

TEXAS COMMISSION ON FIRE PROTECTION**April 9, 2015, 10:00 a.m.****1701 N. Congress Ave., William B. Travis Building, Room 1-104, Austin, Texas**

- 1. Roll call – 10:00 a.m. (including consideration of whether to excuse absences).**
- 2. Adoption of the commission meeting minutes of January 28, 2015 and January 29, 2015.**
- 3. The Budget and Strategic Plan subcommittees may meet separately or together on April 9, 2015 during the commission meeting and provide reports for discussion and possible action relating to any recommendations developed by the subcommittees, including but not limited to, modifications to the agency operating budget and strategic plan.**
- 4. Reports from fire service interest groups and agencies on matters relating to organizational purposes, functions, and objectives, including, but not limited to, the Texas Fire Chiefs Association, the Texas State Association of Fire Fighters, the State 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, and the State Fire Marshal's Office.**
- 5. Discussion and possible action concerning reports by the commission representative to the Texas Fire School Advisory Board and by representatives of the Texas Engineering Extension Service (TEEX) regarding fire protection training provided by TEEX through its Emergency Services Training Institute (ESTI).**
- 6. Discussion and possible action regarding report from commission representative to the Homeland Security Council.**
- 7. New matters from the commission, staff, or public which may be discussed in future commission meetings.**
- 8. Discussion and possible action on future meeting dates.**
- 9. Discussion and possible action on fire fighter injury data collected for 2014 for inclusion in the annual report to be sent to the State Fire Marshal's Office.**
- 10. Discussion and possible action regarding rule changes for higher levels of certification.**
- 11. Matters referred from the Fire Fighter Advisory Committee (FFAC), including, but not limited to:**
 - A. Discussion and possible action on proposed amendments, new sections, and repeals as follows:**
 - 1. Discussion and possible action regarding proposed amendments to title 37, TAC, Chapter 423, Fire Suppression.**
 - 2. Discussion and possible action regarding proposed amendments to title 37, TAC, Chapter 425, Fire Service Instructors.**
 - 3. Discussion and possible action regarding proposed amendments to title 37, TAC, Chapter 429, Fire Inspector.**
 - 4. Discussion and possible action regarding proposed amendments to title 37, TAC, Chapter 431, Fire Investigation.**

5. Discussion and possible action regarding proposed amendments to title 37, TAC, Chapter 433, Minimum Standards for Driver/Operator-Pumper.
 6. Discussion and possible action regarding proposed amendments to title 37, TAC, Chapter 435, Fire Fighter Safety.
 7. Discussion and possible action regarding proposed amendments to title 37, TAC, Chapter 441, Continuing Education.
 8. Discussion and possible action regarding proposed amendments to title 37, TAC, Chapter 451, Fire Officer.
 9. Discussion and possible action regarding proposed amendments to title 37, TAC, Chapter 453, Hazardous Materials.
- B. Report from the Curriculum and Testing Committee with discussion and possible action on recommendations regarding possible changes to the Certification Curriculum Manual, including but not limited to the following:**
- a. Fire Investigator reference list
 - b. Driver/Operator-Pumper reference list
12. Discussion and possible action on matters from the Executive Director.
- A. Decisions of the Executive Director in contested cases and consent orders.
 - B. Status of division functions.
13. Executive session pursuant to Section 551.074, Texas Government Code for the discussion of personnel matters: the appointment, employment, compensation, evaluation, reassignment, duties, discipline, or dismissal of the Executive Director, and the appointment, employment, reassignment, or duties of personnel acting on an Interim basis in this position.
14. Open session for further discussion and possible action regarding preceding agenda item.
15. Adjourn meeting.

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

1. **Roll call - 10:00 a.m. (including consideration of whether to excuse absences).**

2. **Adoption of the commission meeting minutes of January 28, 2015 and January 29, 2015.**

TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, Steve Tull, at 1:00 p.m. called the January 28, 2015 legislative workshop meeting of the Texas Commission on Fire Protection to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

Commissioners	Elroy Carson	Pat Ekiss	Yusuf Farran	Carl Giles	John Gillette
Attending	Joseph Gonzalez	John Green*	John McMakin	Robert Moore	Leonardo Perez
	Ronald Poynter*	Steve Tull	Tivy Whitlock		
					*absent entire meeting
					**absent part of meeting

Staff Present Tim Rutland Deborah Cowan

1. **Roll call** John Gillette, Secretary called roll and a quorum was present.
2. **Discussion of agency Strategic Plan, Legislative Appropriations Request (LAR), performance measures, commission administrative attachment study and the upcoming legislative session.**

Discussion item only. No action necessary.

3. **The Budget and Strategic Plan subcommittees may meet during the workshop to discuss the agency's operating budget and strategic plan.**

The subcommittees did not meet.

4. **Discussion on report from Structure/Proximity protective clothing work group.**

Discussion item only. No action necessary.

5. **Adjourn meeting.**

A motion was made by Elroy Carson and seconded by Leonardo Perez to adjourn the meeting at 5:15 p.m. The motion failed by a vote of 4 for and 6 against.

Further discussion was held regarding previous agenda item.

A second motion was made by Elroy Carson and seconded by Carl Giles to adjourn the meeting at 6:00 p.m. The motion carried.

Steve Tull, Presiding Officer

TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, Steve Tull, at 10:00 a.m. called the January 29, 2015 meeting of the Texas Commission on Fire Protection to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

Attending	Elroy Carson	Pat Ekiss	Yusuf Farran	Carl Giles	John Gillette
	Joseph Gonzalez	John Green*	John McMakin	Robert Moore	Leonardo Perez
	Ronald Poynter*	Steve Tull	Tivy Whitlock		

*absent entire meeting
**absent part of meeting

Staff	Tim Rutland	Deborah Cowan	Paul Maldonado	Lisa Gonzalez	Sylvia Miller
	Joyce Guinn	Andrew Lutostanski, Assistant Attorney General			

Guests	Cary Roccaforte	Lynn Bizzell	Mike Hunt	Scott Thompson	Jim Reidy
	Ronald Krusleski	Leonard Chan	Brian McKinney	Jessie Gentry	Tommy Prevost
	Levi Clements	Tommy Harpeil	Chris Barron	Juan Meza	Jorge Oyervides
	Alfredo Garza, Jr.	James Mallinger	Larry Wright	Thomas McMonigle	Ronnie Tocci
	William Ward	Kevin Hosier	William Dicker	Wendell Burton	Rafael Torres
	Jackie Metcalfe	Billy Gill	Kirk Turner	Roy "Jay" Brooks, Jr.	Martin Vela
	Travis Walden	Lyle Lombard	Daniel DeYear	Christopher Sanchez	Mike Swinnea
	Mike Mulligan	Jason Jackson	James McAmis	Amado Cano, Jr.	Chris Connealy
	Laurie Christenson	Robert Havens	Stephen Watson	Johnny Villarreal	Sean Dailey

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1. Roll call John Gillette, Secretary called roll and a quorum was present. Presiding Officer, Steve Tull introduced new Commissioner Tivy Whitlock.

 2. Adoption of Minutes A motion to approve the minutes of the October 16, 2014 commission meeting was made by John Gillette and seconded by Joseph Gonzalez. The motion carried.

 3. Budget and Strategic Plan Subcommittee Meeting/Reports The subcommittees met together to review the agency's budget and performance measures. No action necessary.

 4. Reports from Fire Service Interest Groups Brief reports were given by the State Firefighters' and Fire Marshals' Association, the Texas Fire Marshals Association, and the State Fire Marshal's Office.

 5. Report from Fire Service School Advisory Board & TEEX Commission representative Michael Hunt gave a brief update on the committee's actions since the last commission meeting.

 6. Report on Homeland Security Council Commission Representative, Joseph Gonzalez, informed commissioners the committee met on January 27, 2015 with discussion on the Homeland Security Strategic Plan for 2015-2020, the State Preparedness Plan, cyber security for oil and gas industry, Ebola outbreak, resiliency on the drought program and Texas Suspicious Activity Reporting Program.

7. New Matters Higher levels of certification
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8. Future meeting dates The commission scheduled its next meeting for April 9, 2015 beginning at 10:00 a.m.
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9. Report from Workgroup on Structure Proximity PPE Presiding Officer, Steve Tull gave a brief update on the report from the subcommittee. A motion was made by Leonardo Perez and seconded by Robert Moore to have staff work on a template for the fire service to help departments do the risk assessment and possible examples; also to allow a two year window for departments to complete the assessment and have it signed by the department Fire Chief. The motion carried.
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10. Report regarding commission attachment Tim Rutland, Executive Director informed commissioners the committee completed its report and it is available on the agency's website. He also informed commissioners that a copy was provided to Representative Simmons office.
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11. Matters from Fire Fighter Advisory Committee
- A. 1. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 401, §§401.1, 401.3, 401.21, 401.23, 401.31, 401.41, 401.43, 401.45, 401.47, 401.49, 401.51, 401.53, 401.55, 401.57, 401.59, 401.61, 401.63, 401.65, 401.101, 401.103, 401.105, 401.121, 401.127, 401.129, and 401.131 with changes to §401.105 as discussed was made by Joseph Gonzalez and seconded by Pat Ekiss. The motion carried.
2. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 445, §§445.7, 445.9, 445.11, 445.13, 445.15, as discussed was made by Robert Moore and seconded by John Gillette. The motion carried.
3. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 449, §§449.1, 449.3, 449.201, and 449.203 with changes as discussed was made by John Gillette and seconded by Elroy Carson. The motion carried.
- B. A motion to approve the recommended changes to the curriculum, curriculum outline and reference lists for Hazardous Materials Awareness, Hazardous Materials Operations, Hazardous Materials Operations – Mission Specific Competencies, Hazardous Materials Technician and Hazardous Materials Incident Commander as discussed was made by John Gillette and seconded by Leonardo Perez. The motion carried.
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12. 37 TAC, Chapter 403 Commissioner Gillette advised commission members more meetings need to be scheduled by the Ad-Hoc committee before any recommended rule changes can be drafted. No action necessary.
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13. Matters from Executive Director a. Tim Rutland, Executive Director reported no informal conferences had occurred since the last commission meeting

- b. Mr. Rutland informed commissioners that staff continues to work on development of a penalty matrix and would provide a copy at its next commission meeting. He also informed commissioners that staff continues to work to develop on-line testing and application/payment process. The agency is also working on the development of its website capability for mobile devices. Mr. Rutland informed commissioners there is a link available on the agency website where various bills filed by the legislature can be viewed.
- c. Mr. Rutland provided an update to commissioners. No action necessary.

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| 14. Executive Session | Presiding Officer, Steve Tull did not call for the Executive Session. |
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| 15. Open Session | No action necessary. |
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| 16. Adjournment | A motion to adjourn was made by Carl Giles and seconded by John Gillette. The motion carried. |
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Steve Tull, Presiding Officer

- 3. The Budget and Strategic Plan subcommittees may meet separately or together on April 9, 2015 during the commission meeting and provide reports for discussion and possible action relating to any recommendations developed by the subcommittees, including but not limited to, modifications to the agency operating budget and strategic plan.**

Texas Commission on Fire Protection
Fiscal Year 2015 - Operating Budget
Thru: February 28, 2015

Summary

Goals:	FY15 Budget	FY15 Expended	Balance	%
Education, Information and Assistance	88,457.66	44,645.40	43,812.26	
Fire Department Standards	824,733.53	394,733.10	430,000.43	
Indirect Administration	709,480.02	296,133.80	413,346.22	
1001 - Salaries & Wages:	1,622,671.21	735,512.30	887,158.91	55%
Education, Information and Assistance	1,928.37	323.20	1,605.17	
Fire Department Standards	22,039.08	15,486.52	6,552.56	
Indirect Administration	35,233.96	18,548.00	16,685.96	
1002 - Other Personnel Costs	59,201.41	34,357.72	24,843.69	42%
Education, Information and Assistance	100.00	19.05	80.95	
Fire Department Standards	3,000.00	162.04	2,837.96	
Indirect Administration	16,900.00	16,884.17	15.83	
2001 - Professional Fees and Services:	20,000.00	17,065.26	2,934.74	15%
Education, Information and Assistance	1,205.00	1,030.51	174.49	
Fire Department Standards	10,100.00	2,462.05	7,637.95	
Indirect Administration	4,071.40	833.59	3,237.81	
2003 - Consumable Supplies:	15,376.40	4,326.15	11,050.25	72%
Education, Information and Assistance	-	7.87	(7.87)	
Fire Department Standards	12,300.00	3,487.03	8,812.97	
Indirect Administration	-	47.23	(47.23)	
2004 - Utilities:	12,300.00	3,542.13	8,757.87	71%
Education, Information and Assistance	1,500.00	70.98	1,429.02	
Fire Department Standards	70,800.00	28,111.40	42,688.60	
Indirect Administration	29,300.00	8,969.47	20,330.53	
2005 - Travel:	101,600.00	37,151.85	64,448.15	63%
Education, Information and Assistance	180.00	3.89	176.11	
Fire Department Standards	200.00	32.89	167.11	
Indirect Administration	2,000.00	203.22	1,796.78	
2006 - Rent - Building (storage):	2,380.00	240.00	2,140.00	90%
Education, Information and Assistance	1,117.23	486.70	630.53	
Fire Department Standards	10,353.93	4,137.10	6,216.83	
Indirect Administration	6,000.00	2,920.26	3,079.74	
2007 - Rent - Machine and Other:	17,471.16	7,544.06	9,927.10	57%
Education, Information and Assistance	17,368.50	3,180.59	14,187.91	
Fire Department Standards	76,493.12	35,313.28	41,179.84	
Indirect Administration	32,383.91	17,999.36	14,384.55	
2009 - Other Operating Expense:	126,245.54	56,493.23	69,752.31	55%
Education, Information and Assistance	-	-	-	
Fire Department Standards	17,500.00	12,464.53	5,035.47	
Indirect Administration	-	-	-	
4000 - Grants:	17,500.00	12,464.53	5,035.47	29%
Education, Information and Assistance	-	-	-	
Fire Department Standards	-	-	-	
Indirect Administration	-	-	-	
5000 - Capital Expenditures:	-	-	-	0%
TOTAL - ALL EXPENDITURES	1,994,745.72	908,697.23	1,086,048.49	54%

Texas Commission on Fire Protection
Fiscal Year 2015 - Operating Budget
Thru: February 28, 2015

