

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

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

- 3. Proposed amendments to title 37 TAC, Chapter 431, Fire Investigation, Subchapter A, Minimum Standards for Arson Investigator Certification, including but not limited to, §431.1, Minimum Standards for Arson Investigation Personnel, §431.3, Minimum Standards for Basic Arson Investigator Certification, §431.5, Minimum Standards for Intermediate Arson Investigator Certification, §431.7, Minimum Standards for Advanced Arson Investigator Certification, §431.9, Minimum Standards for Master Arson Investigator Certification, §431.11, Minimum Standards for Arson Investigator Certification for Law Enforcement Personnel, and §431.13, International Fire Service Accreditation Congress (IFSAC) Seal, Subchapter B, §431.201, Minimum Standards for Fire Investigation Personnel, §431.203, Minimum Standards for Fire Investigator Certification, §431.205, Minimum Standards for Intermediate Fire Investigator Certification, §431.207, Minimum Standards for Advanced Fire Investigator Certification, §431.209, Minimum Standards for Master Fire Investigator Certification, and §431.211, International Fire Service Accreditation Congress (IFSAC) Seal—Fire Investigator**

CHAPTER 431

FIRE INVESTIGATION

SUBCHAPTER A

MINIMUM STANDARDS FOR ARSON INVESTIGATOR CERTIFICATION

§431.1 Minimum Standards for Arson Investigation Personnel.

- (a) Fire protection personnel who are appointed arson investigation duties must be certified, as a minimum, as a basic arson investigator as specified in §431.3 of this title (relating to Minimum Standards for Basic Arson Investigator Certification) within one year from the date of initial appointment to such position.
- (b) Prior to being appointed to arson investigation duties, fire protection personnel must complete a commission approved basic fire investigator training program, successfully pass the commission examination pertaining to that curriculum, and possess a current peace officer license from the Texas Commission on Law Enforcement ~~[Officer Standards and Education]~~ or document that the individual is a federal law enforcement officer.
- (c) Personnel holding any level of arson investigation certification shall be required to comply with the continuing education requirements in §441.15 of this title (relating to Continuing Education for Arson Investigator or Fire Investigator).

§431.3 Minimum Standards for Basic Arson Investigator Certification.

In order to be certified by the commission~~[Commission]~~ as a Basic Arson Investigator an individual must:

- (1) possess a current basic peace officer's license from the Texas Commission on Law Enforcement~~[Officer Standards and Education]~~ or documentation that the individual is a federal law enforcement officer;
- (2) hold a current license as a peace officer and notify the commission~~[Commission]~~ on the prescribed form regarding the law enforcement agency currently holding the individual's peace officer license; and
- (3) possess valid documentation of accreditation from the International Fire Service Accreditation Congress as a Fire Investigator; or
- (4) complete a commission~~[Commission]~~ approved basic fire investigation training program and successfully pass the commission~~[Commission]~~ examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved fire investigation training program shall consist of one of the following:
 - (A) completion of the commission~~[Commission]~~ approved Fire Investigator Curriculum, as specified in Chapter 5 of the commission's~~[Commission's]~~ Certification Curriculum Manual;
 - (B) successful completion of an out-of-state, NFA, or military training program which has been submitted to the commission~~[Commission]~~ for evaluation and found to meet the minimum requirements as listed in the commission~~[Commission]~~ approved Fire Investigator Curriculum as specified in Chapter 5 of the commission's~~[Commission's]~~ Certification Curriculum Manual; or

(C) successful completion of the following college courses: Fire and Arson Investigation I or II, 3 semester hours; Hazardous Materials I, II, or III, 3 semester hours; Building Construction in the Fire Service or Building Codes and Construction, 3 semester hours; Fire Protection Systems, 3 semester hours. Total semester hours, 12.

§431.5 Minimum Standards for Intermediate Arson Investigator Certification.

- (a) Applicants for Intermediate Arson Investigator Certification must complete the following requirements:
- (1) hold as a prerequisite a Basic Arson Investigator Certification as defined in §431.3 of this title (relating to Minimum Standards for Basic Arson Investigator Certification); and
 - (2) acquire a minimum of four years of fire protection experience and complete the requirements listed in one of the following options:
 - (A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or
 - (B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses (See the exception outlined in subsection (c) of this section); or
 - (C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1 with either one A-List course or four B-List courses (See the exception outlined in subsection (c) of this section); or
 - (D) Option 4--Hold current Intermediate Peace Officer certification from the Texas Commission on Law Enforcement[~~Officer Standards and Education (TCLEOSE)~~] with four additional law enforcement courses applicable for fire investigations (See exception outlined in subsection (c) of this section).
- (b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in the fire service, may not be counted toward this level of certification.
- (c) The training required in this section must be in addition to any training used to qualify for any lower level of Arson Investigator Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§431.7 Minimum Standards for Advanced Arson Investigator Certification.

- (a) Applicants for Advanced Arson Investigator certification must complete the following requirements:
- (1) hold as a prerequisite an Intermediate Arson Investigator Certification as defined in §431.5 of this title (relating to Minimum Standards for Intermediate Arson Investigator Certification); and
 - (2) acquire a minimum of eight years of fire protection experience and complete the requirements listed in one of the following options:
 - (A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or

- (B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses[-] (See the exception outlined in subsection (c) of this section); or
- (C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1 with either one A-List course or four B-List courses (See the exception outlined in subsection (c) of this section); or
- (D) Option 4--Advanced Arson for Profit or Complex Arson Investigative Techniques (Bureau of Alcohol, Tobacco, Firearms, and Explosives resident or field course, 80 hours); or
- (E) Option 5--Hold current Advanced Peace Officer certification from the Texas Commission on Law Enforcement ~~[Officer Standards & Education (TCLEOSE)]~~ with four additional law enforcement courses applicable for fire investigations[-] (See exception outlined in subsection (c) of this section[-]).
- (b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in the fire service, may not be counted toward this level of certification.
- (c) The training required in this section must be in addition to any training used to qualify for any lower level of Arson Investigator Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

CHAPTER 431
FIRE INVESTIGATION
SUBCHAPTER B
MINIMUM STANDARDS FOR FIRE INVESTIGATOR CERTIFICATION

§431.209 Minimum Standards for Master Fire Investigator Certification.

- (a) Applicants for Master Fire Investigator Certification must complete the following requirements:
- (1) hold as a prerequisite an Advanced Fire Investigator Certification as defined in §431.207 of this title (relating to Minimum Standards for Advanced Fire Investigator Certification); and
 - (2) acquire a minimum of twelve years of fire protection experience;¹⁷ and
 - (3) sixty college semester hours or an associate degree, that must include ~~[which includes]~~ at least eighteen college semester hours in fire science subjects or criminal justice subjects related to fire and/or arson investigation.**
- (b) College level courses from both the upper and lower division may be used to satisfy the education requirement for Master Fire Investigator Certification.