local jurisdiction; and all components of the incident command system and their proper utilization.

(B) Competency. In addition to the competencies of awareness and operations level personnel, a Hazardous Materials Incident Commander must demonstrate competency in such areas as: analyzing an incident via the collection of information and an estimation of potential outcomes; planning appropriate response operations; implementing a planned response; evaluating the progress of a planned response and revising as necessary; terminating an incident; conducting a post-incident critique; and reporting and documenting an incident in a manner consistent with local, state, and federal requirements.

(8) Driver/Operator-Pumper personnel. The following general position description for driver/operator-pumper personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the driver/operator-pumper of a fire department pumper operating in the State of Texas. It is ultimately the responsibility of an employer to define specific job descriptions within each jurisdiction.

(A) Qualifications. In addition to the qualifications for basic structural fire protection personnel: ability to perform specified routine test, inspection, and maintenance functions; ability to perform practical driving exercises; ascertain the expected fire flow; ability to position a fire department pumper to operate at a fire hydrant; ability to produce effective streams; and supply sprinkler and standpipe systems.

(B) Competency. A driver/operator-pumper must demonstrate competency operating a fire department pumper in accordance with the objectives in Chapter 7 of the commission's Certification Curriculum Manual.

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

(A) Qualifications. In addition to the qualifications for basic structural fire protection and Fire Instructor I personnel: the ability to supervise personnel, and assign tasks at emergency operations; the ability to direct personnel during training activities; the ability to recommend action for member-related problems; the ability to coordinate assigned tasks and projects, and deal with inquiries and concerns from members of the community; the ability to implement policies; the ability to perform routine administrative functions, perform preliminary fire investigation, secure an incident scene and preserve evidence; the ability to develop pre-incident plans, supervise

emergency operations, and develop and implement action plans; the ability to deploy assigned resources to ensure a safe work environment for personnel, conduct initial accident investigation, and document an incident.

(B) Competency. A Fire Officer I must demonstrate competency in handling emergencies and supervising personnel utilizing skills in accordance with the objectives in Chapter 9 of the commission's Certification Curriculum Manual.

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

(A) Qualifications. In addition to the qualifications for Fire Officer I and Fire Instructor I personnel: the ability to motivate members for maximum job performance; the ability to evaluate job performance; the ability to deliver life safety and fire prevention education programs; the ability to prepare budget requests, news releases, and policy changes; the ability to conduct pre-incident planning, fire inspections, and fire investigations; the ability to supervise multi-unit emergency operations, identify unsafe work environments or behaviors, review injury, accident, and exposure reports.

(B) Competency. A Fire Officer II must demonstrate competency in supervising personnel and coordinating multi-unit emergency operations utilizing skills in accordance with the objectives in Chapter 9 of the commission's Certification Curriculum Manual.

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

(A) Qualifications. A Fire Officer III is a midlevel supervisor who performs both supervisory and first-line managerial functions. In addition to the qualifications and competency for Fire Officer II, the Fire Officer III is an individual who has met all the job performance requirements of Fire Officer III as defined in Chapter 6 of NFPA 1021, Standard for Fire Officer Professional Qualifications. Typical duties of an individual at the Fire Officer III level include: establishing procedures for hiring, assignment, and professional development of personnel; developing public service/partnership and programs; preparing budgets and budget management systems; planning for organizational resource management; evaluating inspection and public safety programs and plans; managing multi-agency plans and operations; serving as Incident Commander at expanding emergency incidents for all hazard types; and developing and managing a departmental safety program.

(B) Competency. A Fire Officer III must demonstrate competency doing research; analyzing data and using evaluative techniques; developing proposals; developing, preparing, and implementing various procedures and programs within an organization; managing personnel resources; preparing and managing budgets; utilizing techniques to encourage personnel participation and development; and working in top-level positions within the incident command system.

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

(A) Qualifications. A Fire Officer IV is an upper level supervisor who performs both supervisory and managerial functions. In addition to the qualifications and competency for Fire Officer III, the Fire Officer IV is an individual who has met all the job performance requirements of Fire Officer IV as defined in Chapter 7 of NFPA 1021, Standard for Fire Officer Professional Qualifications. Typical duties of an individual at the Fire Officer IV level include: administering job performance requirements; evaluating and making improvements to department operations; developing long-range plans and fiscal projections; developing plans for major disasters; serving as Incident Commander at major incidents for all hazard types; and administering comprehensive risk management programs.

(B) Competency. A Fire Officer IV must demonstrate competency in appraising and evaluating departmental programs to ensure adherence to current laws and best practices; developing medium and long-range plans for organizations; and assuming a top-level leadership role in both the organization and community.

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

(A) Qualifications. In addition to successfully completing a commission approved course and achieving a passing score on the certification examination: must have the ability to deliver instructions effectively from a prepared lesson plan; the ability to use instructional aids and evaluation instruments; the ability to adapt to lesson plans to the unique requirements of both student and the jurisdictional authority; the ability to organize the learning environment to its maximum potential; the ability to meet the record-keeping requirements of the jurisdictional authority.

(B) Competency. A Fire Service Instructor I must demonstrate competency in delivering instruction in an environment organized for efficient learning while meeting the record-keeping needs of the authority having jurisdiction, utilizing skills in accordance with the objectives in Chapter 8 of the commission's Certification Curriculum Manual.

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

(A) Qualifications. In addition to successfully completing a commission approved course, achieving a passing score on the certification examination, and meeting the qualifications for Fire Service Instructor I: the ability to develop individual lesson plans for a specific topic, including learning objectives, instructional aids, and evaluation instruments; the ability to schedule training

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

(B) Competency. A Fire Service Instructor II must demonstrate competency in developing individual lesson plans; scheduling training sessions; and supervising other instructors, utilizing skills in accordance with the objectives in Chapter 8 of the commission's Certification Curriculum Manual.

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

(A) Qualifications. In addition to successfully completing a commission approved course, achieving a passing score on the certification examination, and meeting the qualifications for Fire Service Instructor II: the ability to develop comprehensive training curricula and programs for use by single or multiple organizations; the ability to conduct organizational needs analysis; and the ability to develop training goals and implementation strategies.

(B) Competency. A Fire Service Instructor III must demonstrate competency in developing comprehensive training curricula and programs; conducting organizational needs analysis; and developing training goals and implementation strategies, utilizing skills in accordance with the objectives in Chapter 8 of the commission's Certification Curriculum Manual.

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

(A) Qualifications. An Incident Safety Officer is an individual who has met the requirements of Fire Officer Level I specified in NFPA 1021, Standard for Fire Officer Professional Qualifications and Chapter 6 of NFPA 1521, Standard for Fire Department Safety Officer and has the knowledge, skill, and abilities to manage incident scene safety. Typical Incident Safety Officer duties include risk and resource evaluation; hazard identification and communication; action plan reviews; safety briefings; accident investigation; post incident analysis; and participation in safety committee activities.

(B) Competency. An Incident Safety Officer must demonstrate competency in management of incident scene safety through a working knowledge of the various emergency operations as prescribed by the local jurisdiction; an understanding of building construction; fire science and fire behavior; managing an organization's personnel accountability system; and incident scene rehabilitation methodology.

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

(A) Qualifications. A Basic Wildland Fire Fighter is an individual who has met the requirements of Chapter 5 of NFPA 1051, Standard for Wildland Fire Fighter Professional qualifications, and should demonstrate knowledge in: wildland fire behavior; fireline safety and use; limitations of personal protective equipment; fire shelter use; fire suppression tactics and techniques in wildland settings; and have an understanding of the fire fighter's role within the local incident management system.

(B) Competency. A Basic Wildland Fire Fighter must demonstrate competency in such areas as: maintaining personal protective equipment and assigned fire suppression tools and equipment; the ability to quickly prepare for a response when notified; recognizing hazards and unsafe situations in a wildland fire; securing a fire line; mopping up a fire area; and patrolling a fire area so as to ensure fire control.

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

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

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

(19) Plans Examiner personnel. The following general position description for Plans Examiner personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Plans Examiner operating in the State of Texas.

(A) Qualifications. A Plans Examiner is an individual who has met the requirements of Plans Examiner specified in NFPA 1030 (1031) Chapter 8, Standard for Professional Qualifications for Fire Prevention Program Positions.

(B) Competency. A Plans Examiner analyzes building construction, hazardous processes and architectural drawings or plans to ensure compliance with building and fire codes. This individual is also charged with reviewing plans for new construction as well as modifications to existing structures to ensure that applicable fire and life safety codes are followed.

(20) Fire and Life Safety Educator I personnel. The following general position description for Fire and Life Safety Educator I personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire and Life Safety Educator I, operating in the State of Texas.

(A) Qualifications. A Fire and Life Safety Educator I is an individual who has met the requirements of Fire and Life Safety Educator I specified in NFPA 1030 (1035) Chapter 9, Standard for Professional Qualifications for Fire Prevention Program Positions.

(B) Competency. A Fire and Life Safety Educator I must demonstrate competency in the ability to coordinate and deliver existing educational programs and information designed to reduce risks within the community.

(21) Fire and Life Safety Educator II personnel. The following general position description for Fire and Life Safety Educator II personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire and Life Safety Educator II operating in the State of Texas.

(A) Qualifications. A Fire and Life Safety Educator II is an individual who has met the requirements of Fire and Life Safety Educator II specified in NFPA 1030 (1035) Chapter 10, Standard for Professional Qualifications for Fire Prevention Program Positions.

(B) Competency. A Fire and Life Safety Educator II must demonstrate competency in the ability to prepare educational programs and information to meet identified needs to reduce risks within the community.

(22) Fire Marshal personnel. The following general position description for Fire Marshal personnel serves as a guide for anyone interested in understanding the qualifications, competencies, and tasks required of the Fire Marshal operating in the State of Texas.