Goal A: Education, Info and Assistance

	Library	IT	Grants	Total	%
Budget:	88,457.66	0.00	0.00	88,457.66	0
Expended:	44,645.40	0.00	0.00	44,645.40	
1001 - Balance Salaries & Wages:	43,812.26	0.00	0.00	43,812.26	50%
Other Personnel Costs:					
7040- ERS-Retirement Contribution	223.20	0.00		223.20	
Budget:	1,928.37	0.00	0.00	1,928.37	0
Expended:	323.20	0.00	0.00	323.20	
1002 - Balance Other Personnel Costs	1,605.17	0.00	0.00	1,605.17	83%
Professional Fees and Services:					
Budget:	100.00	0.00	0.00	100.00	0
Expended:	19.05	0.00	0.00	19.05	
2001 - Balance Professional Fees and Services:	80.95	0.00	0.00	80.95	81%
Budget:	555.00	650.00		1,205.00	0
Expended:	155.55	874.96		1,030.51	
2003 - (7300) Balance Consumable Supplies:	399.45	-224.96	0.00	174.49	14%
Utilities:					
7501- Electricity	7.87	0.00		7.87	
7503- Telecommunications-Long Distance	0.00	0.00		0.00	
7504- Telecommunications-Monthly Charge	0.00	0.00		0.00	
7510- Telecommunications Parts & Supplies	0.00	0.00		0.00	
7514- Telecommunications-Maint & Repair	0.00	0.00		0.00	
7516- Telecommunications-Other Charges (reg voice/internet)	0.00	0.00		0.00	
7517- Telecommunications Equipment	0.00	0.00		0.00	
Budget:	0.00	0.00	0.00	0.00	0
Expended:	7.87	0.00	0.00	7.87	
2004 - Balance Utilities:	-7.87	0.00	0.00	-7.87	0%
Travel:					
Budget:	1,500.00	0.00	0.00	1,500.00	0
Expended:	70.98	0.00	0.00	70.98	
2005 - Balance Travel:	1,429.02	0.00	0.00	1,429.02	95%
Budget:	180.00	0.00	0.00	180.00	0
Expended:	3.89	0.00	0.00	3.89	
2006 - (7470) Balance Rent - Building (storage):	176.11	0.00	0.00	176.11	98%
Rent - Machine and Other:					
7411- Rental - Computer Equipment	128.10	0.00		128.10	
Budget:	1,117.23	0.00	0.00	1,117.23	0
Expended:	486.70	0.00	0.00	486.70	
2007 - Balance Rent - Machine and Other:	630.53	0.00	0.00	630.53	56%
Other Operating Expense:					
7042- ERS Insurance Payment	446.46	0.00		446.46	
7201- Membership Dues	15.00	0.00		15.00	
7291- Postage & Postal Services	547.69	0.00		547.69	
7377- Computer Equipment - Expensed	4.96	0.00		4.96	
Budget:	17,368.50	0.00	0.00	17,368.50	0
Expended:	3,180.59	0.00	0.00	3,180.59	
2009 - Balance Other Operating Expense:	14,187.91	0.00	0.00	14,187.91	82%
Grants:					
Budget:	0.00	0.00	0.00	0.00	0

Texas Commission on Fire Protection
Fiscal Year 2015 - Operating Budget
Thru: February 28, 2015

Goal A: Education, Info and Assistance

		Library	IT	Grants	Total	%
	Expended:	0.00	0.00	0.00	0.00	
4000 - Balance Grants:		0.00	0.00	0.00	0.00	0%

Texas Commission on Fire Protection
Fiscal Year 2015 - Operating Budget
Thru: February 28, 2015

Goal A: Education, Info and Assistance

	<u>Library</u>	<u>IT</u>	<u>Grants</u>	<u>Total</u>	<u>%</u>
Capital Expenditures:					
Budget:	0.00	0.00	0.00	0.00	0
Expended:	0.00	0.00	0.00	0.00	
5000 - Balance Capital Expenditures:	0.00	0.00	0.00	0.00	0%
Budget:	111,206.76	650.00	0.00	111,856.76	
Expended:	48,893.23	874.96	0.00	49,768.19	
TOTAL BALANCE	62,313.53	(224.96)	0.00	62,088.57	56%

Texas Commission on Fire Protection

Fiscal Year 2015 - Operating Budget

Thru: February 28, 2015

Goal B: Fire Department Standards

	Mgmt	Complnc	Cert	Testing	Curr Dev	Total	%
Budget:	0.00	364,731.88	197,542.47	215,568.00	46,891.18	824,733.53	0.00
Expended:	0.00	174,374.35	98,559.24	95,795.51	26,004.00	394,733.10	
1001 - Balance Salaries & Wages:	0.00	190,357.53	98,983.23	119,772.49	20,887.18	430,000.43	52%
Other Personnel Costs:							
7017- One-Time Merit	0.00	0.00	5,000.00	0.00	0.00	5,000.00	
7022- Longevity Pay	0.00	2,680.00	3,000.00	2,500.00	360.00	8,540.00	
7023- Lump Sum Termination	0.00	0.00	0.00	0.00	0.00	0.00	
7033- Employee Retirement - Other expenses	0.00	0.00	0.00	0.00	0.00	0.00	
7040- ERS Retirement Contribution	0.00	871.86	492.78	451.86	130.02	1,946.52	
7984- Unemployment/TWC	0.00	0.00	0.00	0.00	0.00	0.00	
Budget:	0.00	8,276.28	4,642.15	8,193.47	927.18	22,039.08	0
Expended:	0.00	3,551.86	8,492.78	2,951.86	490.02	15,486.52	
1002 - Balance Other Personnel Costs	0.00	4,724.42	3,850.63	5,241.61	437.16	6,552.56	30%
Professional Fees and Services:							
Budget:	3,000.00	0.00	0.00	0.00	0.00	3,000.00	0.00
Expended:	162.04	0.00	0.00	0.00	0.00	162.04	
2001 - Balance Professional Fees and Serv	2,837.96	0.00	0.00	0.00	0.00	2,837.96	95%
Budget:	3,016.00	700.00	3,984.00	2,300.00	100.00	10,100.00	0.00
Expended:	885.24	590.07	105.00	852.41	29.33	2,462.05	
2003 - (7300) Balance Consumable Supplies	2,130.76	109.93	3,879.00	1,447.59	70.67	7,637.95	76%
Utilities:							
7501- Electricity	66.90	0.00	0.00	0.00	0.00	66.90	
7503- Telecom-Long Distance	0.00	0.00	0.00	0.00	0.00	0.00	
7504- Telecom-Monthly Charge	0.00	0.00	0.00	0.00	0.00	0.00	
7510- Telecom Parts & Supplies	0.00	0.00	0.00	0.00	0.00	0.00	
7514- Telecommunications Equipment	0.00	0.00	0.00	0.00	0.00	0.00	
7516- Telecom-Other (reg voice/internet)	0.00	3,420.13	0.00	0.00	0.00	3,420.13	
7517- Telecommunications Equipment	0.00	0.00	0.00	0.00	0.00	0.00	
Budget:	0.00	12,300.00	0.00	0.00	0.00	12,300.00	0.00
Expended:	66.90	3,420.13	0.00	0.00	0.00	3,487.03	
2004 - Balance Utilities:	66.90	8,879.87	0.00	0.00	0.00	8,812.97	72%
Travel:							
7101- Travel I/S - Public Transportation Fares	0.00	8,777.54	160.47	264.96	0.00	9,202.97	
7102- Mileage	0.00	4,401.45	0.00	286.69	0.00	4,688.14	
7106- Travel I/S - Meals & Lodging	0.00	9,017.71	226.32	99.00	0.00	9,343.03	
Budget:	0.00	41,117.33	1,700.00	27,182.67	800.00	70,800.00	0.00
Expended:	0.00	26,370.50	507.20	1,233.70	0.00	28,111.40	
2005 - Balance Travel:	0.00	14,746.83	1,192.80	25,948.97	800.00	42,688.60	60%
Budget:	100.00	0.00	100.00	0.00	0.00	200.00	0
Expended:	32.89	0.00	0.00	0.00	0.00	32.89	
2006 - Balance Rent - Building :	67.11	0.00	100.00	0.00	0.00	167.11	84%
Rent - Machine and Other:							
7411- Rental - Computer Equipment	1,089.00	0.00	0.00	0.00	0.00	1,089.00	
Budget:	10,353.93	0.00	0.00	0.00	0.00	10,353.93	0.00
Expended:	4,137.10	0.00	0.00	0.00	0.00	4,137.10	

Texas Commission on Fire Protection
Fiscal Year 2015 - Operating Budget
Thru: February 28, 2015

Goal B: Fire Department Standards

	Mgmt	Complnc	Cert	Testing	Curr Dev	Total	%
2007 - Balance Rent - Machine and Other:	6,216.83	0.00	0.00	0.00	0.00	6,216.83	60%
Other Operating Expense:							
7042- ERS Insurance Payment	0.00	1,727.66	985.56	835.10	260.04	3,808.36	
7204- Insurance Premiums and Deductibles	0.00	78.00	0.00	0.00	0.00	78.00	
7219 Fees for Receiving Electronic Payments	0.00	0.00	14,154.89	0.00	0.00	14,154.89	
7273- Reproduction & Printing	134.46	38.50	13.00	1,143.65	0.00	1,329.61	
7276- Communication Services (T-1 Line)	1,096.78	739.01	0.00	0.00	0.00	1,835.79	
7286- Freight & Delivery Services	0.00	0.00	0.00	3,084.92	0.00	3,084.92	
7291- Postage & Postal Services	4,655.37	147.00	0.00	0.00	0.00	4,802.37	
7299- Purchased Contracted Services	95.95	0.00	0.00	0.00	0.00	95.95	
7334- Furnishings & Equipment -Expensed	464.64	521.67	168.98	230.99	385.00	1,771.28	
7335- Parts -Computer Equipment - Expensed	30.71	0.00	0.00	0.00	0.00	30.71	
7367- Personal Property - Maint & Repair	0.00	0.00	0.00	1,037.00	0.00	1,037.00	
7377- Computer Equipment - Expensed	42.23	134.03	222.00	0.00	0.00	398.26	
7806- Interest on Delayed Payment	0.43	0.23	0.00	1.00	0.00	1.66	
7961- STS Transfers-Telecommunications (TexA	728.76	0.00	0.00	0.00	0.00	728.76	
7962- STS transfer to GR (CCTS)	2,144.72	0.00	0.00	0.00	0.00	2,144.72	
Budget:	26,000.00	7,400.00	19,593.12	22,900.00	600.00	76,493.12	0.00
Expended:	9,394.05	3,386.10	15,555.43	6,332.66	645.04	35,313.28	
2009 - Balance Other Operating Expense:	16,605.95	4,013.90	4,037.69	16,567.34	45.04	41,179.84	54%
Grants:							
Budget:	0.00	0.00	17,500.00	0.00	0.00	17,500.00	0.00
Expended:	0.00	0.00	12,464.53	0.00	0.00	12,464.53	
4000 - Balance Grants:	0.00	0.00	5,035.47	0.00	0.00	5,035.47	29%
Capital Expenditures:							
Budget:	0.00	0.00	0.00	0.00	0.00	0.00	0
Expended:	0.00	0.00	0.00	0.00	0.00	0.00	
5000 - Balance Capital Expenditures:	0.00	0.00	0.00	0.00	0.00	0.00	0%
Budget:	42,469.93	434,525.49	245,061.74	276,144.14	49,318.36	1,047,519.67	0.00
Expended:	14,678.22	211,693.01	135,684.18	107,166.14	27,168.39	496,389.94	
TOTAL BALANCE	27,791.71	222,832.48	109,377.56	168,978.00	22,149.97	551,129.73	53%
		434,525.49	227,561.74	276,144.14	49,318.36		

Current Costs for Performance Measures: salaries, other personnel costs, consumables, travel:

	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	After FY	Total
4006 - Certification	56,131.01	51,533.21				107,664.22
4005 - Compliance	100,233.94	104,652.84				204,886.78
4007 - Testing	46,992.21	53,841.27				100,833.48

Texas Commission on Fire Protection
Fiscal Year 2015 - Operating Budget
Thru: February 28, 2015

Goal C: Indirect Administration

	Exec Office	Fin Svcs	Commis	Total	%	
	Budget:	520,101.26	189,378.76	0.00	709,480.02	0.00
	Expended:	212,677.22	83,456.58	0.00	296,133.80	
1001 - Balance Salaries & Wages:		307,424.04	105,922.18	0.00	413,346.22	58%
Other Personnel Costs:						
7022- Longevity Pay		2,860.00	480.00	0.00	3,340.00	
7033- Employee Retirement - Other expenses		0.00	950.12	0.00	950.12	
7040- ERS Retirement Contribution		896.02	361.86	0.00	1,257.88	
	Budget:	16,078.30	19,155.66	0.00	35,233.96	0.00
	Expended:	11,756.02	6,791.98	0.00	18,548.00	
1002 - Balance Other Personnel Costs		4,322.28	12,363.68	0.00	16,685.96	47%
Professional Fees and Services:						
7274- Temporary Employment Agencies		13,456.80	0.00	0.00	13,456.80	
	Budget:	8,900.00	8,000.00	0.00	16,900.00	0.00
	Expended:	13,456.80	3,427.37	0.00	16,884.17	
2001 - Balance Professional Fees and Services:		(4,556.80)	4,572.63	0.00	15.83	0%
	Budget:	1,549.40	2,522.00	0.00	4,071.40	0.00
	Expended:	99.69	733.90	0.00	833.59	
2003 - (7300) Balance Consumable Supplies:		1,449.71	1,788.10	0.00	3,237.81	80%
Utilities:						
7501- Electricity		0.00	47.23	0.00	47.23	0.00
7503- Telecommunications-Long Distance		0.00	0.00	0.00	0.00	
7504- Telecommunications-Monthly Charge		0.00	0.00	0.00	0.00	
7510- Telecommunications Parts & Supplies		0.00	0.00	0.00	0.00	
7514- Telecommunications-Maint & Repair		0.00	0.00	0.00	0.00	
7516- Telecommunications-Other Charges (reg voice/internet)		0.00	0.00	0.00	0.00	
7517- Telecommunications Equipment		0.00	0.00	0.00	0.00	
	Budget:	0.00	0.00	0.00	0.00	0.00
	Expended:	0.00	47.23	0.00	47.23	
2004 - Balance Utilities:		0.00	-47.23	0.00	-47.23	#DIV/0!
Travel:						
7101- Travel I/S - Public Transportation Fares		153.96	0.00	2,027.57	2,181.53	
	Budget:	2,500.00	3,800.00	23,000.00	29,300.00	0.00
	Expended:	354.72	1,212.33	7,402.42	8,969.47	
2005 - Balance Travel:		2,145.28	2,587.67	15,597.58	20,330.53	69%
Rent:						
7462- Rent office space - building		0.00	0.00	0.00	0.00	
7470- Rent Space - storage		180.00	23.22	0.00	203.22	
	Budget:	240.00	1,760.00	0.00	2,000.00	0
	Expended:	180.00	23.22	0.00	203.22	
2006 - (7470) Balance Rent - Building (storage):		60.00	1,736.78	0.00	1,796.78	90%
Rent - Machine and Other:						
7406- Rental - Furnishings & Equipment (copier)		0.00	2,151.60	0.00	2,151.60	
7411- Rental - Computer Equipment		0.00	768.66	0.00	768.66	
	Budget:	0.00	6,000.00	0.00	6,000.00	0.00
	Expended:	0.00	2,920.26	0.00	2,920.26	
2007 - Balance Rent - Machine and Other:		0.00	3,079.74	0.00	3,079.74	51%

Texas Commission on Fire Protection
Fiscal Year 2015 - Operating Budget
Thru: February 28, 2015

Goal C: Indirect Administration

	<u>Exec Office</u>	<u>Fin Svcs</u>	<u>Commis</u>	<u>Total</u>	<u>%</u>
Other Operating Expense:					
7042- ERS Insurance Payment	1,882.03	723.74	0.00	2,605.77	
7071- Employee Moving Expense	0.00	0.00	0.00	0.00	
7201- Membership Dues	150.00	0.00	0.00	150.00	
7203- Registration Fees-Employee Training	0.00	2,900.00	25.00	2,925.00	
7211- Awards	94.00	0.00	0.00	94.00	
7216- Insurance Premiums - appvd by oag	0.00	0.00	0.00	0.00	
7262- Maint & Repair - Computer Software	249.00	111.74	0.00	360.74	
7266- Maint & Repair - Building	0.00	0.00	0.00	0.00	
7267- Maint & Repair - Computer Equipment	0.00	0.00	0.00	0.00	
7273- Reproduction & Printing	12.50	120.91	35.00	168.41	
7276- Communication Services (T-1 Line)	0.00	774.19	0.00	774.19	
7281- Advertising Services	440.00	0.00	0.00	440.00	
7286- Freight & Delivery Services	0.00	0.00	0.00	0.00	
7291- Postage & Postal Services	0.00	3,286.16	0.00	3,286.16	
7295- Investigation Expenses	0.00	0.00	0.00	0.00	
7299- Purchased Contracted Services	0.00	67.75	0.00	67.75	
7303- Subscriptions, Periodicals and Info Services	0.00	0.00	0.00	0.00	
7312- Medical Supplies	0.00	0.00	0.00	0.00	
7328- supp. /mater. -constr/hardware	0.00	0.00	0.00	0.00	
7330- Parts -equip, furn	0.00	0.00	0.00	0.00	
7334- Furnishings & Equipment -Expensed	1,503.70	592.62	0.00	2,096.32	
7335- Parts -Computer Equipment - Expensed	0.00	21.68	0.00	21.68	
7354- Bldg Remodel - State Leased -Expensed	0.00	0.00	0.00	0.00	
7367- Personal Property - Maint & Repair	0.00	0.00	0.00	0.00	
7368- pers prop maint & repairs/mtr vehicle	0.00	0.00	0.00	0.00	
7374- Personal Property-Furn & Equip - Controlled	0.00	0.00	0.00	0.00	
7377- Computer Equipment - Expensed	49.99	94.81	0.00	144.80	
7378- Computer Equipment - Controlled	0.00	0.00	0.00	0.00	
7379- Computer Equipment - Cap (>1,000)	0.00	0.00	0.00	0.00	
7380- Computer Software - Expensed	0.00	1,250.92	0.00	1,250.92	
7382- Books - Expensed	0.00	0.00	0.00	0.00	
7806- Interest on Delayed Payment	0.00	0.31	0.00	0.31	
7947- Workers Compensation Transfer (SORM)	0.00	1,584.97	0.00	1,584.97	
7961- STS Transfers-Telecommunications (TexAn)	0.00	514.43	0.00	514.43	
7962- STS transfer to GR (CCTS)	0.00	1,513.91	0.00	1,513.91	
7984 UNEMP COMP BEN-SP FD TO GR0001	0.00	0.00	0.00	0.00	
Budget:	12,409.59	19,974.32	0.00	32,383.91	0.00
Expended:	4,381.22	13,558.14	60.00	17,999.36	
2009 - Balance Other Operating Expense:	8,028.37	6,416.18	(60.00)	14,384.55	44%

Capital Expenditures:

Budget:	561,778.55	250,590.74	23,000.00	835,369.29	0.00
Expended:	242,905.67	112,171.01	7,462.42	362,539.10	
TOTAL - BALANCE	318,872.88	138,419.73	15,537.58	472,830.19	57%

Key	Division	FY15 1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	FY15 YTD Sum	FY15 Target	% Target ytd/tar	Measures/Explanation
Output		<i>A quantifiable indicator of the number of goods or services an agency produces</i>							
	☐ Lib	01-01-01:01	85	175		260	300	87%	Number of requests for agency library resources.
						Cumulative			
	■ Lib	01-01-01:02	29	58		87	270	32%	Number of research requests for agency information resource center.
						Cumulative			
	■ Std	02-01-01:01	230	233		463	1,175	39%	Number of inspections of regulated entities.
						Cumulative			
	☐ Std	02-01-01:02	2,118	2,565		4,683	10,500	45%	Number of new certifications issued to individuals.
						Cumulative			
	☐ Std	02-01-01:03	29,655	307		29,962	31,200	96%	Number of certifications renewed (individuals).
						Cumulative			
	■ Std	02-01-01:04	1,776	2,061		3,837	9,560	40%	Number of examinations administered.
						Cumulative			
	☐ Adm	04-01-01:01				\$0	\$13,000	0%	Dollar value of HUB contracts awarded. From semi-annual Comptroller report
						Cumulative			
Explanatory		<i>(Annual) An indicator of factors, agency resources, or requests received that affect a state entity's performance.</i>							
	■ Std	02-01-01:01	89.02%	90.64%		89.83%	91%	99%	Pass Rate (Percent)
						Non-Cumulative			
	■ Std	02-01-01:02	30,137	30,889		0	31,500	0%	Number of individuals certified by the Commission.
						Non-Cumulative			
	■ Std	02-01-01:03	252	239		0	275	0%	Number of training providers certified by the Commission.
						Non-Cumulative			

Cumulative Measure: A measure for which one quarter's performance can be added to a previous quarter's performance to obtain year-to-date performance; otherwise, a measure is non-cumulative.

Non-Cumulative Measure: A measure which, in order to determine year-to-date performance, must be calculated for the entire reporting period and not on the basis of adding together the performance

Key	Division	FY15 1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	FY15 YTD Sum	FY15 Target	% Target ytd/tar	Measures/Explanation
from separate reporting periods									

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

<input type="checkbox"/>	Std	02-01-01:01	\$435	\$449		\$442	\$400	111%	Average cost per inspection of regulated facilities.
Non-Cumulative									

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

<input type="checkbox"/>	Std	02-01:01	45	38		83	175	47%	Number of inspected entities with uncorrected violations.
Cumulative									

<input type="checkbox"/>	Fin	04-01:01				#DIV/0!	10%	#DIV/0!	Percent of total dollar value of purchasing contracts awarded to HUBs. semi-annual Comptroller report	From
Non-Cumulative										

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

- 4. Reports from fire service interest groups and agencies on matters relating to organizational purposes, functions, and objectives, including, but not limited to, Texas Fire Chiefs Association, the Texas State Association of Fire Fighters, the State 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, and the State Fire Marshal's Office.**

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

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

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

8. Discussion and possible action on future meeting dates.

9. Discussion and possible action on fire fighter injury data collected for 2014 for inclusion in the annual report to be sent to the State Fire Marshal's Office.

Texas Commission on Fire Protection

Injury Report

January 1, 2014 to December 31, 2014



TEXAS COMMISSION ON FIRE PROTECTION

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Executive Summary

This report includes the abstract, mission, reports, information and data collected, as well as user-community input and outreach activities.

The report includes fire fighter injuries reported to the Texas Commission on Fire Protection in 2014, with charts and graphs depicting the collected information. The report also compares with National Fire Protection Association (NFPA) U.S. Firefighter Injuries - 2013.

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

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

This report concludes with recommendations from the commission.

Abstract

Texas fire departments reported 4,055 injuries to the Texas Commission on Fire Protection in calendar year 2014. Of these, 992 occurred during fire suppression activities, representing 24.5 percent of the total reported injuries. This represents a four percent increase in the ratio of fire suppression injuries to the total, which in 2013 accounted for 20.7 percent of injuries.

A larger number of reported injuries occurred in emergency medical services (EMS) activities: 1,065 of the 4,055 total reported injuries, or 26.2 percent. This represents a slight decrease in the ratio of EMS injuries to total injuries from 2013, in which 1,116 of 4,051 total injuries, or 27.5 percent, occurred during EMS activities. As in 2013, more *total* injuries occurred in EMS, but fire suppression activities resulted in more injuries that were serious: 177 of the 992 fire suppression injuries were serious (17.8 percent), and 164 of the 1,065 EMS injuries were serious (15.3 percent). The commission defines a serious injury as one that results in missed work.

After EMS and fire suppression, the next highest number of injuries reported in 2014 occurred in the performance of station duties, with 631, or 15.5 percent, of the total injuries. This is nearly the same as in 2013, with 654, or 16 percent, of the total injuries occurring in the station.

Skills training and wellness/fitness activities again rounded out the top five activities resulting in injuries, with 470 (11.5 percent) and 384 (9.4 percent), respectively. The total number of injuries reported in station duties, skills training, and wellness/fitness activities (which are all non-emergency activities) represented over a third (36.6 percent) of the total injuries. This was nearly identical to 2013.

Mission

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

The commission 's educational and outreach programs provide information on the various educational resources available through TCFP's Ernest A. Emerson Fire Protection Resource Library, associated references linked to this subject, TCFP outreach programs such as the "Avoid Injury!" blog and newsletters, and the adoption of the "Courage to be Safe" program.

Building a Community of Safety

The goal of the Texas Commission on Fire Protection's injury reporting program is to help the fire service community identify common injuries and learn how to avoid risk and prevent injuries.

Why we are collecting injury data

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

What information does the commission collect?

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

How this will help the fire service

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

Learn more and get help

The commission provides information on reported injuries to the fire service via its website, its "Avoid Injury!" blog, its Facebook page and in its year-end addendum to the State Fire Marshal's Office's annual report.

Reports, Information and Data Collection

This report contains data submitted by regulated and non-regulated entities. The data collected in 2014 was the fourth full year of reporting. The commission anticipates that it will take five full years of reporting to provide more substantive and accurate data for trending and analysis.

Of the approximately 659 commission-regulated entities included in this report, 539, or 81.49 percent, either submitted an injury report or a “no injury” report for months in which their personnel did not have any injuries. (Of the non-reporting departments, 66.36 percent are entities with five or fewer members.) Nine non-regulated departments participated voluntarily in the program.

The commission continually reaches out to fire protection entities to communicate the need to report, the types of information needed, and how to respond to requests for additional information. Commission staff members attend and present at the Texas Fire Chiefs Association’s regional meetings, local chiefs’ meetings, Southwest Fire Rescue, and State Firefighters’ and Fire Marshals’ Association conferences to provide information about the injury reporting program. The commission stresses the need for participation and provides reminders to regulated entities of the statutory requirement to report.

The commission’s “Avoid Injury!” blog provides information on current statistics as well as information about resources available through the Ernest A. Emerson Fire Protection Resource Library. Statistics are updated semi-monthly. Blog posts and Facebook updates provide the fire service with information on the National Fallen Firefighters Foundation’s “Courage to be Safe” program, its “16 Life Safety Initiatives,” and how the initiatives have impacted individual departments or the fire service as a whole.

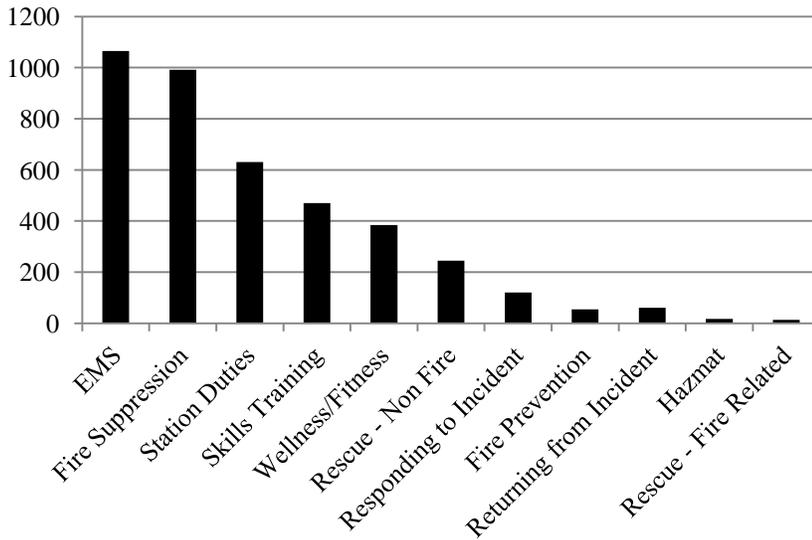
As in previous years, the commission continues to receive feedback from stakeholders on challenges they have experienced and changes they would like to see in the injury reporting program.

Fire Protection Personnel Injuries

Table 1: Injuries by Activity and Severity, 2014

Activity	Minor	Serious	Critical	Fatal	Total
EMS	900	164		1	1065
Fire Suppression	808	177	6	1	992
Station Duties	465	160	5	1	631
Skills Training	365	104	1		470
Wellness/Fitness	254	127	3		384
Rescue - Non Fire	206	38	1		245
Responding to Incident	105	16			121
Fire Prevention	43	11	1		55
Returning from Incident	42	19			61
Hazmat	12	5			17
Rescue - Fire Related	11	3			14
Total	3211	824	17	3	4055

Figure 1: Total Injuries by Activity, 2014



Emergency vs. Non-Emergency Injuries

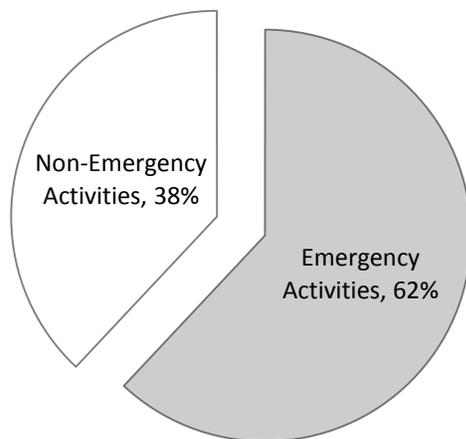
Table2: Injuries by Emergency Activity and Severity, 2014

Activity	Minor	Serious	Critical	Fatal	Total
EMS	900	164		1	1065
Fire Suppression	808	177	6	1	992
Rescue - Non Fire	206	38	1		245
Responding/Returning	147	35			182
Hazmat	12	5			17
Rescue - Fire Related	11	3			14
Total	2084	422	7	2	2515

Table3: Injuries by Non-Emergency Activity and Severity, 2014

Activity	Minor	Serious	Critical	Fatal	Total
Station Duties	465	160	5	1	631
Skills Training	365	104	1		470
Wellness/Fitness	254	127	3		384
Fire Prevention	43	11	1		55
Total	1127	402	10	1	1540

Figure 2: Percent of Total Injuries in Emergency and Non-Emergency Activities, 2014

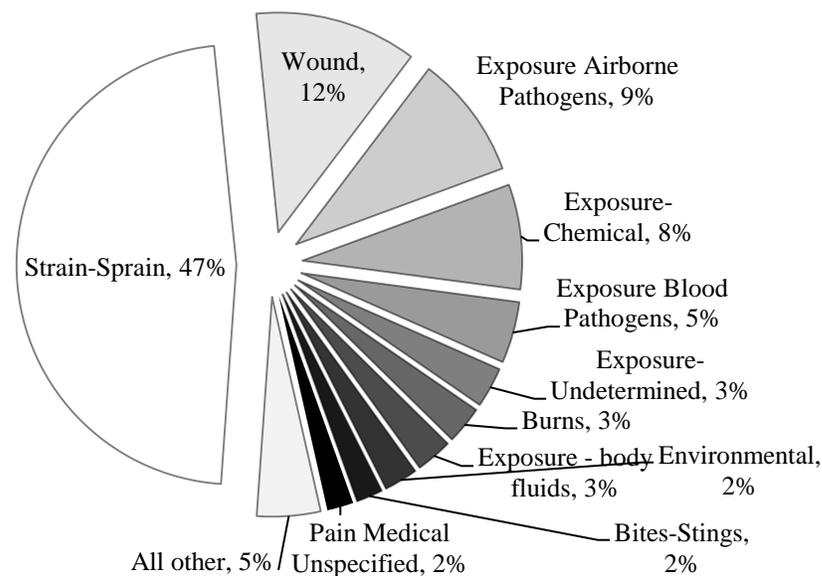


Injuries by Type

Table 4: Types of Injury, 2012-2014 (Note: ordered high to low, 2014)

Type of Injury	2012		2013		2014	
	Count	Percent	Count	Percent	Count	Percent
Strain-Sprain	2140	50.19%	2118	52.30%	1917	47.27%
Wound	631	14.80%	548	13.53%	483	11.91%
Exposure Airborne Pathogens	404	9.47%	281	6.94%	369	9.10%
Exposure-Chemical	128	3.00%	90	2.22%	313	7.72%
Exposure Blood Pathogens	160	3.75%	164	4.05%	183	4.51%
Exposure-Undetermined	23	0.54%	77	1.90%	120	2.96%
Burns	176	4.13%	166	4.07%	113	2.79%
Exposure - Body Fluids	124	2.91%	138	3.41%	109	2.69%
Environmental	133	3.12%	106	2.62%	101	2.49%
Bites-Stings	93	2.18%	87	2.15%	79	1.95%
Pain Medical Unspecified	49	1.15%	62	1.53%	79	1.95%
Chest Pains-Cardiac	40	0.94%	50	1.23%	46	1.13%
Broken Bones	46	1.08%	59	1.46%	39	0.96%
Debris/Penetrating	51	1.20%	38	0.94%	38	0.94%
Hearing Loss - Acute	18	0.42%	14	0.35%	21	0.52%
Smoke-Gas Inhalation	22	0.52%	30	0.74%	20	0.49%
Electrocution	11	0.26%	12	0.30%	12	0.30%
Hearing Loss - Chronic	7	0.16%	2	0.05%	4	0.10%
Broken Spine-Neck	4	0.09%	1	0.02%	4	0.10%
Exposure-Chemical-CO	1	0.02%	6	0.15%	3	0.07%
Heart Attack	2	0.05%	2	0.05%	1	0.02%
Stroke	1	0.02%	0	0.00%	1	0.02%
Total	4264	100.00%	4051	100.00%	4055	100.00%