(A) Qualifications. A Fire Marshal is an individual who has met the requirements of Fire Marshal specified in NFPA 1030 (1037) Chapter 4 & 5, Standard for Professional Qualifications for Fire Prevention Program Positions.

(B) Competency. A person designated to provide delivery, management, or administration of fire-protection- and life-safety-related codes and standards, investigations, community risk reduction, education, or prevention services for local, county, state, provincial, federal, tribal, or private sector jurisdictions as adopted or determined by that entity.

Source Note: The provisions of this §421.3 adopted to be effective November 1, 1998, 23 TexReg 10886; amended to be effective May 23, 1999, 24 TexReg 3861; amended to be effective November 14, 1999, 24 TexReg 10139; amended to be effective November 20, 2002, 27 TexReg 10747; amended to be effective June 17, 2003, 28 TexReg 4566; amended to be effective March 2, 2005, 30 TexReg 1085; amended to be effective May 21, 2006, 31 TexReg 3903; amended to be effective December 3, 2006, 31 TexReg 9618; amended to be effective May 9, 2007, 32 TexReg 2470; amended to be effective November 28, 2007, 32 TexReg 8522; amended to be effective August 5, 2013, 38 TexReg 4901

§421.5. Definitions.

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

(1) Admission to employment--An entry level full-time employee of a local government entity in one of the categories of fire protection personnel.

(2) Appointment--The designation or assignment of a person to a discipline regulated by the commission. The types of appointments are:

(A) permanent appointment--the designation or assignment of certified fire protection personnel or certified part time fire protection employees to a particular discipline (See Texas Government Code, Chapter 419, §419.032); and

(B) probationary or temporary appointment--the designation or assignment of an individual to a particular discipline, except for head of a fire department, for which the individual has passed the commission's certification and has met the medical requirement of §423.1(c) of this title (relating to Minimum Standards for Structure Fire Protection Personnel), if applicable, but has not yet been certified. (See Texas Government Code, Chapter, §419.032.)

(3) Approved training--Any training used for a higher level of certification must be approved by the commission and assigned to either the A-List or the B-List. The training submission must be in a manner specified by the commission and contain all information requested by the commission. The commission will not grant credit twice for the same subject content or course. Inclusion on the A-List or B-List does not preclude the course approval process as stated elsewhere in the Standards Manual.

(4) Assigned/work--A fire protection personnel or a part-time fire protection employee shall be considered "assigned/working" in a position, any time the individual is receiving compensation and performing the duties that are regulated by the commission and has been permanently appointed, as defined in this section, to the particular discipline.

(5) Assistant fire chief--The officer occupying the first position subordinate to the head of a fire department.

(6) Auxiliary fire fighter--A volunteer fire fighter.

(7) Benefits--Benefits shall include, but are not limited to, inclusion in group insurance plans (such as health, life, and disability) or pension plans, stipends, free water usage, and reimbursed travel expenses (such as meals, mileage, and lodging).

(8) Chief Training Officer--The individual, by whatever title he or she may be called, who coordinates the activities of a certified training facility.

(9) Class hour--Defined as not less than 50 minutes of instruction, also defined as a contact hour; a standard for certification of fire protection personnel.

(10) Code--The official legislation creating the commission.

(11) College credits--Credits earned for studies satisfactorily completed at an institution of higher education accredited by an agency recognized by the U.S. Secretary of Education and including National Fire Academy (NFA) open learning program colleges, or courses recommended for college credit by the American Council on Education (ACE) or delivered through the National Emergency Training Center (both EMI and NFA) programs. A course of study satisfactorily completed and identified on an official transcript from a college or in the ACE National Guide that is primarily related to Fire Service, Emergency Medicine, Emergency Management, or Public Administration is defined as applicable for Fire Science college credit, and is acceptable for higher levels of certification. A criminal justice course related to fire and or arson investigation that is satisfactorily

completed and identified on an official transcript from a college or in the ACE National Guide may be used to qualify for Master Arson Investigator certification.

(12) Commission--Texas Commission on Fire Protection.

(13) Commission-recognized training--A curriculum or training program which carries written approval from the commission, or credit hours that appear on an official transcript from an accredited college or university, or any fire service training received from a nationally recognized source, i.e., the National Fire Academy.

(14) Compensation--Compensation is to include wages, salaries, and "per call" payments (for attending drills, meetings or answering emergencies).

(15) Expired--Any certification that has not been renewed on or before the end of the certification period.

(16) Federal fire fighter--A person as defined in Texas Government Code, Chapter 419, §419.084(h).

(17) Fire chief--The head of a fire department.

(18) Fire department--A department of a local government that is staffed by one or more fire protection personnel or part-time fire protection employees.

(19) Fire protection personnel--Any person who is a permanent full-time employee of a fire department or governmental entity and who is appointed duties in one of the following categories/disciplines: fire suppression, fire inspection, fire and arson investigation, marine fire fighting, aircraft rescue fire fighting, fire training, fire education, fire administration and others employed in related positions necessarily or customarily appertaining thereto.

(20) Fire Code Inspection—Also called Fire Safety Inspection as referenced in Texas Government Code, Chapter 419, §419.909. An inspection performed for the purpose of determining and enforcing compliance with an adopted fire code.

(21) Fire suppression duties--Engaging in the controlling or extinguishment of a fire of any type or performing activities which are required for and directly related to the control and extinguishment of fires or standing by on the employer's premises or apparatus or nearby in a state of readiness to perform these duties.

(22) Full-time--An officer or employee is considered full-time if the employee works an average of 40 hours a week or averages 40 hours per week or more during a work cycle in a calendar year. For the purposes of this definition paid leave will be considered time worked.

(23) Government entity--The local authority having jurisdiction as employer of full-time fire protection personnel in a state agency, incorporated city, village, town or county, education institution or political subdivision.

(24) High school--A school accredited as a high school by the Texas Education Agency or equivalent accreditation agency from another jurisdiction.

(25) Immediately dangerous to life or health (IDLH)--An atmosphere that poses an immediate threat to life, would cause irreversible adverse health effects, or would impair an individual's ability to escape from a dangerous atmosphere.

(26) Incipient stage fire--A fire which is in the initial or beginning stage and which can be controlled or extinguished by portable fire extinguishers, Class II standpipe or small hose systems without the need for protective clothing or breathing apparatus.

(27) Instructor:

(A) Lead Instructor--Oversees the presentation of an entire course and assures that course objectives are met in accordance with the applicable curriculum or course material. The lead instructor should have sufficient experience in presenting all units of the course so as to be capable of last-minute substitution for other instructors.

(B) Instructor (also Unit Instructor for wildland courses)--Responsible for the successful presentation of one or more areas of instruction within a course, and should be experienced in the lesson content they are presenting.

(C) Guest Instructor--An individual who may or may not hold Instructor certification but whose special knowledge, skill, and expertise in a particular subject area may enhance the effectiveness of the training in a course. Guest instructors shall teach under the endorsement of the lead instructor.

(28) Interior structural fire fighting--The physical activity of fire suppression, rescue or both, inside of buildings or enclosed structures which are involved in a fire situation beyond the incipient stage. (See 29 CFR §1910.155.)

(29) Military active duty (or active duty)--Current full-time military service in the armed forces of the United States, or full-time military service as a member of the Texas military forces or a similar service of another state.

(30) Military service member--A person who is on active duty.

(31) Military spouse--A person who is married to a military service member.

(32) Military veteran--A person who has served on active duty and who was discharged or released from active duty.

(33) Municipality--Any incorporated city, village, or town of this state and any county or political subdivision or district in this state. Municipal pertains to a municipality as defined in this section.

(34) National Fire Academy semester credit hours--The number of hours credited for attendance of National Fire Academy courses is determined as recommended in the most recent edition of the "National Guide to Educational Credit for Training Programs," American Council on Education (ACE).

(35) National Fire Protection Association (NFPA)--An organization established to provide and advocate consensus codes and standards, research, training, and education for fire protection.

(36) National Wildfire Coordinating Group (NWCG)--An operational group designed to establish, implement, maintain, and communicate policy, standards, guidelines, and qualifications for wildland fire program management among participating agencies.

(37) Non-self-serving affidavit--A sworn document executed by someone other than the individual seeking certification.

(38) Participating volunteer fire fighter--An individual who voluntarily seeks certification and regulation by the commission under the Texas Government Code, Chapter 419, Subchapter D.

(39) Participating volunteer fire service organization--A fire department that voluntarily seeks regulation by the commission under the Texas Government Code, Chapter 419, Subchapter D.

(40) Part-time fire protection employee--An individual who is appointed as a part-time fire protection employee and who receives compensation, including benefits and reimbursement for expenses. A part-time fire protection employee is not full-time as defined in this section.

(41) Personal alert safety system (PASS)--Devices that are certified as being compliant with NFPA 1982 and that automatically activates an alarm signal (which can also be manually activated) to alert and assist others in locating a fire fighter or emergency services person who is in danger.

(42) Political subdivision--A political subdivision of the State of Texas that includes, but is not limited to the following:

- (A) city;
- (B) county;
- (C) school district;
- (D) junior college district;
- (E) levee improvement district;
- (F) drainage district;
- (G) irrigation district;
- (H) water improvement district;
- (I) water control and improvement district;
- (J) water control and preservation district;
- (K) freshwater supply district;
- (L) navigation district;
- (M) conservation and reclamation district;

(N) soil conservation district;

(O) communication district;

(P) public health district;

(Q) river authority;

(R) municipal utility district;

(S) transit authority;

(T) hospital district;

(U) emergency services district;

(V) rural fire prevention district; and

(W) any other governmental entity that:

(i) embraces a geographical area with a defined boundary;

(ii) exists for the purpose of discharging functions of the government; and

(iii) possesses authority for subordinate self-government through officers selected by it.

(43) Pre-fire Planning—Also called a Pre-fire Survey. A walk-through performed by fire fighters for the purpose of gaining familiarity with a building, its contents, and its occupancy.

(44) Reciprocity for IFSAC seals and TEEEX Pro Board certificates--Valid documentation of accreditation from the International Fire Service Accreditation Congress and the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service used for commission certification may only be used for obtaining an initial certification.

(45) Recognition of training--A document issued by the commission stating that an individual has completed the training requirements of a specific phase level of the Basic Fire Suppression Curriculum.

(46) School--Any school, college, university, academy, or local training program which offers fire service training and included within its meaning the combination of course curriculum, instructors, and facilities.

(47) Structural fire protection personnel--Any person who is a permanent full-time employee of a government entity who engages in fire fighting activities involving structures and may perform other emergency activities typically associated with fire fighting activities such as rescue, emergency medical response, confined space rescue, hazardous materials response, and wildland fire fighting.

(48) Trainee--An individual who is participating in a commission approved training program.

(49) Volunteer fire protection personnel--Any person who has met the requirements for membership in a volunteer fire service organization, who is assigned duties in one of the following categories: fire suppression, fire inspection, fire and arson investigation, marine fire fighting, aircraft rescue fire fighting, fire training, fire education, fire administration and others in related positions necessarily or customarily appertaining thereto.

(50) Volunteer fire service organization--A volunteer fire department or organization not under mandatory regulation by the commission.

(51) Years of experience--For purposes of higher levels of certification or fire service instructor certification:

(A) Except as provided in subparagraph (B) of this paragraph, years of experience is defined as full years of full-time, part-time or volunteer fire service while holding:

(i) a commission certification as a full-time, or part-time employee of a government entity, a member in a volunteer fire service organization, and/or an employee of a regulated non-governmental fire department; or

(ii) a State Firemen's and Fire Marshals' Association advanced fire fighter certification and have successfully completed, as a minimum, the requirements for an Emergency Care Attendant (ECA) as specified by the Department of State Health Services (DSHS), or its successor agency, or its equivalent; or

(iii) an equivalent certification as a full-time fire protection personnel of a governmental entity from another jurisdiction, including the military, or while a member in a volunteer fire service organization from another jurisdiction, and have, as a minimum, the requirements for an ECA as specified by the DSHS, or its successor agency, or its equivalent; or

(iv) for fire service instructor eligibility only, a State Firemen's and Fire Marshals' Association Level II Instructor Certification, received prior to June 1, 2008 or Instructor I received on or after June 1, 2008 or an equivalent instructor certification from the DSHS or the Texas Commission on Law Enforcement. Documentation of at least three years of experience as a volunteer in the fire service shall be in the form of a non self-serving sworn affidavit.

(B) For fire service personnel certified as required in subparagraph (A) of this paragraph on or before October 31, 1998, years of experience includes the time from the date of employment or membership to date of certification not to exceed one year.

Source Note: The provisions of this §421.5 adopted to be effective November 1, 1998, 23 TexReg 10886; amended to be effective May 23, 1999, 24 TexReg 3861; amended to be effective November 14, 1999, 24 TexReg 10139; amended to be effective March 2, 2000, 25 TexReg 1721; amended to be effective June 26, 2001, 26 TexReg 4734; amended to be effective March 5, 2002, 27 TexReg 1533; amended to be effective July 29, 2002, 27 TexReg 6722; amended to be effective November 20, 2002, 27 TexReg 10747; amended to be effective March 10, 2003, 28 TexReg 2122; amended to be effective February 17, 2004, 29 TexReg 1413; amended to be effective May 6, 2004, 29 TexReg 4229; amended to be effective August 5, 2004, 29 TexReg 7452; amended to be effective March 27, 2006, 31 TexReg 2695; amended to be effective December 3, 2006, 31 TexReg 9618; amended to be effective May 9, 2007, 32 TexReg 2470; amended to be effective February 17, 2008, 33 TexReg 1129; amended to be effective August 17, 2008, 33 TexReg 6600; amended to be effective February 23, 2009, 34 TexReg 1259;

amended to be effective August 10, 2009, 34 TexReg 5411; amended to be effective August 5, 2013, 38 TexReg 4901, amended to be effective November 11, 2013; 38 TexReg 7978; amended to be effective March 2, 2014, 39 TexReg 1163; amended to be effective May 20, 2014; 39, TexReg 3874; amended to be effective November 26, 2015, 40 TexReg 8343; amended to be effective Feb. 10, 2016; 40 TexReg 980

§421.9. Designation of Fire Protection Duties.

(a) An individual who performs one or more fire protection duties, listed in the Texas Government Code, §419.021(3)(C), for a fire department of local government entity shall be designated to only one of the following categories:

- (1) fire protection personnel;
- (2) a part-time fire protection employee; or
- (3) a volunteer fire fighter or other auxiliary fire fighter.

(b) A fire department regulated by the Commission may not designate the same person under more than one category under this section. The designation shall be made on the records of the department and the designation shall be made available for inspection by the Commission or sent to the Commission on request.

(c) A fire department regulated by the Commission shall report the appointment of fire protection personnel to a regulated discipline via the Commission's online management program, or the appropriate form if available. Fire protection personnel who are assigned to a regulated discipline as part of their regularly assigned duties shall be appointed to that discipline with the Commission. No individual may be appointed to a discipline without approval by the Commission. The Commission shall not approve an initial appointment to a regulated discipline until it has reviewed and approved a person's fingerprint-based criminal history record. Termination of fire protection personnel or part-time fire protection employees shall be reported to the Commission via the Commission's online management program, or the appropriate form if available within 14 calendar days of the action. In the case of termination, the employing entity shall report an individual's last known home address to the Commission. A Removal from Appointment form may be submitted without the employee's signature.

(d) A fire department may not in a calendar year compensate, reimburse, or provide benefits to a person the department has designated as a volunteer or other auxiliary fire fighter in an amount that is equal to or more than what a person receives working 2,080 hours at the federal minimum wage.

(e) A person certified as fire protection personnel in one fire department may be employed and designated as a part-time fire protection employee in another fire department without additional certification as a part-time fire protection employee.

Source Note: The provisions of this §421.9 adopted to be effective November 1, 1998, 23 TexReg 10886; amended to be effective May 23, 1999, 24 TexReg 3861; amended to be effective November 20, 2002, 27 TexReg 10747; amended to be effective June 17, 2003, 28 TexReg 4566; amended to be effective November 18, 2009, 34 TexReg 8040; amended to be effective May 18, 2010, 35 TexReg 3847; amended to be effective June 3, 2012, 37 TexReg 3861

§421.11. Requirement To Be Certified Within One Year.

(a) Except for subsection (c) and (d) of this section, fire protection personnel or part-time fire protection employees of a fire department who are appointed duties identified as fire protection

personnel duties must be certified by the commission in the discipline(s) to which they are assigned within one year of their appointment to the duties or within two years of successfully passing the applicable commission examination, whichever is less. The commission shall not approve an initial certification for a regulated discipline until it has reviewed and approved a person's fingerprint-based criminal history record. An individual who accepts appointment(s) in violation of this section shall be removed from the appointment(s) and will be subject to administrative penalties. A department or local government that appoints an individual in violation of this section will also be subject to administrative penalties.

(b) An individual who has been removed from appointment to duties identified as fire protection personnel duties for violation of this section must petition the commission in writing for permission to be reappointed to the duties from which they were removed. The petition will be considered only if the individual has obtained all appropriate certification(s) applicable to the duties to which the individual seeks reappointment.

(c) A military spouse may be appointed to fire protection personnel duties with a regulated fire department without being required to obtain the applicable certification, provided the military spouse submits the following to the commission prior to appointment and has received confirmation of approval from the commission:

- (1) notification to the commission of intent to perform regulated fire protection duties;
- (2) documentation of equivalent certification from another jurisdiction;
- (3) a fingerprint-based criminal history record using the commission approved system;
- (4) proof of residency in Texas; and
- (5) a copy of the individual's military identification card.

(d) A military spouse appointed to fire protection duties under this section may engage in those duties only for the period in which the military service member to whom the spouse is married is stationed at a military installation in Texas, but not to exceed three years from the date the military spouse receives approval from the commission to engage in those duties.

Source Note: The provisions of this §421.11 adopted to be effective May 23, 1999, 24 TexReg 3861; amended to be effective November 20, 2002, 27 TexReg 10747; amended to be effective May 18, 2010, 35 TexReg 3847; amended to be effective December 2, 2019, 44 TexReg 7413

§421.13. Individual Certificate Holders.

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

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

Source Note: The provisions of this §421.13 adopted to be effective March 2, 2000, 25 TexReg 1721; amended to be effective March 8, 2001, 26 TexReg 2043; amended to be effective November 20, 2002, 27 TexReg 10747

§421.15. Extension of Training Period.

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

(1) the request for extension shall be placed on the Fire Fighter Advisory Committee's (FFAC's) agenda to be heard at its next regular or special called meeting after submission of the request;

(2) after review by the FFAC, the application along with the FFAC's recommendations will be sent to the commission to be heard at its next regular meeting. If the request for extension is approved by the commission, the extension shall become effective immediately; and

(3) the one-year extension of training time, if granted, shall run from the date of forfeiture and removal or, at the latest, from one year after the original date training began, whichever occurs first.

Source Note: The provisions of this §421.15 adopted to be effective July 29, 2002, 27 TexReg 6722; amended to be effective November 15, 2003, 28 TexReg 9883

§421.17. Requirement to Maintain Certification.

(a) All full-time or part-time employees of a fire department or local government assigned duties identified as fire protection personnel duties must maintain certification by the commission in the discipline(s) to which they are assigned for the duration of their assignment.