Figure 3: Types of Injury, 2014



Task at Time of Injury

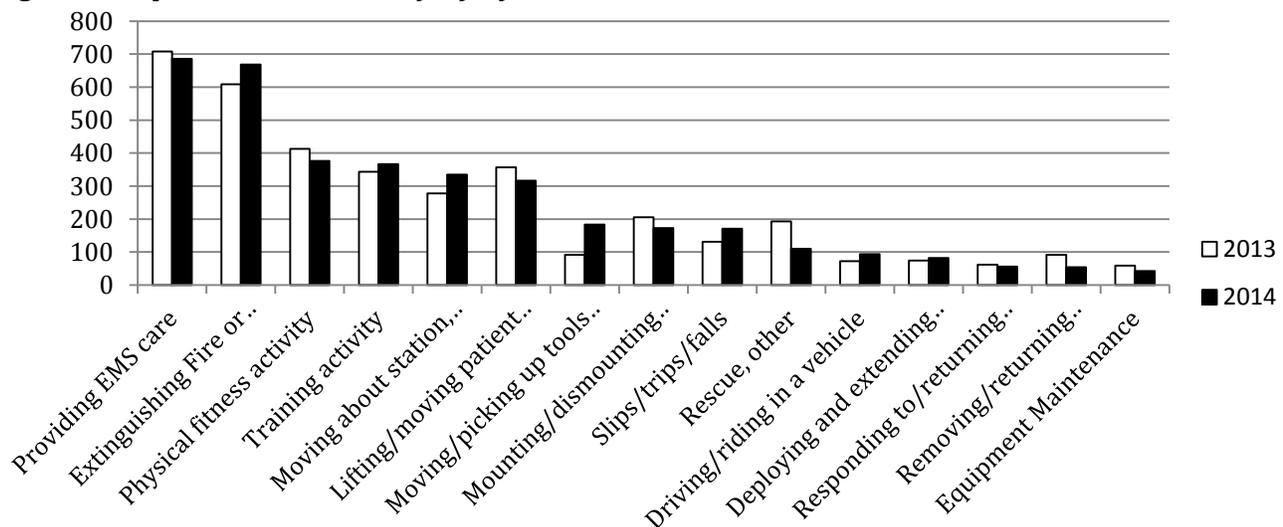
The commission began gathering task information in mid-2012.

Table 5: Top 15 Tasks at Time of Injury, 2013-2014

Task	2013	2014
Providing EMS care	708	686
Extinguishing Fire or Neutralizing Incident	609	669
Physical fitness activity	413	376
Training activity	344	367
Moving about station, normal activity	278	335
Lifting/moving patient (EMS)	357	317
Moving/picking up tools or equipment	92	183
Mounting/dismounting apparatus	206	173
Slips/trips/falls	131	171
Rescue, other	193	110
Driving/riding in a vehicle	72	94
Deploying and extending hoseline	74	82
Responding to/returning from incident	62	56
Removing equipment from/returning equipment to apparatus	92	54
Equipment Maintenance	59	43
All other*	361	339*
Total	4051	4055

* All Other, 2014, in Descending Order: Overhaul (42), Forcible entry (38), Operating manual tool (37), Ascending/descending stairs (30), Station maintenance (26), Extrication (23), Ascending/descending ladder (21), Moving about station, alarm sounding (15), Other: description (14), Incident investigation (13), Inspection activity (13), Vehicle maintenance (13), Operating power tool (10), Manually moving item to gain access (9), Carrying/dragging a person (rescue) (8), Crawling in a confined or otherwise hazardous area (5), Non-fire incidents (4), Operating in low/no visibility (4), Operating nozzle (4), Raising/lowering ladder (4), Administrative work (3), Operating fire department apparatus (2), Salvage (1)

Figure 4: Top 15 Tasks at Time of Injury, 2013-2014

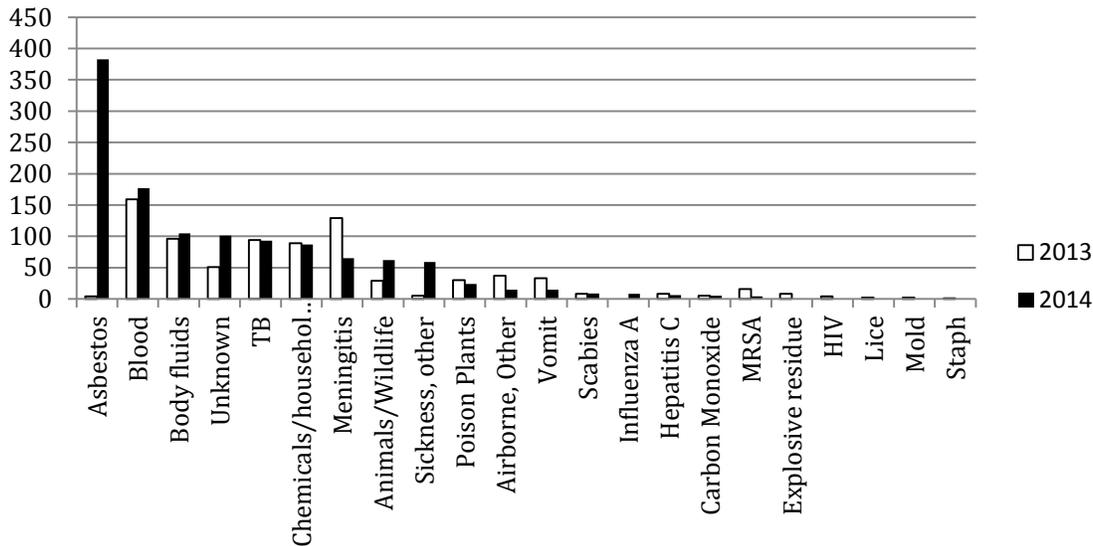


Exposures

Table 6: Exposure Agents, 2013-2014

Exposure Agents	2013	2014
Asbestos	4	383
Blood	159	177
Body fluids	96	105
Unknown	51	101
TB	94	93
Chemicals/household/industrial	89	87
Meningitis	129	65
Animals/Wildlife	29	62
Sickness, other	5	59
Poison Plants	30	24
Airborne, Other	37	15
Vomit	33	15
Scabies	8	9
Influenza A	0	8
Hepatitis C	8	6
Carbon Monoxide	5	5
MRSA	16	4
Explosive residue	8	0
HIV	4	0
Lice	2	0
Mold	2	0
Staph	1	0
Total	810	1218

Figure 5: Exposure Types, 2013 - 2014



Injuries by Body Part

Table 7: Injuries by Body Part, 2012 - 2014

Body Part	2012	2013	2014
Multiple body parts, whole body	760	595	901
Back, except spine	686	588	372
Knee	419	407	367
Hand and fingers	453	403	345
Hip, lower back, or buttocks	35	91	244
Shoulder	272	293	230
Ankle	213	207	177
Multiple Parts	5	62	160
Face	95	128	118
Eye	106	100	98
Arm, lower, not including elbow or wrist	89	84	94
Leg, lower	105	108	86
Foot and toes	132	105	79
Upper extremities	24	16	74
Head	96	94	73
Trachea and lungs	45	51	72
Wrist	71	79	68
Elbow	98	68	66
Chest	30	66	64
Ear	72	54	52
Neck	101	71	50
Other body parts injured	357	381	265*
Total	4264	4051	4055

* **Other body parts injured, 2014, in descending order:** Lower Extremities (35), Abdomen (30), Multiple body parts, upper body (27), Arm, upper, not including elbow or shoulder (26), Leg, upper (25), Pelvis or groin (22), Mouth, included are lips, teeth, and interior (20), Neck and Shoulders (15), Heart (14), Throat (13), Nose (8), Abdominal area (6), Multiple body parts, lower body (5), Spine (5), Genito-urinary (4), Head, other (2), Undetermined (3), (0), Internal (1), Internal, other (1), None (1), Stomach (1), Thorax (1)

Minor and Serious Injuries by Activity

EMS activities resulted in a higher number of minor injuries, but fire suppression activities resulted in a higher number of serious injuries in 2014. The commission defines a serious injury as one which results in the employee missing one or more full duty shifts. (Critical injuries are those in which the injured employee is hospitalized.)

Table 8: Minor Injury Activities, 2012 - 2014

Activity	<u>2012</u>		<u>2013</u>		<u>2014</u>	
	Count	Percent	Count	Percent	Count	Percent
EMS	1042	32.41%	934	30.28%	900	28.03%
Fire Suppression	654	20.43%	619	20.06%	808	25.16%
Station Duties	508	15.80%	452	14.65%	465	14.48%
Skills Training	367	11.42%	317	10.28%	365	11.37%
Wellness/Fitness	294	9.14%	285	9.24%	254	7.91%
Rescue - Non Fire	147	4.57%	243	7.88%	206	6.42%
Responding to Incident	90	2.80%	70	2.27%	105	3.27%
Fire Prevention	45	1.40%	66	2.14%	43	1.34%
Returning from Incident	30	0.93%	37	1.20%	42	1.31%
Hazmat	24	0.75%	44	1.43%	12	0.37%
Rescue - Fire Related	14	0.44%	18	0.58%	11	0.34%
Total	3215	100.00%	3085	100.00%	3211	100.00%

Table 9: Serious Injury Activities, 2012 - 2014

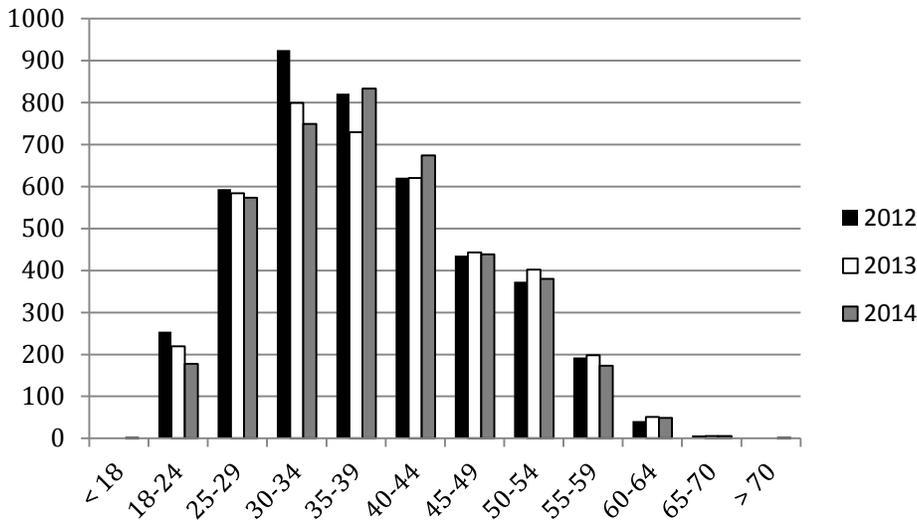
Activity	<u>2012</u>		<u>2013</u>		<u>2014</u>	
	Count	Percent	Count	Percent	Count	Percent
Fire Suppression	231	22.36%	206	21.89%	177	21.48%
EMS	196	18.97%	179	19.02%	164	19.90%
Station Duties	233	22.56%	201	21.36%	160	19.42%
Wellness/Fitness	134	12.97%	122	12.96%	127	15.41%
Skills Training	113	10.94%	99	10.52%	104	12.62%
Rescue - Non Fire	34	3.29%	46	4.89%	38	4.61%
Returning from Incident	24	2.32%	18	1.91%	19	2.31%
Responding to Incident	43	4.16%	42	4.46%	16	1.94%
Fire Prevention	18	1.74%	17	1.81%	11	1.33%
Hazmat	0	0	0	0	5	0.61%
Rescue - Fire Related	7	0.68%	11	1.17%	3	.036%
Total	1033	100.00%	941	100.00%	824	100.00%

Injuries by Age Group

Table 10: Injuries by Age Group, 2012 - 2014

Age group	2012		2013		2014	
	Count	Percent	Count	Percent	Count	Percent
< 18	0	0.00%	0	0.00%	1	0.02%
18-24	254	5.96%	219	5.41%	178	4.39%
25-29	594	13.93%	584	14.42%	573	14.13%
30-34	925	21.69%	799	19.73%	749	18.47%
35-39	821	19.25%	729	18.00%	833	20.54%
40-44	621	14.56%	620	15.31%	674	16.62%
45-49	435	10.20%	443	10.94%	438	10.80%
50-54	373	8.75%	402	9.90%	380	9.37%
55-59	193	4.53%	198	4.89%	173	4.27%
60-64	41	0.96%	51	1.26%	49	1.21%
65-70	7	0.16%	6	0.15%	6	0.15%
> 70	0	0.00%	0	0.00%	1	0.02%
Totals	4264	100.00%	4051	100.00%	4055	100.00%

Figure 6: Injury Count by Age Group, 2012 - 2014



Injury Activities Resulting in Lost Time

Table 11: Injury Activities Resulting in Lost Time, 2014

Activity	Count	Days Missed	
		Average	Total
Fire Suppression	145	43	6258
Station Duties	136	34	4683
EMS	133	37	4955
Wellness/Fitness	99	28	2745
Skills Training	92	33	3021
Rescue - Non Fire	38	29	1083
Returning from Incident	12	24	287
Fire Prevention	12	19	232
Responding to Incident	11	40	443
Hazmat	3	58	174
Rescue - Fire Related	2	19	38
Total	683	33	23919

Table 12: Activities Resulting in Lost Time, 2014, between 1 and 30 Days

Activity	Count	Days Missed	
		Average	Total
Fire Suppression	89	10	889
Station Duties	89	10	910
EMS	82	10	852
Wellness/Fitness	73	11	808
Skills Training	68	12	784
Rescue - Non Fire	29	10	276
Fire Prevention	10	6	63
Returning from Incident	9	12	105
Responding to Incident	6	9	54
Hazmat	2	12	24
Rescue - Fire Related	2	19	38
Total, Between 1 and 30 Days	459	11	4803

Injury Activities Resulting in Lost Time (continued)

Table 13: Activities Resulting in Lost Time, 2014, between 31 and 90 Days

Activity	Count	Days Missed	
		Average	Total
EMS	39	57	2237
Fire Suppression	33	57	1894
Station Duties	32	52	1660
Wellness/Fitness	21	51	1064
Skills Training	15	50	743
Rescue - Non Fire	5	51	253
Responding to Incident	4	63	251
Returning from Incident	2	45	89
Fire Prevention	1	45	45
Total, Between 31 and 90 Days	152	52	8236