(b) In order to maintain the certification required by this section, the certificate(s) of the employees must be renewed annually by complying with §437.5 of this title (relating to Renewal Fees) and Chapter 441 of this title (relating to Continuing Education) of the commission standards manual.

(c) Except for subsection (d) of this section, or upon determination by the Executive Director when special circumstances are presented, an individual whose certificate has been expired for **greater than one year but not longer than five years may renew their certification once they comply with all CE requirements for the period of time their certification was inactive, as outlined in 441, and they pay all applicable certification renewal fees for the period of time their certification was inactive, as required in 437. Individuals whose certification has been expired longer than five years,** may not renew the certificate previously held. To obtain a new certification, an individual must meet the requirements in Chapter 439 of this title (relating to Examinations for Certification).

(d) A military service member whose certificate has been expired for three years or longer may not renew the certificate previously held. To obtain a new certification, the person must meet the requirements in Chapter 439 of this title (relating to Examinations for Certification). In order to qualify for this provision, the individual must have been a military service member at the time the certificate expired and continued in that status for the duration of the three-year period.

(e) The commission will provide proof of current certification to individuals whose certification has been renewed.

Source Note: The provisions of this §421.17 adopted to be effective March 5, 2002, 27 TexReg 1533; amended to be effective November 20, 2002, 27 TexReg 10747; amended to be effective August 10, 2009, 34 TexReg 5411; amended to be effective

December 18, 2012, 37 TexReg 9783; amended to be effective Feb. 10, 2016; 40 TexReg 980; amended to be effective February 24, 2021, 46 TexReg 1250; amended to be effective August 11, 2021; 46 TexReg 4857;

12. Discussion and possible action on 37 TAC, Chapter 403, Criminal Convictions and Eligibility for Certification.

CHAPTER 403

CRIMINAL CONVICTIONS AND ELIGIBILITY FOR CERTIFICATION

§403.1. Purpose.

(a) The purpose of this chapter is to establish policy, procedures and criteria on the eligibility of persons with a criminal conviction for a certificate or renewal of a certificate issued by the Texas Commission on Fire Protection (the commission) and to establish procedures for suspension, probation, revocation, or denial of a certificate held or applied for by persons with a criminal conviction pursuant to Chapter 53, Texas Occupations Code.

(b) The duties and responsibilities of persons who hold certifications issued by the commission each involve matters that directly relate to public safety, specifically to the reduction of loss of life and property from fire. Thus, conduct involving the injury to a person or the destruction of property by fire, relates directly to the fitness of the individual to be fire protection personnel. Fire protection personnel often have access to areas not generally open to the public. The public relies on the honesty, trustworthiness, and reliability of persons certified by the commission. Thus, crimes involving moral turpitude, including, but not limited to, fraud and dishonesty, are directly relevant. In addition, the ability of such persons to function unimpaired by alcohol or the illegal use of drugs, in dangerous or potentially dangerous circumstances, including, but not limited to, the operation of emergency vehicles is paramount in light of the duty to protect the health and safety of the public.

Source Note: The provisions of this §403.1 adopted to be effective May 23, 1999, 24 TexReg 3860; amended to be effective March 8, 2001, 26 TexReg 2042; amended to be effective November 28, 2007, 32 TexReg 8522; amended to be effective December 18, 2012, 37 TexReg 9782

§403.3. Scope.

(a) The policy and procedures established in this chapter apply to a person who holds or applies for any certificate issued under the commission's regulatory authority contained in Government Code, Chapter 419.

(b) When a person is convicted of a crime of a sexual nature, the conviction of which would require the individual to be registered as a sex offender under Chapter 62 of the Code of Criminal Procedure; or

(c) When a person is convicted of a crime that is an offense under Title 7 of the Texas Penal Code, or a similar offense under the laws of the United States of America, another state, or other jurisdiction, the person's conduct directly relates to the competency and reliability of the person to assume and discharge the responsibilities of fire protection personnel. Such conduct includes, but is not limited to, intentional or knowing conduct, without a legal privilege, **which** ~~that~~ causes or is intended to cause a fire or explosion with the intent to injure or kill any person or animal or to destroy or damage any property. The commission may:

- (1) deny a person the opportunity to be examined for a certificate;
- (2) deny the application for a certificate;

(3) grant the application for a new certificate with the condition that a probated suspension be placed on the newly granted certificate;

(4) refuse to renew a certificate;

(5) suspend, revoke or probate the suspension or revocation of an existing certificate; or

(6) limit the terms or practice of a certificate holder to areas prescribed by the commission.

(d) When a person's criminal conviction of a felony or misdemeanor directly relates to the duties and responsibilities of the holder of a certificate issued by the commission, the commission may:

(1) deny a person the opportunity to be examined for a certificate;

(2) deny the application for a certificate;

(3) grant the application for a new certificate with the condition that a probated suspension be placed on the newly granted certificate;

(4) refuse to renew a certificate;

(5) suspend, revoke or probate the suspension or revocation of an existing certificate; or

(6) limit the terms or practice of a certificate holder to areas prescribed by the commission.

Source Note: The provisions of this §403.3 adopted to be effective May 23, 1999, 24 TexReg 3860; amended to be effective March 8, 2001, 26 TexReg 2042; amended to be effective February 17, 2004, 29 TexReg 1412; amended to be effective November 28, 2007, 32 TexReg 8522; amended to be effective December 18, 2012, 37 TexReg 9782; amended to be effective December 2, 2019, 44 TexReg 7412

§403.5. Access to Criminal History Record Information.

(a) Criminal history record. The commission is entitled to obtain criminal history record information maintained by the Department of Public Safety, or another law enforcement agency to investigate the eligibility of a person applying to the commission for or holding a certificate.

(b) Confidentiality of information. All information received under this section is confidential and may not be released to any person outside the agency except in the following instances:

(1) a court order;

(2) with written consent of the person being investigated;

(3) in a criminal proceeding; or

(4) in a hearing conducted under the authority of the commission.

(c) Early review. A **regulated entity** [~~fire department~~] that employs a person regulated by the commission, a person seeking to apply for a beginning position with a regulated entity, a volunteer fire department, or an individual participating in the commission certification program may seek the early review under this chapter of the person's present fitness to be certified. Prior to completing the requirements for certification, the individual may request such a review in writing by following the required procedure. A decision by the commission based on an early review does

not bind the commission if there is a change in circumstances. The following pertains to early reviews:

- (1) The commission will complete its review and notify the requestor in writing concerning potential eligibility or ineligibility within **ninety** [90] days following receipt of all required and necessary information for the review.
- (2) A notification by the commission regarding the results of an early review is not a guarantee of certification, admission to any training program, or employment with a local government.
- (3) A fee assessed by the commission for conducting an early review will be in an amount sufficient to cover the cost to conduct the review process, as provided in §437.19 of this title (relating to Early Review Fees).
- (4) An early review request will be considered incomplete until the requestor submits all required and necessary information. Early review requests that remain incomplete for 90 days following receipt of the initial request will expire. If the request expires and an early review is still desired, a new request and fee must be submitted.

Source Note: *The provisions of this §403.5 adopted to be effective May 23, 1999, 24 TexReg 3860; amended to be effective July 23, 2007, 32 TexReg 4550; amended to be effective December 18, 2012, 37 TexReg 9782; amended to be effective January 26, 2017, 42 TexReg 243;*

§403.7. Criminal Convictions Guidelines.

(a) The following crimes are considered to relate directly to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of persons certified by the commission:

- (1) offenses under the Government Code, Chapter 419, relating to the Texas Commission on Fire Protection;
- (2) offenses under the Texas Transportation Code Title 6 Roadways, which are punishable by fines greater than \$200, or imprisonment, or both fine and imprisonment;
- (3) offenses under the Health and Safety Code, Chapter 481, concerning controlled substances;
- (4) offenses under the Health and Safety Code, Chapter 483, concerning dangerous drugs;
- (5) offenses under the following titles of the Texas Penal Code:
 - (A) Title 5--offenses against the person;
 - (B) Title 6--offenses against the family;
 - (C) Title 7--offenses against property;
 - (D) Title 8--offenses against public administration;
 - (E) Title 9--offenses against public order and decency;
 - (F) Title 10--offenses against public health, safety and morals;

(G) Title 11--offenses involving organized crime; and

(H) Title 4--inchoate offenses Chapter 15 preparatory offenses to any of the offenses in this section;

(6) the offenses listed in this subsection are not inclusive, in that the commission may consider other particular crimes in special cases in order to promote the intent of the statutes administered by the commission.

(b) In all cases the commission shall consider:

(1) the nature and seriousness of the crime;

(2) the relationship of the crime to the purposes for requiring the certificate issued by the commission;

(3) the extent to which the certificate might offer an opportunity to engage in further criminal activity of the same type as that in which the person previously had been involved;

(4) the relationship of the crime to the ability, capacity, or fitness required to perform the duties and discharge the responsibilities of the certificate holder;

(5) the level and nature of supervision of the person by others; and

(6) the level and nature of access to public, commercial, and residential properties, including access after regular business hours and access to areas not open to the general public.

Source Note: The provisions of this §403.7 adopted to be effective May 23, 1999, 24 TexReg 3860

§403.9. Mitigating Factors.

(a) In addition to the factors that must be considered under §403.7 of this title (relating to Criminal Convictions Guidelines), in determining the present fitness of a person who has been convicted of a crime, the commission shall consider the following evidence:

(1) the extent and nature of the person's past criminal activity;

(2) the age of the person at the time of the commission of the crime;

(3) the amount of time that has elapsed since the person's last criminal activity;

(4) the conduct and work activity of the person prior to and following the criminal activity;

(5) evidence of the person's rehabilitation or rehabilitative effort while incarcerated or following release; and

(6) other evidence of the person's present fitness, including letters of recommendation from:

(A) prosecution, law enforcement, and correctional officers who prosecuted, arrested, or had custodial responsibility for the person;

(B) the sheriff or chief of police in the community where the person resides; and

(C) any other persons in contact with the convicted person.