Table 14: Activities Resulting in Lost Time, 2014, 91+ Days

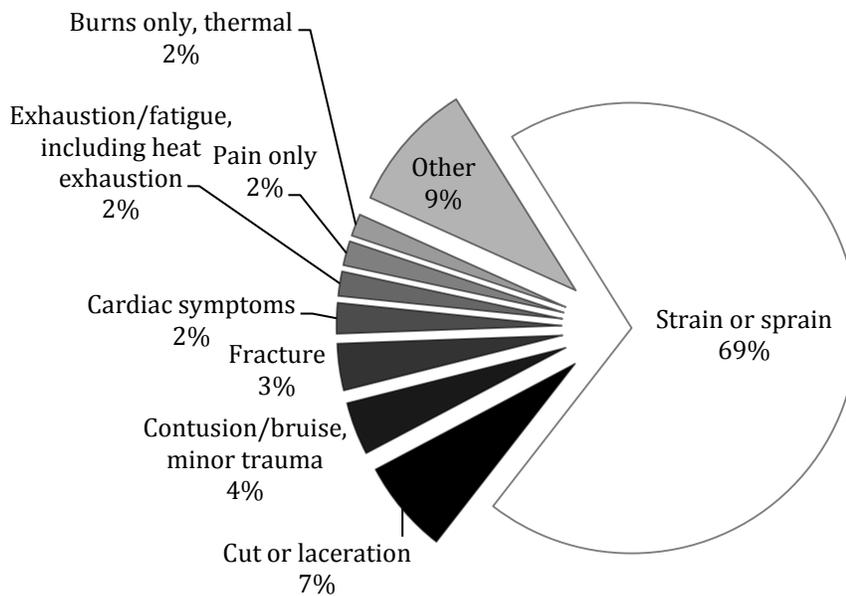
Activity	Count	Days Missed	
		Average	Total
Fire Suppression	23	151	3475
Station Duties	15	141	2113
EMS	12	156	1866
Skills Training	9	166	1494
Wellness/Fitness	5	175	873
Rescue - Non Fire	4	139	554
Hazmat	1	150	150
Responding to Incident	1	138	138
Fire Prevention	1	124	124
Returning from Incident	1	93	93
Total, 91+ Days Missed	72	143	10880

Types of Injuries with Lost Time

Table 15: Types of Injuries Resulting in Lost Time, 2014

Type of Injury	Count
Strain or sprain	474
Cut or laceration	46
Contusion/bruise, minor trauma	26
Fracture	23
Cardiac symptoms	15
Pain only	12
Exhaustion/fatigue, including heat exhaustion	12
Burns only, thermal	11
Crushing	10
Burn, scald or steam	9
Dislocation	6
Puncture wound/stab wound: penetrating	5
All other	34
Total	683

Figure 7: Types of Injuries Resulting in Lost Time, 2014



Burn Injuries

Table 16: All Burns, 2013 - 2014

All Burns - Types	2013	2014
Thermal	92	76
Scald or steam	71	33
Chemical	0	2
Electric	2	2
Total	165	113

Table 17: Burns with Lost Time by Burn Type, 2014

Burns with Lost Time	Count	Average Days Missed	Total Days Missed
Thermal	12	31.20	374
Scald or steam	9	28.00	403
Chemical	2	19.5	39
Total	23	26.2	816

Table 18: Burns by Body Part, 2013 - 2014

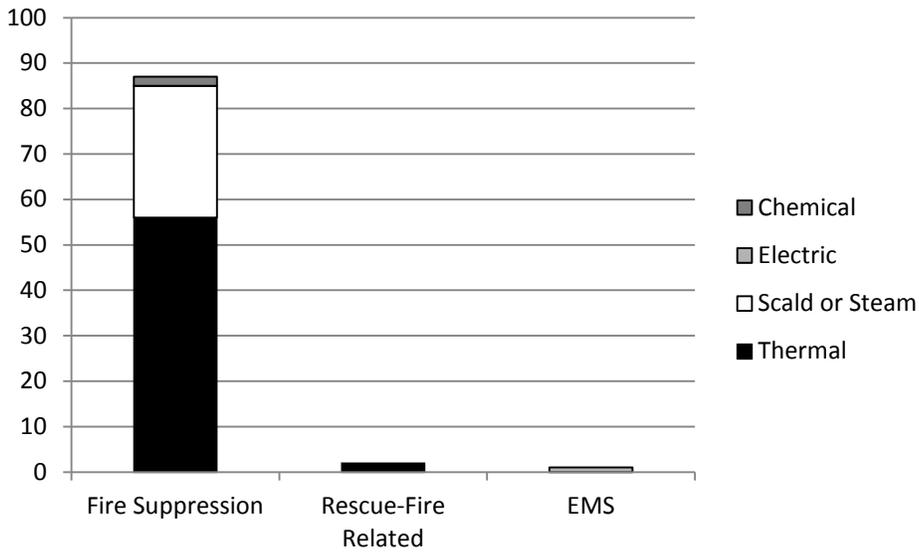
Body Part	2013	2014
Hand and fingers	35	18
Multiple parts	16	16
Ear	29	13
Face	14	13
Arm, lower, not including elbow or wrist	12	9
Neck	9	9
Upper extremities	0	6
Shoulder	13	5
Wrist	10	5
Multiple body parts, upper body	3	4
Head	5	3
Foot and toes	5	2
Arm, upper, not including elbow or shoulder	1	2
Back, except spine	0	2
Lower extremities	5	2
Leg, lower	4	1
Hip, lower back or buttocks	0	1
Eye	0	1
Neck and shoulders	1	1
Chest	1	0
Elbow	1	0
Knee	1	0
Throat	1	0
Total	166	113

Burn Injuries (continued)

Table 19: Burns by Emergency Activity, 2014

Type	Emergency Activities		
	Fire Suppression	Rescue-Fire Related	EMS
Thermal	56	2	-
Scald or Steam	29	-	-
Electric	-	-	1
Chemical	2	-	-
Total	87	2	1

Figure 8: Burns by Emergency Activity, 2014

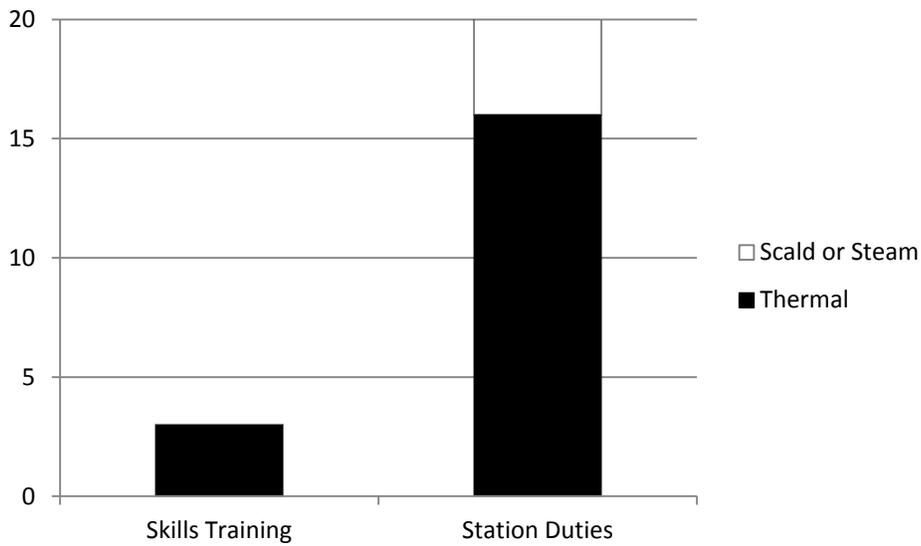


Burn Injuries (continued)

Table 20: Burns by Non-Emergency Activity, 2014

Type	Non-Emergency Activities	
	Skills Training	Station Duties
Thermal	3	16
Scald or Steam	-	4
Total	3	20

Figure 9: Burns by Non-Emergency Activity, 2014



SOP Issues

In 2014 there were 35 injuries attributed to failures of fire protection personnel to follow their departments' standard operating procedures (SOPs). All but a few were instances where the individuals were not wearing their provided PPE/SCBA gear in an environment or situation in which they should have been.

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

Table 21: Injuries Attributed to SOP Issues, 2014

Activity	Minor	Serious	Total
Fire Suppression	7	5	12
EMS	6	-	6
Responding to Incident	3	-	3
Skills Training	3	1	4
Fire Prevention	2	-	2
Rescue – Non Fire	2	-	2
Station Duties	2	-	2
Hazmat	1	-	1
Rescue – Fire Related	1	-	1
Wellness/Fitness	1	1	2
Total	28	7	35

Fatalities

The commission's 2014 injury report includes three fatalities. The fatalities listed in this report include only those reported to the Texas Commission on Fire Protection (TCFP) by the entities it regulates. (The commission has no statutory authority to require reporting by departments it does not regulate.)

More comprehensive information regarding Texas fire service Line of Duty Deaths is included in the State Fire Marshal's Annual Report.

Example Injury Narratives

The following narratives represent one minor and one serious injury for each of the “activity” categories (EMS, Fire Suppression, Station Duties, Skills Training, Wellness/Fitness, Rescue - Non Fire, Responding to Incident, Returning from Incident, Fire Prevention, Hazmat and Rescue - Fire Related), except for Hazmat, in which no serious injuries were reported.

EMS – Minor - (Exposure Airborne Pathogens)

Fire fighter reports while on a medical call and after transporting the patient to the hospital the patient told the fire fighter that he had recently been tested for tuberculosis. No PPE was in use. The patient had been coughing. Reported as a possible exposure case.

EMS – Serious (Strain/Sprain)

Fire fighter was providing patient care, specifically lifting a patient onto a stretcher. Fire fighter experienced pain in right shoulder and reported through the chain of command. Fire fighter sent for evaluation by physician. Fire fighter suffered a dislocated shoulder and missed two 24-hour periods of work. Fire fighter released for full duty and has returned to work.

Fire Suppression – Minor (Burns)

While on fire attack hoseline inside house, fire fighter suffered a burn to left calf just above bunker boot. Fire fighter was wearing all PPE properly, and inspection of bunker pants and boots found no failure or malfunction. Fire fighters working in same area reported intense heat from burning debris on floor. Fire fighter assessed and treated at scene and remained on duty.

Fire Suppression – Serious (Chest Pain – Cardiac Symptoms)

Developed severe chest pain after firefighting interior house fire for over an hour in 100+ heat index, fully bunkered including SCBA. Was loading equipment, ladders on fire truck; was suddenly struck with severe stabbing pain.

Station Duties – Minor (Bites/Stings)

Fire fighter was attacked by a cat while taking trash to the dumpster. The cat jumped out as he opened the lid and he was scratched on the lip, chin, chest and abdomen before running away.

Station Duties - Serious (Wound)

Fire fighter was closing the door on an apparatus while the vehicle was being backed. The fire fighter’s right forearm became trapped between the apparatus passenger side door and a stationary object. This caused a crushing injury. Driver’s attention was focused on his backer and stopped immediately.

Skills Training – Minor (Broken Bones)

The injury occurred during a swift water course. The fire fighter was performing a training exercise to catch a water curtain in line with the course curriculum. He grabbed a rope while going down a water chute and broke his finger.

Skills Training – Serious (Wound)

Fire fighter was opening a gate valve on a master stream manifold after hose testing to relieve pressure from hose. The fire fighter had straddled the hose and the manifold whipped and struck the fire fighter in the lower legs.

Wellness/Fitness – Minor (Strain/Sprain)

While performing the annual physical agility test and going through the SCBA maze the fire fighter caught his shoulder in the maze and while pulling to get through it felt something give in his right shoulder. It was unknown if it was just a muscle pull or strain at that time. Pain persisted and will need further evaluation.

Example Injury Narratives (continued)

Wellness/Fitness - Serious (Wound)

Fire fighter was doing pull-ups in weight room and a homemade device that was being used to alter the grip for the pull-ups broke. Fire fighter fell backwards against the weight stack and lacerated his head which required 10 staples. Homemade device was thrown in dumpster.

Fire Prevention - Minor (Wound)

At a building where the contractor had removed sections of flooring, fire fighter stepped on unsupported section of floor covered by carpet and foot/leg fell approx 18 inches into sub-floor, bruising left shin and cutting right palm.

Fire Prevention - Serious (Strain/Sprain)

While verifying 911 posts along park trail as part of Fire Dept. 911 marker project, fire fighter jumped out of the way to avoid impact from an approaching cyclist and felt pop/pain in right knee.

HazMat - Minor (Exposure)

Fire fighter was assisting police with opening containers that contained crystal methamphetamines.

HazMat - Serious (Environmental)

Fire fighter was on a decontamination team at a hazardous materials incident wearing proper PPE. Fire fighter was overcome by heat exhaustion and transported to a local hospital.

Rescue - Fire Related - Minor (Burns)

Fire fighter attempted a rescue of a trapped fire fighter. Immediately upon entry through a window of the structure, the fire fighter came in contact with hot materials and burned wrists.

Rescue - Fire Related - Serious (Broken Bones)

While carrying equipment fire fighter tripped and fell, crushing his finger.

Rescue Non-Fire - Minor (Exposure Body Fluids)

Fire fighter was exposed while assessing patient who was restrained by police officers while being combative and spitting. Fire fighter had proper protective equipment on and fully functional at time of injury.

Rescue Non-Fire - Serious (Wound)

While landing a medical helicopter on the roadway, fire fighter's goggles were briefly dislodged from his face by turbulence. This allowed a piece of debris to enter fire fighter's eye causing a lacerated cornea.

Responding to Incident - Minor (Strain/Sprain)

Employee was driver of vehicle when he was involved in motor vehicle accident due to slick roads.

Responding to Incident - Serious (Broken Bones)

Fire fighter was responding to a structure fire when he was involved in a head-on collision with another driver who was travelling in the wrong lane on top of a bridge.

Returning From Incident - Minor (Strain/Sprain)

Fire fighter reports while returning from a fire alarm run he was tilling the truck down a rough road and strained his back.

Returning From Incident - Serious (Strain/Sprain)

FF was getting out of the apparatus on a call and missed the first step on the side of the truck. The fire fighter's foot hit the ground causing a strain on the bottom of his foot.

Comparison between the State of Texas (2014) and National Fire Protection Association (NFPA), U.S. Firefighter Injuries – 2013

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

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

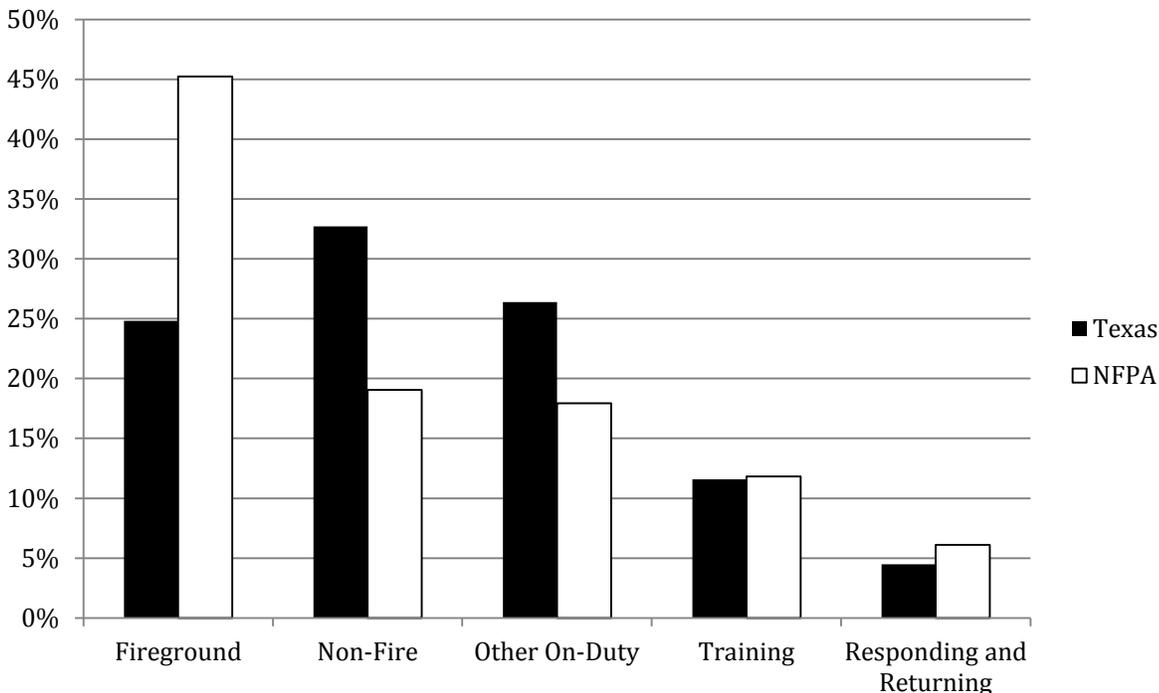
The NFPA’s “Responding and Returning” and “Training” categories appear to correspond closely to the commission’s categories. (The NFPA numbers include Texas statistics, although the reporting populations may not be the same.)