(b) It shall be the responsibility of the applicant to the extent possible to secure and provide to the commission as required the recommendations of prosecution, law enforcement, and correctional authorities as required by statute and these rules upon request by the commission staff. The applicant shall upon request also furnish:

(1) a copy of the indictment, information or complaint;

(2) a copy of the judgement(s) or order(s) of the court adjudicating guilt, granting probation, community supervision, deferred adjudication, or discharge from probation or community supervision;

(3) a record of steady employment in the form of a letter from current or former employers;

(4) a record that the applicant has supported his or her dependents in the form of a letter from a person in the applicant's community with personal knowledge of the circumstances;

(5) evidence that the applicant has paid all outstanding court costs, supervision fees, fines, and restitution as may have been ordered in all criminal cases in which he or she has been convicted, in the form of copies of official records, documents, or a letter from the person's probation or parole officer where applicable concerning his or her current status; and

(6) a copy of the police or offense report(s).

Source Note: The provisions of this §403.9 adopted to be effective May 23, 1999, 24 TexReg 3860; amended to be effective March 8, 2001, 26 TexReg 2042; amended to be effective July 23, 2007, 32 TexReg 4550; amended to be effective December 18, 2012, 37 TexReg 9782

§403.11. Procedures for Suspension, Revocation, or Denial of a Certificate to Persons with Criminal Backgrounds.

(a) If the commission proposes to suspend, revoke, limit, or deny a certificate based on the criteria in this chapter, the division shall notify the individual per Government Code, Chapter 2001. The notice of intended action shall specify the facts or conduct alleged to warrant the intended action.

(b) If the proposed action is to limit, suspend, revoke, or refuse to renew a current certificate, or deny an application for a new certificate, a written notice of intended action shall comply with the preliminary notice requirements of Government Code §2001.054(c). The individual may request, in writing, an informal conference with the commission staff in order to show compliance with all requirements of law for the retention of the certificate, pursuant to Government Code §2001.054(c). A written request for an informal staff conference must be submitted to the division director no later than 15 days after the date of the notice of intended action. If the informal staff conference does not result in an agreed consent order, a formal hearing shall be conducted in accordance with the Administrative Procedure Act, Government Code, Chapter 2001.

(c) If the individual does not request an informal staff conference or a formal hearing in writing within the time specified in this section, the individual is deemed to have waived the opportunity for a hearing, and the proposed action will be taken.

(d) If the commission limits, suspends, revokes, or denies a certificate under this chapter, a written notice shall be provided to the person that includes:

(1) the reasons for the decision;

(2) that the person may appeal the decision of the executive director to the commission in accordance with §401.63 of this title (relating to Final Decision and Orders) within 30 days from the date the decision is final and appealable;

(3) that the person, after exhausting administrative appeals, may file an action in a district court of Travis County, Texas, for judicial review of the evidence presented to the commission and its decision; and that such petition must be filed with the court no later than 30 days after the commission action is final and appealable.

Source Note: The provisions of this §403.11 adopted to be effective May 23, 1999, 24 TexReg 3860; amended to be effective March 8, 2001, 26 TexReg 2042; amended to be effective November 28, 2007, 32 TexReg 8522; amended to be effective December 18, 2012, 37 TexReg 9782; amended to be effective December 2, 2019, 44 TexReg 7412

§403.15. Report of Convictions by an Individual or a Department.

(a) A certificate holder must report to the commission, any conviction, other than a minor traffic offense (Class C misdemeanor) under the laws of this state, another state, the United States, or foreign country, within 14 days of the conviction date.

(b) A **regulated entity** [~~fire department~~] or local government entity shall report to the commission, any conviction of a certificate holder other than a minor traffic offense (class C misdemeanor) under the laws of this state, another state, the United States, or foreign country, that it has knowledge of, within 14 days of the conviction date.

(c) A certificate holder is subject to suspension, revocation or denial of any or all certifications for violation of the requirements of subsection (a) of this section. Each day may be considered a separate offense.

(d) A **regulated entity** [~~fire department~~] or government entity regulated by the commission violating subsection (b) of this section may be subject to administrative penalties of up to \$500. Each day may be considered a separate offense.

(e) Notification may be made by mail, e-mail, or in person to the Texas Commission on Fire Protection (TCFP) Austin office. TCFP Form #014 shall be used.

Source Note: The provisions of this §403.15 adopted to be effective May 23, 1999, 24 TexReg 3860; amended to be effective July 23, 2007, 32 TexReg 4550; amended to be effective December 18, 2012, 37 TexReg 9782; amended to be effective December 2, 2019, 44TexReg 7412

13. Discussion and possible action on 37 TAC, Chapter 463, Advisory Committees.

CHAPTER 463
ADVISORY COMMITTEES,
SUBCHAPTER A
PRACTICE AND PROCEDURES

§463.1. Objective.

(a) The Texas Commission on Fire Protection (TCFP) is organized to aid in the protection of **the** lives and property of Texas citizens through the development and enforcement of recognized professional standards for individuals and the fire service. To achieve the goals of TCFP, each committee will evaluate, make recommendations, and issue reports to the Commission on any issue in the committee's purview. Committees shall represent TCFP in advocacy for or opposition to projects and issues upon the specific authority of the Commission or such authority as may be clearly granted upon general powers delegated by the Commission to that committee.

(b) The Commission has established a Firefighter Advisory Committee, Curriculum and Testing Committee, and Health and Wellness Committee in compliance with the Texas Government Code 2110.008 Duration of Advisory Committees. These committees will continue for four years from the date of creation and may be continued following a vote of the commission, to extend each of the established committees. The commission may create short-term Ad Hoc working groups for specific purposes in accordance with this rule. The committee's purpose, eligibility, terms, and meeting procedures are identified in this rule.

§463.3.General.

(a) ~~The Commission shall approve all committees.~~

(a)(b) The Commission may convene [additional] committees that are deemed to be in the best interest of the Texas Commission on Fire Protection (TCFP) and its mission.

(b)(c) All committees shall be subject to, and governed by, these bylaws.

(c)(d) The approved committee shall elect a member of their committee as the chairperson who may remain in this position for two (2) years before reappointment or until such time as a new person is appointed as the Chairperson.

(d)(e) Committees should be composed of a reasonable odd number of members, with a minimum of nine and a maximum of 15 members.

(e)(f) The committees shall meet at least twice each calendar year at the call of either the committee chairperson or the Commission.

(f)(g) All committees shall be reviewed for relevance by the Commission every odd year and will either be renewed or discontinued.

(g)(h) The Committee Chairperson may form ad hoc working groups, when in the judgment of the Chair, it will enhance or provide guidance for a specific purpose and time limit/period. Committee Chairperson may determine working group selection, but membership is limited only to the ad hoc and will disband once the purpose has been met.

(h)(i) Annually each Committee Chairperson will present to the Commission an end-of-year status report.

(i)(j) Meetings to deliberate a test item or information related to a test item do not require an open meeting per Texas Government Code §551.088.

§463.5. Eligibility.

(a) Any person, association, corporation, partnership, or other entity having an interest in the above-recited objectives shall be eligible for membership.

(b) Committee composition should have representatives from each fire protection stakeholder group, with consideration of ~~an~~ department size, region, and mission.

(c) Vacant positions will be announced. Interested, qualified candidates may apply for committee appointments. A candidate selection committee may be formed to assist in the application process and may make recommendations for appointments. The list of candidates will then be presented to the Commission during their next meeting for consideration. The Commission will appoint committee members and select alternates at the same time in the event committee members cannot fulfill their tenure and/or replacement members are needed. Terms shall begin immediately following Commission approval. Interim appointments may be made to complete vacated, **unexpired** ~~un-expired~~ terms.

§463.7. Terms.

Committee members shall be appointed to serve **six-year** [~~four (4)-year~~] terms of office, with the intent to stagger and to ensure continuity of membership from year to year. Committee members serve **six-year** [~~four-year~~] terms and may serve consecutively; however, after a second **six-year** [~~four-year~~] term, the member will not be eligible for another term until after a lapse of two years. For all committees, the member positions will be numbered 1-11.

Position	Initial Appointment
1&9	2024
2,10,11	2025
3,4,5	2026
6,7,8	2027

The current holdover member serving in positions 1-11 will expire on the last day of the month before the initial appointments commence. Current holdover members are eligible to apply for initial appointments.

In the event that a member cannot fulfill a term, a new member shall be appointed to complete the term. This does not count as the individual’s first term.

§463.9. Meetings.

(a) Committee Chairperson or a designated Committee member when the Chairperson is unavailable, shall conduct all committee meetings.

(b) Committee meetings should be held in Austin, Texas. Committee meetings cannot be held outside

of the state of Texas.

(c) Committees shall post meeting times, locations, and agendas with the Secretary of State in accordance with the Open Meetings Act, Texas Government Code Chapter 551. Committees shall keep minutes in accordance with the Open Meetings Act. When feasible, committees may allow members of the public to participate in a meeting from a remote location by videoconference call pursuant to Texas Government Code §551.127(k) to encourage access and participation throughout the state.

(d) Committee Chairpersons may limit discussion times if, in the opinion of the Chairperson, it is warranted. Participants who fail to follow the above rules may be subject to removal from the meeting.

(e) Committees may meet by videoconference calls, but only if they follow requirements of Texas Government Code §551.127. The committee must still have a physical location for the public to attend. The member presiding over the meeting must attend in person, while other members and staff may attend remotely.

§463.11. Limitation of Powers.

No action by any Committee Chairperson or its members shall be binding upon, or constitute an expression of, the policy of TCFP until it has been approved or ratified by the Commission. It shall be the function of the committees to evaluate, ~~to~~ make recommendations, and ~~to~~ report only to the Commission. Committees shall represent TCFP in advocacy for or opposition to projects and issues upon the specific authority of the Commission or such authority as may be clearly granted upon general powers delegated by the Commission to that committee.

§463.13. Testimony.

Once committee action has been approved by [~~both the Chairperson of the Commission and~~] the Commission, testimony and/or presentations may be given and made before stakeholders, governmental agencies, or any other entity as deemed appropriate by the Chairperson of the Commission.

§463.15. Expulsion.

After written notice and a hearing before the Commission, any Committee member may be expelled from a committee for conduct that is unbecoming or prejudicial to the aims or repute of TCFP or expelled for lack of attendance, unless excused, to more than half of the scheduled committee meetings in a calendar year.

§463.17. Abolishment Date.

Any Advisory committee created by the Commission will be abolished after four years from the date of creation unless re-established by the Commission prior to the abolishment date.

14. Discussion and possible action on 37 TAC, Chapter 439, Examinations for Certification, matrix 439.19.

Figure: 37 TAC §439.19(b)

Examination	Section	Number of Exam Questions	Maximum Possible Number of Pilot Questions	Time Allowed
Combined Basic Structure FP	Hazardous Materials Awareness	25		
	Hazardous Materials Operations	25		
	Firefighter I	100		
	Firefighter II	75		
	TOTAL	225	25	4.5 Hours
Basic Fire Inspector	Inspector I	50		
	Inspector II	50		
	TOTAL	100	15	2.0 Hours
Sectional Exams	Hazardous Materials Awareness	50	5	1.0 Hour
	Hazardous Materials Operations	50	5	1.0 Hour
	Firefighter I	100	10	2.0 Hour
	Firefighter II	75	8	1.5 Hours
	Inspector I	50	5	1.0 Hours
	Inspector II	50	5	1.0 Hours
	FOR ALL OTHER EXAMINATIONS, SECTIONAL EXAMINATIONS, AND RETESTS			
	Recommended Hours	Number of Exam Questions	Maximum Possible Number of Pilot Questions	Time Allowed
IF THE RECOMMENDED HOURS FOR THE CURRICULUM OR SECTION IS:	Less than 30	25 [50]	3	30 Minutes [1.0 hour]
	31 to 100	50	5	1.0 Hour
	101 to 200	75	8	1.5 Hours
	201 to 300	100	10	2.0 Hours
	301 to 400	125	13	2.5 Hours
	401 or More	150	15	3.0 Hours

15. Discussion and possible action on matters as referred from the Fire Fighter Advisory Committee:

A. Discussion and possible action on New, 37 TAC, Chapter 469, Technical Rescue.



August 22, 2023

Mike Wisko
Agency Chief
Texas Commission on Fire Protection

Re: Technical Rescue Certifications Budget Implications

Chief Wisko,

On behalf of the Collin County Fire Chiefs Association, we respectfully request that if the Texas Commission on Fire Protection votes to move forward with the multiple technical rescue certifications, that the grandfather period of 12 months either be delayed until FY25, not start until April 1, 2024 through March 30, 2025, or extend the grandfather period to 18-months so it extends at least 6-months into FY25.

I do want to be clear, we are not against the implementation of the certifications, just the timing of the grandfather period due to budget implications. Most municipal governments budgets in Texas start October 1 and end the last day of September. All budgets for FY24 have already been submitted to our respective councils and no funding was requested to cover the testing or the certification costs. Most departments could not cover the expenses associated with the technical rescue certifications if this request is not granted.

We want to thank you and the commissioners for their consideration with the requests outlined above. The Collin County Fire Chiefs embrace this request, and we ask that it be shared with the Commissioners of the Texas Commission on Fire Protection for their strong consideration.

Respectfully,

A handwritten signature in black ink that reads "Stuart Blasingame". The signature is written in a cursive, flowing style.

Stuart Blasingame
President
Collin County Fire Chiefs Association

CHAPTER 469

TECHNICAL RESCUE

SUBCHAPTER A

MINIMUM STANDARDS FOR ROPE RESCUE

§469.1. ROPE RESCUE AWARENESS LEVEL-~~&~~/OPERATIONS LEVEL CERTIFICATION.

- (a) A Rope Rescue Awareness Level/Operations Level Rescuer is an individual who has met the requirements of ~~C~~chapter chapters 5.1 and 5.2 of NFPA 1006, Standard for Technical Rescue Personnel Professional Qualifications and has the knowledge, skills, and ability to perform Rope Rescue at the Awareness Level-~~and~~ Operations Level.
- (b) All individuals holding a Rope Rescue Awareness Level-~~and~~/Operations Level certification shall be required to comply with the continuing education requirements in Chapter 441 of this title (relating to Continuing Education).
- (c) Special temporary provision. Individuals are eligible to take the commission examination for Rope Rescue Awareness Level-~~/~~Operations Level by:
- (1) holding as a minimum, Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel through the commission; and
 - (2) providing providing documentation acceptable to the commission, in the form of an affidavit from the individual's Head of Department or Chief Training Officer, that the individual has met the ~~departments~~ department's requirements to perform as a Rope Rescuer and has demonstrated proficiency as a Rope Rescuer at the Rope Rescue Awareness Level-~~&~~ Operations Level.
- (d) All applications for testing during the special temporary provision period must be received no earlier than ~~February-October~~ 1, 2024, and no later than ~~February-October~~ 1, 2025.
- (e) This ~~special temporary provision subsection~~ will expire on ~~March~~ November 1, 2025.

§469.3. Minimum Standards for Rope Rescue Awareness Level-~~&~~ Operations Level Certification.

In order to be certified to the Rope Rescue Awareness Level-~~&~~/Operations Level, an individual must:

- (1) hold certification as Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel; and
- (2) complete a commission-approved Rope Rescue Awareness Level-~~&~~/Operations Level program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Rope Rescue Awareness Level-~~&~~/Operations Level program must consist of one of the following:
 - (a) completion of an in-state Rope Rescue Awareness Level-~~&~~ Operations Level 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 educational institution of higher education, and/or military training program that has been submitted to the commission for evaluation

and found to meet the requirements of the applicable NFPA standard.

§469.5. Examination Requirement.

Examination requirements in Chapter 439 of this title (relating to Examinations for Certification) must be met to receive Rope Rescue Awareness Level ~~&~~/Operations Level certification.

§469.7. Reserved. (IFSAC)

CHAPTER 469

TECHNICAL RESCUE

SUBCHAPTER B

MINIMUM STANDARDS FOR ROPE RESCUE

§469.201. Rope Rescue Technician Level

- (a) **A Rope Rescue Technician Level Rescuer is an individual who has met the requirements of chapter 5.3 of NFPA 1006, Standard for Technical Rescue Personnel Professional Qualifications, and has the knowledge, skills, and ability to perform Rope Rescue at the Technician Level.**
- (b) **All individuals holding a Rope Rescue Technician Level certification shall be required to comply with the continuing education requirements in Chapter 441 of this title (relating to Continuing Education).**
- (c) **Special temporary provision. Individuals are eligible to take the commission combined-examinations for the Rope Rescue Awareness Level/Operations Level and Technician Level by:**
- (1) holding as a minimum, Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel through the commission; and**
- (2) providing documentation acceptable to the commission, in the form of an affidavit from the individual's Head of Department or Chief Training Officer, that the individual has met the department's requirements to perform as a Rope Rescuer and has demonstrated proficiency as a Rope Rescuer at the Rope Rescue Technician Level.**
- (d) **All applications for testing during the special temporary provision period must be received no earlier than ~~February~~October 1, 2024, and no later than ~~February~~October 1, 2025.**
- (e) **This special temporary provision will expire on ~~March~~November 1, 2025.**

§469.203. Minimum Standards for Rope Rescue Technician Level Certification

In order to be certified to the Rope Rescue Technician Level, an individual must:

- (1) **Option 1-- hold certification as Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel; and**
- (a) **hold a Rope Rescue Awareness Level ~~and~~ /Operations Level certification through the commission; and**
- (b) **complete a commission-approved Rope Rescue Technician Level program and successfully pass the commission examination for Rope Rescue Technician as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Rope Rescue Technician Level program must consist of one of the**

following:

- ~~(1)~~ (i) completion of an in-state Rope Rescue Technician Level 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
- ~~(2)~~ (ii) successful completion of an out-of-state educational institution of higher education, and/or military training program that has been submitted to the commission for evaluation and found to meet the requirements of the applicable NFPA standard.

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(2) Option 2-- hold certification as Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel; and

(a) complete a commission-approved Rope Rescue Awareness Level/~~&~~Operations Level program. An approved Rope Rescue Awareness Level/~~&~~Operations Level program must consist of one of the following:

- ~~(1)~~ (i) completion of an in-state Rope Rescue Awareness Level/~~&~~Operations Level 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
- ~~(2)~~ (ii) successful completion of an out-of-state educational institution of higher education, and/or military training program that has been submitted to the commission for evaluation and found to meet the requirements of the applicable NFPA standard; and

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(b) complete a commission-approved Rope Rescue Technician Level program. An approved Rope Rescue Technician Level program must consist of one of the following:

- (1) completion of an in-state Rope Rescue Technician Level 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**
- (2) completion of an out-of-state educational institution of higher education, and/or military training program that has been submitted to the commission for evaluation and found to meet the requirements of the applicable NFPA standard; and**

(c) successfully pass the commission examination ~~(s)~~ for the Rope Rescue Awareness Level & Operations Level combined with the Technician Level as specified in Chapter 439 of this title (relating to Examinations for Certification).