Table 22: Comparison of Texas 2014 and NFPA 2013

Category	Texas 2014		NFPA 2013*	
	Count	Percent	Count	Percent
Responding and Returning	182	4.49%	4015	6.10%
Fireground	1006	24.81%	29760	45.23%
Non-Fire	1327	32.73%	12535	19.05%
Other On-Duty	1070	26.39%	11800	17.93%
Training	470	11.59%	7770	11.81%
Total	4055	100%	65800	100.00%

* NFPA data is from [U.S. Firefighter Injuries – 2013](#), copyright© 2014, National Fire Protection Association, Quincy, MA.

Figure 10: Injuries by Activity Percentages – Comparing Texas 2014 and NFPA 2013



2014 Findings/Recommendations

Commission-adopted standards

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

Texas Government Code

[§419.040, Protective Clothing](#)

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

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

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

[§419.044, Incident Management System](#)

[§419.045, Personnel Accountability System](#)

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

[§419.047, Commission Enforcement](#)

Texas Administrative Code

[CHAPTER 425 FIRE SERVICE INSTRUCTORS](#)

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

[CHAPTER 435 FIRE FIGHTER SAFETY](#)

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

[§435.23 Fire Fighter Injuries](#)

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

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

[CHAPTER 451 FIRE OFFICER](#)

[CHAPTER 457 INCIDENT SAFETY OFFICER CERTIFICATION](#)

Other resources

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

10. Discussion and possible action regarding rule changes for higher levels of certification.



Texas Commission on Fire Protection

Agenda Item Summary

MEETING: Commission

DATE: 4/9/2015

Agenda Item #: 11 A-(1-9)

Agenda Title: Amendments, revisions, repeals as listed below

Action to be taken: Discussion and possible action for publication

Origin of Item: FF Advisory Committee

1. INTRODUCTION/PURPOSE

Establish end date for grandfathering of IFSAC seals (**Chapters 423, 425, 429, 431, 433, 451, and 453**); establishment of rules regarding risk assessments and consideration of Traffic Incident Management class (**Chapter 435**); revision of rules regarding CE for heads of departments (**Chapter 441**).

2. DESCRIPTION/ JUSTIFICATION

Per a recommendation from IFSAC, the agency should consider setting an end date to the ability of persons holding older certifications to obtain IFSAC seals. **Chapter 435** will contain proposed language regarding frequency of risk assessments by departments, and language to make the Traffic Incident Management Course a mandatory class. **Chapter 441** will contain proposed language to increase the required continuing education training hours for heads of departments.

3. BUDGET IMPACT

None anticipated

4. TIMELINE CONSIDERATIONS

All proposed language for possible publication.

5. RECOMMENDATION

Reviewed and forwarded as approved by FF Advisory Committee.

6. REFERENCES

N/A

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

A. Discussion and possible action on proposed amendments, new sections, and repeals as follows:

1. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 423, Fire Suppression.

CHAPTER 423

FIRE SUPPRESSION

SUBCHAPTER A

MINIMUM STANDARDS FOR STRUCTURE FIRE PROTECTION PERSONNEL CERTIFICATION

§423.1 Minimum Standards for Structure Fire Protection Personnel.

(a) Fire protection personnel of any local government entity, who receive probationary or temporary appointment to structure fire protection duties, must be certified by the Commission within one year from the date of their appointment in a structural fire protection personnel position.

(b) Prior to being appointed to fire suppression duties or certified as fire protection personnel, the Commission must review and approve the applicants fingerprint based criminal history record information obtained from the Department of Public Safety and the Federal Bureau of Investigation. The individual or fire department must follow the procedure established by the Department of Public Safety to initiate and complete the electronic fingerprint process. The results will be available to the Commission through the Department of Public Safety's data base. The Commission will follow the criteria established in Title 37 Chapter 403 of the Texas Administrative Code (TAC) for denying a person certification based on the results of the fingerprint based criminal history record check.

(c) Prior to being appointed to fire suppression duties, personnel must complete a Commission-approved basic structure fire suppression program and successfully complete a Commission recognized emergency medical course. The individual must successfully pass the Commission examination pertaining to that curriculum as required by §423.3 of this title. The Commission recognizes the following emergency medical training:

- (1) Department of State Health Services Emergency Medical Service Personnel certification training;
- (2) an American Red Cross Emergency Response course, including the optional lessons and enrichment sections;
- (3) an American Safety and Health Institute First Responder course;
- (4) National Registry of Emergency Medical Technicians certification; or
- (5) medical training deemed equivalent by the Commission.

(d) Personnel holding any level of structure fire protection personnel certification must comply with the continuing education requirements specified in §441.7 of this title (relating to Continuing Education for Structure Fire Protection Personnel).

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

(a) In order to become certified as basic structure fire protection personnel, an individual must:

(1) possess valid documentation from the International Fire Service Accreditation Congress or the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2008 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1(a)(2) of this title (relating to Requirements—General) as:

- (A) Fire Fighter I, Fire Fighter II, Hazardous Materials Awareness Level Personnel; and

(B) Hazardous Materials Operations Level Responders including the Mission-Specific Competencies for Personal Protective Equipment and Product Control under the current edition; or

(C) NFPA 472 Hazardous Materials Operations prior to the 2008 edition; and

(D) must meet the medical requirements outlined in §423.1(c) of this title (relating to Minimum Standards for Structure Fire Protection Personnel); or

(2) complete a commission-approved basic structure fire suppression program, meet the medical requirements outlined in §423.1(c) of this title, and successfully pass the commission examination(s) as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved basic structure fire suppression program shall consist of one or any combination of the following:

(A) completion of a commission-approved Basic Fire Suppression Curriculum, as specified in Chapter 1 of the commission's Certification Curriculum Manual; or

(B) completion of an out-of-state, and/or military training program deemed equivalent to the commission-approved Basic Fire Suppression Curriculum; or

(C) documentation of the receipt of an advanced certificate or training records from the State Firemen's and Fire Marshals' Association of Texas, that is deemed equivalent to a commission-approved Basic Fire Suppression Curriculum.

(b) A basic fire suppression program may be submitted to the commission for approval by another jurisdiction as required in Texas Government Code, Chapter 419, §419.032(d), Appointment of Fire Protection Personnel. These programs include out-of-state and military programs, and shall be deemed equivalent by the commission if the subjects taught, subject content, and total hours of training meet or exceed those contained in Chapter 1 of the commission's Certification Curriculum Manual.

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

(a) Applicants for Intermediate Structure Fire Protection Personnel Certification must complete the following requirements:

(1) hold, as a prerequisite, a Basic Structure Fire Protection Personnel Certification as defined in §423.3 of this title (relating to Minimum Standards for Basic Structure Fire Protection Personnel Certification); and

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

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

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

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

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

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

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

(a) Applicants for Advanced Structure Fire Protection Personnel certification must complete the following requirements:

(1) hold as a prerequisite an Intermediate Structure Fire Protection Personnel Certification as defined in §423.5 of this title (relating to Minimum Standards for Intermediate Structure Fire Protection Personnel Certification); and

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

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

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

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

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

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

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

(a) Applicants for Master Structure Fire Protection Personnel Certification must complete the following requirements:

(1) hold as a prerequisite an Advanced Structure Fire Protection Personnel Certification as defined in § 423.7 of this title (relating to Minimum Standards for Advanced Structure Fire Protection Personnel Certification); and

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

(b) College level courses from both the upper and lower division may be used to satisfy the education requirement for Master Structure Fire Protection Personnel Certification.

§423.11 Higher Levels of Certification.

(a) An individual may receive higher levels of certification in structural fire protection while being assigned to another discipline, provided that all requirements for the higher level or levels of certification are met.

(b) Repetitive training cannot be used toward higher levels of certification.

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

(a) Individuals holding a current Commission Structure Fire Protection Personnel certification received prior to March 10, 2003, may be granted International Fire Service Accreditation Congress (IFSAC) seals for Hazardous Materials Awareness Level Personnel, Hazardous Materials Operations Level Responders, Fire Fighter I, and Fire Fighter II by making application to the Commission for the IFSAC seals and paying applicable fees. **This subsection will expire on August 1, 2016.**

(b) Individuals completing a Commission-approved basic fire suppression program, meeting any other NFPA requirement, and passing the applicable examination(s) based on the basic fire suppression curriculum, may be granted IFSAC seal(s) for Hazardous Materials Awareness Level Personnel, Hazardous Materials Operations Level Responders (including the Mission-Specific Competencies for Personal Protective Equipment and Product Control), Fire Fighter I, and/or Fire Fighter II by making application to the Commission for the IFSAC seal(s) and paying applicable fees, provided they meet the following provisions;

(1) To receive the IFSAC Hazardous Materials Awareness Level Personnel seal, the individual must:

- (A) complete the Hazardous Materials Awareness section of a Commission-approved course; and
- (B) pass the Hazardous Materials Awareness section of a Commission examination.

(2) To receive the IFSAC Hazardous Materials Operations Level Responders seal (including the Mission-Specific Competencies for Personal Protective Equipment and Product Control) the individual must:

- (A) complete the Hazardous Materials Operation section of a Commission-approved course;
- (B) document possession of an IFSAC Hazardous Materials Awareness Level Personnel seal; and
- (C) pass the Hazardous Materials Operations section of a Commission examination.

(3) To receive the IFSAC Fire Fighter I seal, the individual must:

- (A) complete a Commission-approved Fire Fighter I course;
- (B) provide medical documentation as outlined in subsection (c) of this section;
- (C) document possession of an IFSAC Hazardous Materials Awareness Level Personnel seal; and
- (D) document possession of an IFSAC Hazardous Materials Operations Level Responders seal; and
- (E) pass the Fire Fighter I section of a Commission examination.

(4) To receive the IFSAC Fire Fighter II seal, the individual must:

- (A) complete a Commission-approved Fire Fighter II course;
- (B) document possession of an IFSAC Fire Fighter I seal; and
- (C) pass the Fire Fighter II section of a Commission examination.

(c) In order to meet the medical requirements of NFPA 1001, the individual must document successful completion of an emergency medical training course or program. The Commission recognizes the following emergency medical training:

(1) The Texas Department of State Health Services Emergency Medical Service Personnel certification training;

- (2) American Red Cross Response course (including optional lessons and enrichment sections);
- (3) American Safety and Health Institute First Responder course;
- (4) National Registry of Emergency Medical Technicians certification; or
- (5) medical training deemed equivalent by the Commission.

SUBCHAPTER B

MINIMUM STANDARDS FOR AIRCRAFT RESCUE FIRE FIGHTING PERSONNEL

§423.201 Minimum Standards for Aircraft Rescue Fire Fighting Personnel.

(a) Aircraft rescue fire fighting personnel are employees of a local governmental entity who are appointed to aircraft rescue firefighting duties. These duties may include fighting aircraft fires at airports, standing by for potential crash landings, and performing aircraft rescue and fire fighting duties.

(b) Personnel appointed as Aircraft Rescue Fire Fighting Personnel must be certified to at least the basic level by the Commission within one year from their employment in an Aircraft Rescue Fire Fighting Personnel position.

(c) Prior to being appointed to aircraft rescue fire suppression duties, all personnel must:

(1) successfully complete a Commission-approved basic fire suppression course and pass the Commission's examination pertaining to that curriculum; and

(2) successfully complete a Commission-approved basic aircraft rescue fire protection course and pass the Commission's examination pertaining to that curriculum.

(d) "Stand by" means the act of responding to a designated position in the movement area on the airfield at which initial response fire and rescue units will await the arrival of an aircraft experiencing an announced emergency.

(e) "Movement area" is comprised of all runways, taxiways, and other areas of the airport which are used for taxiing or hover taxiing, take-off, and landing of aircraft, exclusive of loading ramps and aircraft parking areas.

(f) Personnel holding any level of aircraft rescue fire fighting personnel certification shall be required to comply with the continuing education specified in §441.9 of this title (relating to Continuing Education for Aircraft Rescue Fire Fighting Personnel).

(g) Aircraft rescue fire fighting personnel that perform structure fire fighting duties must be certified, as a minimum, as basic structural fire protection personnel.

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

In order to obtain a Basic Aircraft Rescue Fire Fighting Personnel Certification the individual must:

(1) hold a Basic Structure Fire Protection Personnel Certification; and

(2) possess valid documentation as an Airport Fire Fighter from either:

(A) the International Fire Service Accreditation Congress; or

(B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2010 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1(a)(2) of this title (relating to Requirements—General); or

(3) complete a commission approved aircraft rescue fire suppression training program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved aircraft rescue fire suppression training program shall consist of one of the following:

(A) a commission approved Basic Aircraft Rescue Fire Suppression Curriculum as specified in Chapter 2 of the commission's Certification Curriculum Manual.

(B) an out-of-state, and/or military training program that has been submitted to the commission for evaluation and found to be equivalent to or exceeds the commission approved Basic Aircraft Rescue Fire Suppression Curriculum.

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

(a) Applicants for Intermediate Aircraft Rescue Fire Fighting Personnel Certification must complete the following requirements:

(1) hold as a prerequisite a Basic Aircraft Rescue Fire Fighting Personnel Certification as defined in §423.203 of this title (relating to Minimum Standards for Basic Aircraft Rescue Fire Fighting Personnel Certification); and

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

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

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

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

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

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

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

(a) Applicants for Advanced Aircraft Rescue Fire Fighting Personnel certification must complete the following requirements:

(1) hold as a prerequisite an Intermediate Aircraft Rescue Fire Fighting Personnel Certification as defined in §423.205 of this title (relating to Minimum Standards for Intermediate Aircraft Rescue Fire Fighting Personnel Certification); and

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

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

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

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

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

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

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

(a) Applicants for Master Aircraft Rescue Fire Fighting Personnel Certification must complete the following requirements:

(1) hold, as a prerequisite, an Advanced Aircraft Rescue Fire Fighting Personnel Certification as defined in §423.207 of this title (relating to Minimum Standards for Advanced Aircraft Rescue Fire Fighting Personnel Certification); and

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

(b) College level courses from both the upper and lower division may be used to satisfy the education requirement for Master Aircraft Rescue Fire Fighting Personnel Certification.

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

(a) Individuals holding a current commission Aircraft Rescue Fire Fighting Personnel certification received prior to March 10, 2003, may be granted an International Fire Service Accreditation Congress (IFSAC) seal as an Airport Fire Fighter by making application to the commission for the IFSAC seal and paying applicable fees. **This subsection will expire on August 1, 2016.**

(b) Individuals completing a commission-approved basic aircraft rescue fire suppression program, documenting an IFSAC seal for Fire Fighter II, and passing the applicable state examination may be granted an IFSAC seal as an Airport Fire Fighter by making application to the commission for the IFSAC seal and paying applicable fees.

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

A. Discussion and possible action on proposed amendments, new sections, and repeals as follows:

2. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 425, Fire Service Instructors.

CHAPTER 425

FIRE SERVICE INSTRUCTORS

§425.1 Minimum Standards for Fire Service Instructor Certification.

- (a) Training programs that are intended to satisfy the requirements for fire service instructor certification must meet the curriculum and competencies based upon NFPA 1041. All applicants for certification must meet the examination requirements of this section.
- (b) Prior to being appointed to fire service instructor duties, all personnel must complete a commission approved fire service instructor program and successfully pass the commission examination pertaining to that curriculum.
- (c) Personnel who receive probationary or temporary appointment to fire service instructor duties must be certified by the commission within one year from the date of appointment to such position.
- (d) An out-of-state, military, or federal instructor training program may be accepted by the commission as meeting the training requirements for certification as a fire service instructor if the training has been submitted to the commission for evaluation and found to be equivalent to or to exceed the commission approved instructor course for that particular level of fire service instructor certification.
- (e) An individual who holds a bachelor's degree or higher in education from a regionally accredited educational institution or a teaching certificate issued by the State Board for Educator Certification or an associate's degree with twelve semester hours of education instructional courses is considered to have training equivalent to the commission's curriculum requirements for Instructor I, II and III training.
- (f) Personnel holding any level of fire service instructor certification must comply with the continuing education requirements specified in §441.21 of this title (relating to Continuing Education for Fire Service Instructor).