§469.205. Examination Requirement.

Examination requirements in Chapter 439 of this title (relating to Examinations for Certification) must be met to receive Rope Rescue Technician Level certification.

§469.207. Reserved. (IFSAC)

15. Discussion and possible action on matters as referred from the Fire Fighter Advisory Committee:

- B. Discussion and possible action on Rule Review, 37 TAC, Chapter 495, Regulation of Nongovernmental Departments.**

CHAPTER 495
REGULATION OF NONGOVERNMENTAL DEPARTMENTS
SUBCHAPTER A
VOLUNTARY REGULATION OF NONGOVERNMENTAL DEPARTMENTS

§495.1. Application Procedures.

A nongovernmental entity may apply to the commission for voluntary regulation pursuant to the Texas Government Code, 419.085. A nongovernmental entity seeking voluntary regulation shall inform the commission in writing of its request and must provide the following documentation:

- (1) a letter from the Texas Department of Insurance verifying that the area protected constitutes a rating of one through eight assigned by Insurance Services Organization;
- (2) documentation from the United States Census Bureau verifying the population of the protected area;
- (3) written verification from the administrative head of the department that the entity provides fire protection to an unincorporated area; and
- (4) written documentation of the duties, responsibilities, and work schedules of the fire protection personnel employed by the entity.

Source Note: The provisions of this §495.1 adopted to be effective March 23, 1994, 19 TexReg 1681; amended to be effective March 1, 1999, 24 TexReg 793; amended to be effective December 24, 2002, 27 TexReg 12008

§495.3. Notification.

If the entity meets the requirements of the Texas Government Code, §419.085, the commission shall notify in writing the applying entity and the affected fire protection employees of its decision. Once the entity has been notified, the entity and affected employees have one year after notification to comply with all rules and regulations applicable to fire protection personnel.

Source Note: The provisions of this §495.3 adopted to be effective March 23, 1994, 19 TexReg 1681.

§495.5. Nongovernmental Fire Protection Employees.

A full-time fire protection employee of a nongovernmental entity that meets the requirements of the Texas Government Code, §419.085, is eligible for certification under the same rules as full-time fire protection personnel employed by local governments. Work experience at the nongovernmental department meeting the requirements for voluntary regulation shall be recognized toward certification.

Source Note: The provisions of this §495.5 adopted to be effective March 23, 1994, 19 TexReg 1681

CHAPTER 495
REGULATION OF NONGOVERNMENTAL DEPARTMENTS
SUBCHAPTER B
REGULATION OF NONGOVERNMENTAL ORGANIZATIONS AND PERSONNEL

§495.201. Nongovernmental Organizations.

An organization that is not a local governmental entity or a department of a local government entity is subject to all rules and regulations of the commission as if the organization were a local government if:

(1) the organization provides fire protection to a local governmental entity for profit under a contract or any other agreement with the local governmental entity; and

(2) the organization would be a fire department if the organization were a department of a local governmental entity.

Source Note: The provisions of this §495.201 adopted to be effective March 23, 1994, 19 TexReg 1682.

§495.203. Nongovernmental Organization Employees.

An employee of a nongovernmental organization that is subject to regulation by the commission who would be a fire protection personnel if employed by a local governmental entity is subject to all rules and regulations of the commission pertaining to fire protection personnel.

Source Note: The provisions of this §495.203 adopted to be effective March 23, 1994, 19 TexReg 1682.

§495.205. Nongovernmental Personnel.

An individual that is not employed by a local governmental entity is subject to all rules and regulations of the commission pertaining to fire protection personnel if the individual would be a fire protection personnel if the person was employed by a local governmental entity and:

(1) provides fire protection to a local governmental entity under a contract or other agreement between the individual and the local governmental entity; or

(2) provides fire protection to a local governmental entity under a contract or other agreement between a governmental entity and a nongovernmental organization regulated under §495.201 of this title (relating to Nongovernmental Organizations).

Source Note: The provisions of this §495.205 adopted to be effective March 23, 1994, 19 TexReg 1682.

§495.207. Regulation and Certification.

A nongovernmental organization that is subject to regulation under this chapter on September 1, 1993, is subject to all rules and regulations of the commission effective immediately.

Source Note: The provisions of this §495.207 adopted to be effective March 23, 1994, 19 TexReg 1682; amended to be effective December 24, 2002, 27 TexReg 12008

16. Discussion and possible action on 37 TAC, Chapter 467, Fire Marshal, as referred from the Curriculum and Testing Committee.

CHAPTER 467

FIRE MARSHAL

SUBCHAPTER A

MINIMUM STANDARDS FOR BASIC FIRE MARSHAL

§467.1. BASIC FIRE MARSHAL CERTIFICATION.

- (a) A Fire Marshal is defined as an individual designated to provide delivery, management, and/or administration of fire protection- and life safety-related codes and standards, investigations, education, and/or prevention services.
- (b) All individuals holding a Fire Marshal certification shall be required to comply with the continuing education requirements in Chapter 441 of this title (relating to Continuing Education).
- (c) Special temporary provision. Individuals are eligible to take the Commission examination for Basic Fire Marshal by:
 - (1) holding as a minimum, Instructor I certification through the Commission; and
 - (2) holding as a minimum, Fire Investigator certification through the Commission; and
 - (3) holding as a minimum, Fire Inspector certification through the Commission
 - (4) All applications for testing during the special temporary provision period must be received no earlier than August 1, 2023, and no later than August 1, 2024.
 - (5) This subsection will expire on August 30, 2024

§467.3. Minimum Standards for Basic Fire Marshal Certification.

In order to be certified as a Basic Fire Marshal, an individual must:

- (1) hold Basic Fire Inspector certification through the Commission; and
- (2) hold Basic Fire Investigator or Basic Arson Investigator certification through the Commission; and
- (3) hold Fire and Life Safety Educator I certification through the Commission; and
- (4) complete a Commission-approved Fire Marshal program and successfully pass the Commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Fire Marshal program must consist of the following:
- (5) completion of a Commission-approved Fire Marshal Curriculum as specified in Chapter 15 of the Commission's Certification Curriculum Manual.

§467.5. Examination Requirement.

- (a) Examination requirements in Chapter 439 of this title (relating to Examinations for Certification) must be met to receive Basic Fire Marshal certification.
- (b) Individuals will be permitted to take the Commission examination for Basic Fire Marshal certification by documenting the following:
 - (1) **Basic Inspector certification through the Commission; and**
 - (2) **Basic Fire Investigator or** Basic Arson Investigator certification **through the**

Commission; and

(3) Fire and Life Safety Educator I certification through the Commission; or

(4) the equivalent IFSAC seals and completing a Commission-approved Basic Fire Marshal curriculum.

§467.7. Reserved. (IFSAC)

CHAPTER 467**FIRE MARSHAL****SUBCHAPTER B****MINIMUM STANDARD FOR INTERMEDIATE FIRE MARSHAL CERTIFICATION****§467.201. Intermediate Fire Marshal Certification.**

Applicants for Intermediate Fire Marshal certification must complete the following requirements:

- (1) hold as a prerequisite a Basic Fire Marshal certification as defined in §467.3 of this title (relating to Minimum Standards for Basic Fire Marshal Certification); and
- (2) hold Intermediate Fire Inspector certification through the Commission; and
- (3) hold Intermediate Fire Investigator or Intermediate Arson Investigator through the Commission; and
- (4) hold Fire and Life Safety Educator II certification through the Commission; and
- (5) acquire a minimum of four years of fire protection experience

CHAPTER 467**FIRE MARSHAL****SUBCHAPTER C****MINIMUM STANDARDS FOR ADVANCED FIRE MARSHAL CERTIFICATION****§467.301. Advanced Fire Marshal Certification.**

Applicants for Advanced Fire Marshal certification must complete the following requirements:

- (1) hold as a prerequisite an Intermediate Fire Marshal certification as defined in §467.5 of this title (relating to Minimum Standards for Intermediate Fire Marshal Certification); and
- (2) hold Advanced Fire Inspector certification through the Commission; and
- (3) hold Advanced Fire Investigator or Advanced Arson Investigator through the Commission; and
- (4) hold Fire Plans Examiner certification through the Commission; and
- (5) acquire a minimum of eight years of fire protection experience.

CHAPTER 467
FIRE MARSHAL
SUBCHAPTER D
MINIMUM STANDARD FOR MASTER FIRE MARSHAL CERTIFICATION

§467.401. Master Fire Marshal Certification.

Applicants for Master Fire Marshal certification must complete the following requirements:

- (1) hold as a prerequisite an Advanced Fire Marshal certification as defined in §467.5 of this title (relating to Minimum Standards for Advanced Fire Marshal Certification); and
- (2) hold Master Fire Inspector certification through the Commission; and
- (3) hold Master Fire Investigator or Master Arson Investigator through the Commission; and
- (4) 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 any combination of Fire Science and/ or Criminal Justice. College-level courses from both the upper and lower division may be used to satisfy the education requirements for Master Fire Marshal Certification.

17. Discussion and possible action on filling the current vacancies on committees.

18. Matters from the Agency Chief:

A. Update regarding agency duties and responsibilities.

B. Decision of the Agency Chief in contested cases and consent orders.

C. Status regarding division functions:

i. Training Approval & Testing – test administered, training approvals, record reviews, and online training audits.

ii. Certification & Professional Development – training applications, IFSAC seals issued, certifications issued, training facilities, curriculum development, library resource requests.

iii. Compliance – biennial inspections, compliance officers training, issues involving regulated entities.

iv. Information Technology – public website design, FARM and FIDO improvements, CAPPS (Central Accounting Payroll/Personnel System), IT security policy, and service requests.

Commission Quarterly Report

Training Approval and Testing Section

- **Test Administration, Training Approvals, Record Reviews, and Training Audits Statistics – 4th Quarter, FY 2023**
 - **Test Administration** – 5480 exams were administered during this quarter with a pass rate of 82.37%. ***YTD***25,494
 - **Training Approvals** – Total of 1206 training approvals were submitted with start dates during this quarter in the commission’s Training Facility Management System.
 - **Record Reviews** – One hundred seventy-six (176) record reviews for equivalency were conducted (48 SFFMA (46 Structure/1 Inspector/1Plan Examiner)/128 out of state, education, expired test scores, expired certifications, and Wildland). Eighty-eight (88) out of state, education and Wildland reviews were approved, three (3) were denied and one (1) pending for additional information. Two hundred eighty-three (283 – includes expired certifications and expired test scores) Qual numbers were issued in the Training Facility Management System.
 - **Training and Skill Testing Audits** – Thirty-nine (39) online training audits were conducted during the 4th quarter. Ten (10) had no deficiencies noted. Two (2) were referred to compliance due to violations that were corrected with education. Twenty-seven (27) had minor deficiencies such as no syllabus attached, no Instructor contact, no course schedule, no textbook information, or no skills examiners. All issues were resolved in one or two days.
 - **Online Testing Centers Added:**
 - Del Mar College OSO Campus – Corpus Christi
 - Southwest Houston Testing Center - Houston
 - Hill College - Burleson
 - Howard College – San Angelo

Activities for the Next Quarter:

- Proceed with onboarding at least 4 additional testing centers.
- Conduct temporary provision testing for the new Fire Marshal certification.
- Work with IT to develop Batch Applications and Group Mastery Reports for Training Facilities to make scheduling students for online testing easier.

****Written and Online Exams between June 1st – August 31st (First Attempts)**

Online Exams: 2842 (Pass Rate 82.4%)

Written Exams: 747 (Pass Rate 86.8%)

	Q1	Q2	Q3	Q4
<u>Certification/Renewal:</u>				
Professional Development Training Applications				2453
<u>Issued:</u> IFSAC Seals				1954
TCFP Certifications				4334
Criminal History				643
Medical documents:				808
Confirmation of Commissions (Peace Officer)				48
Service time applications				119
<u>Renewals:</u> Department Personnel				8
Certified Training Facilities				7161
Individual Certified Holders				21
Registered Seals: IFSAC				411
TEEX Proboard				236
Total number of Training Facilities				395

Quarterly Report – Curriculum Development

3rd Quarter Meeting Dates:

Commission Meeting

- August 10

Fire Fighter Advisory Committee

No Agenda Items

Curriculum and Testing Committee

- June 13-14
- July 11 – Zoom
- July 25 – Zoom

Fire Marshal Ad Hoc Committee

- June 8

Fire and Life Safety Educator Committee

- July 19
- August 29-30

HazMat Committee

- August 1-2

Inspector Ad-Hoc Committee

- July 19

- August 30-31

Rope Technical Rescue Committee

- August 23 - Zoom

Meetings: Detail

- **Texas Commission on Fire Protection – April 20, 2023 9:00 a.m.**
 - Rope Rescue review
- **Fire Fighter Advisory Committee**
 - No agenda items
- **Curriculum and Testing Committee**
 - June 13-14
 - Rope Texas Administrative Code 469
 - July 11 – Zoom
 - Rope Rescue Question Review
 - July 25 – Zoom
 - Rope Rescue Question Review
- **Fire Marshal Ad Hoc Committee –**
 - June 8
 - Test Dry Run
- **Hazmat Ad Hoc Committee**
 - August 1-2
 - Test Question Review
- **Rope Rescue Ad Hoc Committee**
 - **August 23 – Zoom**
 - Curriculum Manuals
 - Skills Manuals
 - Texas Administrative Code
 - Test Question Review
- **Inspector Ad Hoc Committee**
 - **July 19**
 - Test Question Review
 - **August 30-31**
 - Curriculum Manuals
 - Skills Manuals
 - Texas Administrative Code
 - Test Question Review
 -
- **Fire Life and Safety Ad Hoc Committee**
 - **July 19**
 - Test Question Review
 - **August 29-30**

- Curriculum Manuals
- Skills Manuals
- Texas Administrative Code
- Test Question Review

FARM Updates

- Yearly FARM Maintenance
- Fire Marshall test and certification go live

Test Question Feedback Review

- Feedback Scheduled Review-
 - Reviewed June 2
 - Reviewed June 16
 - Reviewed June 30
 - Reviewed July 14
 - Reviewed July 28
 - Reviewed August 11
 - Reviewed August 25

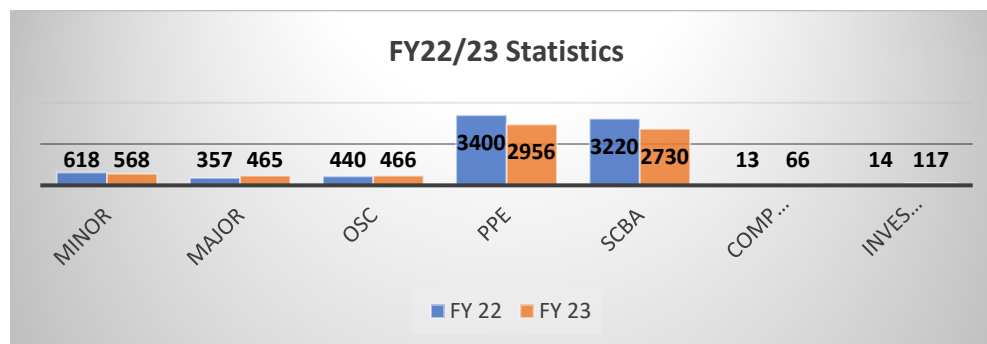
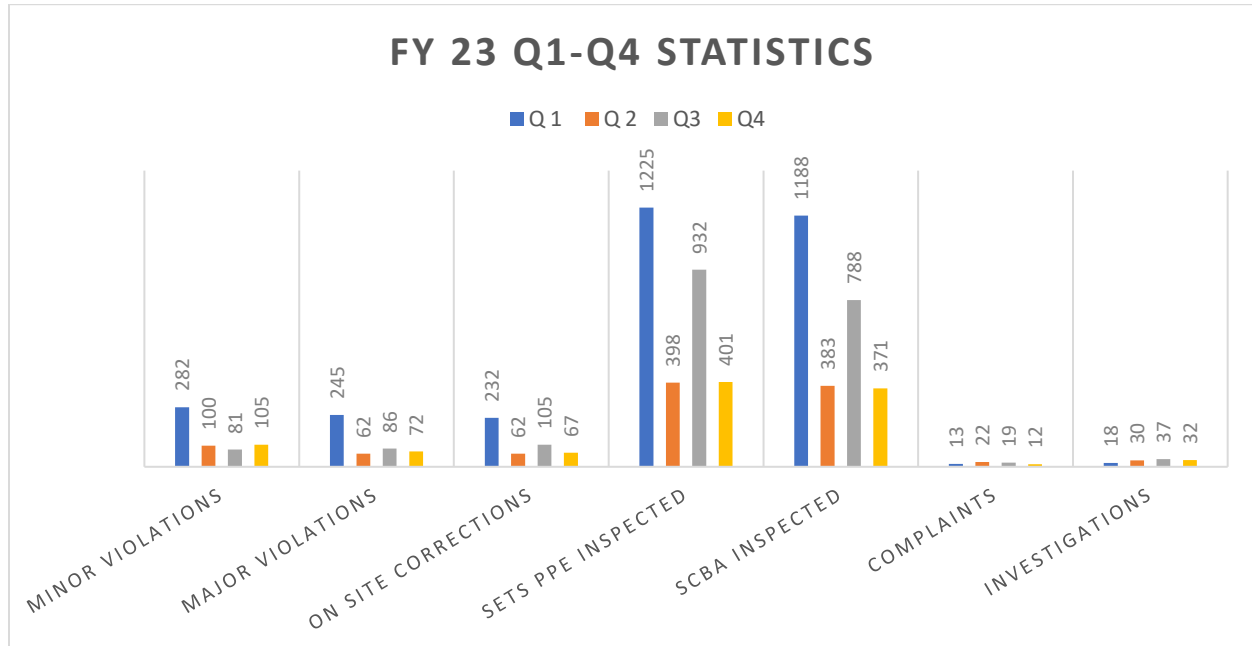
Note: Unscheduled Reviews were conducted when needed by the Testing Department and/ or Curriculum, or when stakeholders reached out via. phone or email – on day of request.

Test Development and Test Bank Maintenance

- Updated test bank
 - Feedback questions – Reviewed, Edited, or Archived - Ongoing
 - Question validation/ Reference updates – Ongoing all disciplines

Commission Quarterly Report Compliance Division

Compliance Inspection Activity statistics:



7 regional meetings

Worked with testing to establish more on-line testing centers

Internal training

Staffed TIFMAS EOC at TFS

Working with PPE/SCBA manufacturers to set up quarterly training

Interviews for Compliance Officer position

1 request for a complete department review

Inspection files forwarded to compliance chief for further action: 2

IT Division report for 4th quarter:

- TCFP Websites and Web Applications Uptime 99%
- Veeam Server Support
- Databases
 - Optimized for renewal.
- Online Exam
 - Update test bank
 - Fixed retest eligibility
- FARM & FIDO
 - Prep for renewal
 - Optimized for renewal.
 - Injury report updated.
- Docs/Tools
 - Updated incident in Tools
 - Update PDF templates
- Addressed 386 Service Requests (Tickets)

19. Personal matters regarding the appointment, employment, compensation, Evaluation, reassignment, and duties of the Agency Chief.

20. Adjourn meeting.