§425.3 Minimum Standards for Fire Service Instructor I Certification.

In order to become certified as a Fire Service Instructor I an individual must:

- (1) have a minimum of three years of experience (as defined in §421.5(47) of this title (relating to Definitions)) in fire protection in one or more or any combination of the following:
 - (A) a paid, volunteer, or regulated non-governmental fire department; or
 - (B) a department of a state agency, education institution or political subdivision providing fire protection training and related responsibilities; and
- (2) possess valid documentation as a Fire Instructor I, II or III from either:
 - (A) the International Fire Service Accreditation Congress (IFSAC); or
 - (B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2007 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1(a)(2) of this title (relating to Requirements—General); or
- (3) have completed the appropriate curriculum for Fire Service Instructor I contained in Chapter 8 of the commission's Certification Curriculum Manual, or meet the equivalence as specified in §425.1(d) or (e) of this title (relating to Minimum Standards for Fire Service Instructor Certification); and

- (4) successfully pass the applicable commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification).

§425.5 Minimum Standards for Fire Service Instructor II Certification.

In order to become certified as a Fire Service Instructor II, an individual must:

- (1) hold as a prerequisite a Fire Instructor I certification as defined in §425.3 of this title (relating to Minimum Standards for Fire Service Instructor I Certification); and
- (2) have a minimum of three years of experience (as defined in §421.5(47) of this title (relating to Definitions)) in fire protection in one or more or any combination of the following:
- (A) a paid, volunteer, or regulated non-governmental fire department; or
- (B) a department of a state agency, education institution or political subdivision providing fire protection training and related responsibilities; and
- (3) possess valid documentation as a Fire Instructor I, II or III from either:
- (A) the International Fire Service Accreditation Congress (IFSAC); or
- (B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2007 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1(a)(2) of this title (relating to Requirements—General); or
- (4) have completed the appropriate curriculum for Fire Service Instructor II contained in Chapter 8 of the commission's Certification Curriculum Manual, or meet the equivalence as specified in §425.1(d) or (e) of this title (relating to Minimum Standards for Fire Service Instructor Certification); and
- (5) successfully pass the applicable commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification).

§425.7 Minimum Standards for Fire Service Instructor III Certification.

In order to become certified as a Fire Service Instructor III an individual must:

- (1) hold as a prerequisite, a Fire Instructor II Certification as defined in §425.5 of this title (relating to Minimum Standards for Fire Service Instructor II Certification); and
- (2) have a minimum of three years of experience (as defined in §421.5(47) of this title (relating to Definitions)) in fire protection in one or more or any combination of the following:
- (A) a paid, volunteer, or regulated non-governmental fire department; or
- (B) a department of a state agency, education institution or political subdivision providing fire protection training and related responsibilities; and
- (3) possess valid documentation of accreditation from the International Fire Service Accreditation Congress (IFSAC) as a Fire Instructor III; or
- (4) have completed the appropriate curriculum for Fire Service Instructor III contained in Chapter 8 of the commission's Certification Curriculum Manual, or meet the equivalence as specified in §425.1(d) or (e) of this title (relating to Minimum Standards for Fire Service Instructor Certification); and
- (5) successfully pass the applicable commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification); and either

- (A) hold as a prerequisite an advanced structural fire protection personnel certification, an advanced aircraft fire protection personnel certification, advanced marine fire protection personnel certification, advanced inspector certification, advanced fire investigator, or advanced arson investigator certification; or
- (B) have 60 college hours from a regionally accredited educational institution; or
- (C) hold an associate's degree from a regionally accredited educational institution.

§425.9 Minimum Standards for Master Fire Service Instructor III Certification.

In order to become certified as a Master Fire Service Instructor III the individual must:

- (1) hold as a prerequisite a Fire Service Instructor III certification; and
- (2) be a member of a paid, volunteer, or regulated non-governmental fire department; or a department of a state agency, education institution or political subdivision providing fire protection training and related responsibilities; and
- (3) hold as a prerequisite a master structural fire protection personnel certification, a master aircraft rescue fire fighting personnel certification, master marine fire protection personnel certification, master inspector certification, master fire investigator certification, or master arson investigator certification; or
- (4) hold a bachelors degree or higher in education from a regionally accredited educational institution or a teaching certificate issued by the Texas State Board of Education.

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

- (a) Individuals who hold commission Instructor I certification prior to March 1, 2006 **may be granted an IFSAC seal for Instructor I by making application to the commission and paying the applicable fee before August 1, 2016. Individuals**~~[or individuals]~~ completing a commission approved Fire Service Instructor I training program and passing the applicable state examination may be granted an IFSAC seal for Instructor I by making application to the commission and paying the applicable fee.
- (b) Individuals who hold commission Instructor II certification prior to March 1, 2006 **may be granted an IFSAC seal for Instructor II by making application to the commission and paying the applicable fee before August 1, 2016. Individuals**~~[or individuals]~~ holding an IFSAC Instructor I **seal**~~[certification,]~~ completing a commission approved Fire Service Instructor II training program, and passing the applicable state examination may be granted an IFSAC seal for Instructor II by making application to the commission and paying the applicable fee.
- (c) Individuals who hold commission Instructor III certification prior to March 1, 2006 **may be granted an IFSAC seal for Instructor III by making application to the commission and paying the applicable fee before August 1, 2016. Individuals**~~[or individuals]~~ holding an IFSAC Instructor II **seal**~~[certification,]~~ completing a commission approved Fire Service Instructor III training program, and passing the applicable state examination may be granted an IFSAC seal for Instructor III by making application to the commission and paying the applicable fee.

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

A. Discussion and possible action on proposed amendments, new sections, and repeals as follows:

3. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 429, Fire Inspector.

CHAPTER 429

MINIMUM STANDARDS FOR FIRE INSPECTOR CERTIFICATION

§429.201 Minimum Standards for Fire Inspector Personnel.

- (a) Fire protection personnel of a governmental entity who are appointed to fire code enforcement duties must be certified, as a minimum, as a basic fire inspector as specified in §429.203 of this title (relating to Minimum Standards for Basic Fire Inspector Certification) within one year of initial appointment to such position.
- (b) Prior to being appointed to fire code enforcement duties, all personnel must complete a Commission-approved basic fire inspection training program and successfully pass the Commission examination pertaining to that curriculum.
- (c) Individuals holding any level of fire inspector certification shall be required to comply with the continuing education requirements in §441.13 of this title (relating to Continuing Education for Fire Inspection Personnel).
- (d) Code enforcement is defined as the enforcement of laws, codes, and ordinances of the authority having jurisdiction pertaining to fire prevention.

§429.203 Minimum Standards for Basic Fire Inspector Certification.

In order to be certified as a basic fire inspector, an individual must:

- (1) possess valid documentation as an Inspector I, Inspector II, and Plan Examiner I from either:
 - (A) the International Fire Service Accreditation Congress; or
 - (B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2009 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1(a)(2) of this title (relating to Requirements—General); or
- (2) complete a commission approved Basic Fire Inspector program and successfully pass the commission examination(s) as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved basic fire inspection training program shall consist of one or any combination of the following:
 - (A) completion of the commission approved Basic Fire Inspector Curriculum, as specified in Chapter 4 of the commission's Certification Curriculum Manual; or
 - (B) successful completion of an out-of-state, NFA, and/or military training program which has been submitted to the commission for evaluation and found to meet the minimum requirements as listed in the commission approved Basic Fire Inspector Curriculum as specified in Chapter 4 of the commission's Certification Curriculum Manual; or
 - (C) successful completion of the following college courses:
 - (i) Fire Protection Systems, three semester hours;
 - (ii) Fire Prevention Codes and Inspections, three semester hours;
 - (iii) Building Construction in the Fire Service or Building Codes and Construction, three semester hours;
 - (iv) Hazardous Materials I, II, or III, three semester hours (total semester hours, 12).

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

§429.205 Minimum Standards for Intermediate Fire Inspector Certification.

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

- (1) hold as a prerequisite Basic Fire Inspector Certification as defined in §429.203 of this title (relating to Minimum Standards for Basic Fire Inspector Certification); and
- (2) acquire a minimum of four years of fire protection experience and complete the training listed in one of the following options:
 - (A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the Commission that the courses comply with subsections (b) and (c) of this section; or
 - (B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses. (See the exception outlined in subsection (c) of this section); or
 - (C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1 with either one A-List course or four B-List courses. (See the exception outlined in subsection (c) of this section.)
- (b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the Commission's Certification Curriculum Manual or for experience in the fire service, may not be counted toward this level of certification.
- (c) The training required in this section must be in addition to any training used to qualify for any lower level of Fire Inspector Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§429.207 Minimum Standards for Advanced Fire Inspector Certification.

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

- (1) hold as a prerequisite an Intermediate Fire Inspector Certification as defined in §429.205 of this title (relating to Minimum Standards for Intermediate Fire Inspector Certification); and
- (2) acquire a minimum of eight years of fire protection experience and complete the training listed in one of the following options:
 - (A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the Commission that the courses comply with subsections (b) and (c) of this section; or
 - (B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses. (See the exception outlined in subsection (c) of this section); or
 - (C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1 with either one A-List course or four B-List courses. (See the exception outlined in subsection (c) of this section.)

- (b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the Commission's Certification Curriculum Manual or for experience in the fire service, may not be counted toward this level of certification.
- (c) The training required in this section must be in addition to any training used to qualify for any lower level of Fire Inspector Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§429.209 Minimum Standards for Master Fire Inspector Certification.

- (a) Applicants for Master Fire Inspector Certification must complete the following requirements:
 - (1) hold as a prerequisite an Advanced Fire Inspector Certification as defined in §429.207 of this title (relating to Minimum Standards for Advanced Fire Inspector Certification); and
 - (2) acquire a minimum of 12 years of fire protection experience, and 60 college semester hours or an associate's degree, which includes at least 18 college semester hours in fire science subjects.
- (b) College level courses from both the upper and lower division may be used to satisfy the education requirement for Master Fire Inspector Certification.

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

- (a) Individuals who hold commission Fire Inspector certification prior to January 1, 2005, may be granted International Fire Service Accreditation Congress (IFSAC) seals for Inspector I and Inspector II by making application to the commission for the IFSAC seals and paying applicable fees. **This subsection will expire on August 1, 2016.**
- (b) Individuals who hold commission Fire Inspector certification prior to January 1, 2005, may apply to test for Plan Examiner I. Upon successful completion of the examination an IFSAC seal for Plan Examiner I may be granted by making application to the commission for the IFSAC seal and paying the applicable fee.
- (c) Individuals who pass the applicable section of the state examination on or after January 1, 2005, may be granted IFSAC seal(s) for Inspector I, Inspector II, and/or Plan Examiner I by making application to the commission for the IFSAC seal(s) and paying the applicable fees, provided they meet the following provisions:
 - (1) To receive the IFSAC Inspector I seal, the individual must:
 - (A) complete the Inspector I section of a commission-approved course; and
 - (B) pass the Inspector I section of a commission examination.
 - (2) To receive the IFSAC Inspector II seal, the individual must:
 - (A) complete the Inspector II section of a commission-approved course;
 - (B) document possession of an IFSAC Inspector I seal; and
 - (C) pass the Inspector II section of a commission examination.
 - (3) To receive the IFSAC Plan Examiner I seal, the individual must:
 - (A) complete the Plan Examiner I section of a commission-approved course; and
 - (B) pass the Plan Examiner I section of a commission examination.

- 11. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:**
 - A. Discussion and possible action on proposed amendments, new sections, and repeals as follows:**
 - 4. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 431, Fire Investigation.**

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 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 as a Basic Arson Investigator an individual must:

- (1) possess a current basic peace officer's license from the Texas Commission on Law Enforcement or documentation that the individual is a federal law enforcement officer;
- (2) hold a current license as a peace officer and notify the 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 approved basic fire investigation training program and successfully pass the 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 approved Fire Investigator Curriculum, as specified in Chapter 5 of the 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 for evaluation and found to meet the minimum requirements as listed in the commission approved Fire Investigator Curriculum as specified in Chapter 5 of the 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 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 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.

§431.9 Minimum Standards for Master Arson Investigator Certification.

- (a) Applicants for Master Arson Investigator Certification must complete the following requirements:
 - (1) hold as a prerequisite an Advanced Arson Investigator Certification as defined in §431.7 of this title (relating to Minimum Standards for Advanced Arson Investigator Certification); and
 - (2) acquire a minimum of twelve years of fire protection experience, and 60 college semester hours or an associate's degree, either of which includes at least 18 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 Arson Investigator Certification.

§431.11 Minimum Standards for Arson Investigator Certification for Law Enforcement Personnel.

- (a) A law enforcement officer employed or commissioned by a law enforcement agency as a peace officer who is designated as an arson investigator by an appropriate local authority is eligible for certification on a voluntary basis by complying with this chapter.
- (b) An individual holding commission certification as a fire investigator who becomes a law enforcement officer employed or commissioned by a law enforcement agency as a peace officer, and who is designated as an arson investigator by an appropriate local authority will qualify for a similar level arson investigator certificate. To obtain a printed certificate the individual must make application to the commission to include confirmation of commission.

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

- (a) Individuals holding a current commission Arson Investigator certification received prior to March 10, 2003 may be granted an International Fire Service Accreditation Congress (IFSAC) seal as a Fire Investigator by making application to the commission for the IFSAC seal and paying applicable fees. **This subsection will expire on August 1, 2016.**
- (b) Individuals completing a commission-approved basic fire investigator program and passing the applicable state examination may be granted an IFSAC seal as a Fire Investigator by making application to the commission for the IFSAC seal and paying applicable fees.

SUBCHAPTER B

MINIMUM STANDARDS FOR FIRE INVESTIGATOR CERTIFICATION

§431.201 Minimum Standards for Fire Investigation Personnel.

- (a) Fire protection personnel who receive temporary or probationary appointment to fire investigation duties must be certified as a fire investigator by the Commission within one year of appointment to such duties.
- (b) Prior to being appointed to fire investigation duties, personnel must:
 - (1) complete a commission approved basic fire investigator training program and successfully pass the commission examination pertaining to that curriculum; or
 - (2) hold current certification as structure fire protection personnel.
- (c) Individuals holding a Fire Investigator 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).
- (d) Individuals certified under this subchapter shall limit their investigation to determining fire cause and origin. If evidence of a crime is discovered, custody and control of the investigation shall be immediately transferred to a certified arson investigator or licensed peace officer.
- (e) Individuals who previously held arson investigator certification, who no longer hold a current commission as a peace officer, will qualify for certification as a fire investigator of similar level upon notice to the commission. To obtain a printed certificate the individual will be required to make application to the commission.

§431.203 Minimum Standards for Fire Investigator Certification.

- (a) In order to be certified by the Commission as a Fire Investigator an individual must complete the requirements specified in §431.3(a)(3) or (4) of this title (relating to Minimum Standards for Basic Arson Investigator Certification).
- (b) A person who holds or is eligible to hold a certificate as a Fire Investigator may be certified as an Arson Investigator by meeting the requirements of Chapter 431, Subchapter A, but shall not be required to repeat the applicable examination requirements.

§431.205 Minimum Standards for Intermediate Fire Investigator Certification.

- (a) Applicants for Intermediate Fire Investigator must complete the following requirements:
 - (1) hold as a prerequisite a Basic Fire Investigator Certification as defined in §431.203 of this title (relating to Minimum Standards for Fire Investigator Certification); and
 - (2) acquire a minimum of four years of fire protection experience and complete the training listed in one of the following options:
 - (A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or
 - (B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List and four B-List courses. (See the exception outlined in subsection (c) of this section); or

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

- (b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in the fire service, may not be counted toward this level of certification.
- (c) The training required in this section must be in addition to any training used to qualify for any lower level of Fire Investigator Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§431.207 Minimum Standards for Advanced Fire Investigator Certification.

- (a) Applicants for Advanced Fire Investigator must complete the following requirements
- (1) hold as a prerequisite an Intermediate fire Investigator Certification as defined in §431.203 of this title (relating to Minimum Standards for Fire Investigator Certification); and
 - (2) acquire a minimum of eight years of fire protection experience and complete the training listed in one of the following options:
 - (A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or
 - (B) Option 2--Completion of coursework from the either 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 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 the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1 with either one A-List course or four B-List courses. (See the exception outlined in subsection (c) of this section).
- (b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in the fire service, may not be counted toward this level of certification.
- (c) The training required in this section must be in addition to any training used to qualify for any lower level of Fire Investigator Certification. Repeating a course or a course of similar content cannot be used towards this level of 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; and
 - (3) sixty college semester hours or an associate degree, that must include 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.

§431.211 International Fire Service Accreditation Congress (IFSAC) Seal--Fire Investigator.

- (a) Individuals holding a current commission Fire Investigator certification received prior to March 10, 2003 may be granted an International Fire Service Accreditation Congress (IFSAC) seal as a Fire Investigator by making application to the commission for the IFSAC seal and paying applicable fees. **This subsection will expire on August 1, 2016.**
- (b) Individuals completing a commission-approved basic fire investigator program and passing the applicable state examination may be granted an IFSAC seal as a Fire Investigator by making application to the commission for the IFSAC seal and paying applicable fees.

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

A. Discussion and possible action on proposed amendments, new sections, and repeals as follows:

5. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 433, Minimum Standards for Driver/Operator-Pumper.

CHAPTER 433

MINIMUM STANDARDS FOR DRIVER/OPERATOR-PUMPER

§433.1 Driver/Operator-Pumper Certification.

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

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

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

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

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

(A) the International Fire Service Accreditation Congress; or

(B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2009 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1(a)(2) of this title (relating to Requirements—General); or

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

(A) complete a commission approved Driver/Operator-Pumper Curriculum as specified in Chapter 7 of the commission's Certification Curriculum Manual;

(B) complete an out-of-state training program that has been submitted to the commission for evaluation and found to be equivalent to or exceeds the commission approved Driver/Operator-Pumper Curriculum; or

(C) complete a military training program that has been submitted to the commission for evaluation and found to be equivalent to or exceeds the commission approved Driver/Operator-Pumper Curriculum.

(b) Out-of-state or military training programs, which are submitted to the commission for the purpose of determining equivalency, will be considered equivalent if all competencies set forth in Chapter 7 (pertaining to Driver/Operator-Pumper) of the commission's Certification Curriculum Manual are met.

§433.5 Examination Requirements.

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

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

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

- (a) Individuals holding a current commission Driver/Operator-Pumper certification received prior to March 10, 2003, may be granted an International Fire Service Accreditation Congress (IFSAC) seal as a Driver/Operator-Pumper by making application to the commission for the IFSAC seal and paying the applicable fees. **This subsection will expire on August 1, 2016.**
- (b) Individuals completing a commission-approved driver/operator-pumper program; documenting, as a minimum, an IFSAC seal for Fire Fighter I; and passing the applicable state examination may be granted an IFSAC seal as a Driver/Operator-Pumper by making application to the commission for the IFSAC seal and paying applicable fees.

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

A. Discussion and possible action on proposed amendments, new sections, and repeals as follows:

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

CHAPTER 435

FIRE FIGHTER SAFETY

§435.1 Protective Clothing.

A regulated fire department shall:

(1) purchase, provide, and maintain a complete set of protective clothing for all fire protection personnel who would be exposed to hazardous conditions from fire or other emergencies or where the potential for such exposure exists. A complete set of protective clothing shall consist of garments including bunker coats, bunker pants, boots, gloves, helmets, and protective hoods, worn by fire protection personnel in the course of performing fire-fighting operations;

(2) ensure that all protective clothing which are used by fire protection personnel assigned to fire suppression duties comply with the minimum standards of the National Fire Protection Association suitable for the tasks the individual is expected to perform. The National Fire Protection Association standard applicable to protective clothing is the standard in effect at the time the entity contracts for new, rebuilt, or used protective clothing; and

(3) maintain and provide upon request by the commission, a departmental standard operating procedure regarding the use, selection, care, and maintenance of protective clothing which complies with NFPA 1851, Standard on Selection, Care, and Maintenance of Structural Fire Fighting Protective Ensembles.

(4) To ensure that protective clothing for fire protection personnel continues to be suitable for assigned tasks, risk assessments conducted in accordance with NFPA 1851 shall be reviewed and revised as needed, but in any case not more than five years following the date of the last risk assessment.

§435.3 Self-Contained Breathing Apparatus.

The employing entity shall:

(1) purchase, provide, and maintain a complete self-contained breathing apparatus for each on-duty fire protection personnel who engage in operations where IDLH atmospheres may be encountered, where the atmosphere is unknown or would be exposed to hazardous atmospheres from fire or other emergencies or where the potential for such exposure exists;

(2) ensure that all self-contained breathing apparatus used by fire protection personnel complies with the minimum standards of the National Fire Protection Association identified in NFPA 1981, Standard on Open-Circuit Self-Contained Breathing Apparatus for Fire Fighters;

(A) the National Fire Protection Association standard applicable to a self-contained breathing apparatus is the standard in effect at the time the entity contracts for new, rebuilt, or used self-contained breathing apparatus;

(B) an entity may continue to use a self-contained breathing apparatus in use or contracted for before a change in the National Fire Protection Association standard, unless the commission determines that the continued use of the self-contained breathing apparatus constitutes an undue risk to the wearer, in which case the commission shall order that the use be discontinued and shall set an appropriate date for compliance with the revised standard;

(3) develop an air quality program that complies with the most recent edition of the NFPA 1989 Standard on Breathing Air Quality for Emergency Services Respiratory Protection;

(4) maintain and supply upon request by the commission, records and reports documenting compliance with commission requirements concerning self-contained breathing apparatus and

breathing air. Records of all tests shall be made and the records shall be retained for a period of no less than three years;

(5) maintain and provide upon request by the commission, a departmental standard operating procedure regarding the use of self-contained breathing apparatus; and

(6) maintain and provide upon request by the commission, a department standard operating procedure regarding the selection, care, and maintenance of self-contained breathing apparatus that complies with the most recent edition of the NFPA 1852 Standard on Selection, Care, and Maintenance of Open-Circuit Self-Contained Breathing Apparatus (SCBA).

§435.5 Commission Recommendations.

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

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

§435.7 Fire Department Staffing Studies.

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

(b) A city should ultimately decide on the level of fire protection it is willing to provide to its citizens. The city and fire department should, as a minimum, address the needs of prevention, investigation and suppression as outlined in the appropriate National Fire Protection Association Standards. That decision should be based on facts, the safety of its citizens, and the safety of the fire fighters providing that protection.

(c) The commission will assist by maintaining information pertinent to fire department staffing. The information shall be maintained in the Ernest A. Emerson Fire Protection Resource Library at the commission. Copies shall be made available, free of charge, to anyone requesting such information to the extent permitted by copyright laws.

§435.9 Personal Alert Safety System (PASS).

The employing entity shall:

(1) purchase, provide, and maintain a PASS device for each on duty fire protection personnel who engage in operations where IDLH atmospheres may be encountered, or where the atmosphere is unknown, or where hazardous conditions from fire or other emergencies exist, or where the potential for such exposure exists;

(2) ensure that all PASS devices used by fire protection personnel comply with the minimum standards of the National Fire Protection Association identified in NFPA 1982, Standard on Personal Alert Safety Systems (PASS) for Fire Fighters:

(A) the National Fire Protection Association standard applicable to a PASS device is the standard in effect at the time the entity contracts for new, rebuilt, or used PASS devices;

(B) an entity may continue to use a PASS device that meets the requirements of an earlier edition of NFPA 1982, unless the commission determines that the continued use of the PASS device constitutes an undue risk to the wearer, in which case the commission shall order that the use be discontinued and shall set an appropriate date for compliance with the revised standard;

(3) ensure that the PASS device assigned to an individual user be inspected at the beginning of each duty period and before each use.

(4) maintain and provide upon request by the commission, a departmental standard operating procedure regarding the proper use, selection, care and maintenance of PASS devices.

§435.11 Incident Management System (IMS).

(a) The fire department shall develop, maintain and use an incident management system.

(b) The incident management system shall:

(1) include a written operating procedure for the management of emergency incidents;

(2) require that the IMS be used at all emergency incidents;

(3) require operations to be conducted in a manner that recognizes hazards and assists in the prevention of accidents and injuries;

(4) require that all fire protection personnel be trained in the use of the IMS; and

(5) require that the IMS be applied to all drills, exercises and all other situations that involve hazards similar to those encountered at an actual emergency.

(c) The IMS shall meet the requirements of the applicable sections of the NFPA 1561, Standard on Fire Department Incident Management System.

(d) The commission recommends departments follow the National Incident Management System (NIMS) when developing their incident management system.

§435.13 Personnel Accountability System.

(a) The fire department shall develop, maintain and use a personnel accountability system that provides for a rapid accounting of all personnel at an emergency incident.

(b) The accountability system shall:

(1) require all fire protection personnel be trained in the use of the accountability system;

(2) require that the fire protection personnel accountability system be used at all incidents;

(3) require that all fire protection personnel operating at an emergency incident to actively participate in the personnel accountability system; and

(4) require that the incident commander be responsible for the overall personnel accountability system for the incident.

(c) The fire department shall be responsible for developing the system components required to make the personnel accountability system effective.

(d) The personnel accountability system shall meet the minimum standards required by the National Fire Protection Association 1561, Standard on Fire Department Incident Management System. If the standard is revised, the fire department shall have one (1) year from the effective date of the new standard to comply.

§435.15 Operating At Emergency Incidents.

(a) The fire department shall develop, maintain and use a standard operating procedure for fire protection personnel operating at emergency incidents.

(b) The standard operating procedure shall:

- (1) specify an adequate number of personnel to safely conduct emergency scene operations;
- (2) limit operations to those that can be safely performed by personnel at the scene;
- (3) require all personnel to be trained in and use the standard operating procedures; and
- (4) comply with §435.17 (Procedures for Interior Structural Fire Fighting).

(c) The fire department may use standards established by the National Fire Protection Association for fire protection personnel operating at an emergency incident.

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

(a) The fire department shall develop written procedures that comply with the Occupational Safety and Health Administration's Final Rule, 29 CFR Section 1910.134(g)(4) by requiring:

(1) a team of at least four fire protection personnel must be assembled before an interior fire attack can be made when the fire has progressed beyond the incipient stage;

(2) at least two fire protection personnel to enter the IDLH atmosphere and remain in visual or voice (not radio) contact with each other;

(A) Visual means that the fire protection personnel must be close enough to see each other.

(B) Voice means that the fire protection personnel of the entry team must be close enough to speak to one another without the use of radios.

(3) at least two fire protection personnel remain located outside the IDLH atmosphere to perform rescue of the fire protection personnel inside the IDLH atmosphere;

(4) all fire protection personnel engaged in interior structural fire fighting use self-contained breathing apparatus and be clothed in a complete set of protective clothing as identified in Chapter 435;

(5) all fire protection personnel located outside the IDLH atmosphere be equipped with appropriate retrieval equipment where retrieval equipment would contribute to the rescue of the fire protection personnel that have entered the IDLH atmosphere;

(6) one of the outside fire protection personnel must actively monitor the status of the inside fire protection personnel and not be assigned other duties. The second outside fire protection personnel may be assigned to an additional role, including, but not limited to, incident commander, safety officer, driver-operator, command technician or aide, or fire fighter/EMS personnel, so long as this individual is able to perform assistance or rescue activities without jeopardizing the safety or health of any fire protection personnel working at the scene;

(7) the fire protection personnel outside the IDLH atmosphere must remain in communication (including, but not limited to, radio) with the fire protection personnel in the IDLH atmosphere. Use of a signal line (rope) as a communications instrument for interior fire fighting is not permitted by the commission. This does not preclude the use of rescue guide ropes (guide line or lifeline or by what ever name they may be called) used during structural searches; and

(8) each outside fire protection personnel must have a complete set of protective clothing and self-contained breathing apparatus, as identified in Chapter 435, immediately accessible for use if the need for rescue activities inside the IDLH atmosphere is necessary.

(b) The fire department shall comply with the 2-in/2-out rule as described in this section except in an imminent life-threatening situation when immediate action could prevent the loss of life or serious injury before the team of four fire protection personnel are assembled.

§435.19 Enforcement of Commission Rules.

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

(b) The commission shall not provide prior notification of an inspection to a fire department.

(c) Upon receipt of a signed complaint alleging a violation of a commission rule, the commission shall have 30 days to initiate an investigation and report back to the complainant its progress.

(d) Upon substantiating the validity of a written complaint, the commission shall follow the procedures outlined in Texas Government Code, Chapter 419, §419.011(b) and (c).

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

(a) A fire department shall assess the wellness and fitness needs of the personnel in the department. The procedure used to make this assessment shall be written and made available for Commission inspection.

(b) A fire department shall develop and maintain a standard operating procedure to address those needs.

(c) The approach to the fitness needs of the department shall be based on the local assessment and local resources.

(d) The standard operating procedure shall be made available to the Commission for inspection.

§435.23 Fire Fighter Injuries.

(a) A fire department shall report all Texas Workers' Compensation Commission reportable injuries that occur to on-duty regulated fire protection personnel on the Commission form.

(b) Minor injuries are those injuries that do not result in the fire fighter missing more than one duty period or does not involve the failure of personal protective equipment. Minor injuries shall be reported within 30 business days of the injury event.

(c) Major injuries are those that require the fire fighter to miss more than one duty period. Major injuries shall be reported within five business days of the injury event.

(d) Investigatable injuries are those resulting from the malfunction of personal protective equipment, failure of personal protective equipment to protect the fire fighter from injury, or injuries sustained from failure to comply with any provision of Commission mandated department SOPs. Investigatable injuries shall be reported within five business days of the injury event.

(e) The regulated entity shall secure any personal protective equipment involved in a fire fighter injury and shall be made available to the Commission for inspection.

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

(a) In an effort to improve firefighter safety in the State of Texas, all regulated entities will ensure that the National Fallen Firefighters Foundation's "Courage to be Safe So Everyone Goes Home" program be completed as part of the continuing education required for certified fire protection personnel by December 1, 2015. Individuals will be credited with four hours of continuing education credit for completing this program.

(b) All regulated fire protection personnel must complete the National Fallen Firefighters Foundation's "Courage to be Safe So Everyone Goes Home" program prior to December 1, 2015.

(c) All fire protection personnel appointed after December 1, 2015 will be required to complete the National Fallen Firefighters Foundation's "Courage to be Safe So Everyone Goes Home" program training within one year of appointment to a fire department.

(d) Departments will report the completion of training through the commission's web based reporting system.

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

§435.27 Live Fire Training Structure Evolutions.

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

(1) The officer in charge or instructor will ensure that the water supply rate and duration for each individual Live Fire Training Structure Evolution is adequate to control and extinguish the training fire, the supplies necessary for backup lines to protect personnel, and any water needed to protect exposed property.

(2) The instructor-in-charge shall assign the following personnel:

(A) One instructor to each functional crew, which shall not exceed five students.

(B) One instructor to each backup line.

(C) Additional personnel to backup lines to provide mobility.

(D) One additional instructor for each additional functional assignment.

(3) The officer in charge or instructor will ensure that the buildings or props being utilized for live fire training are in a condition that would not pose an undue safety risk.

(4) A safety officer shall be appointed for all Live Fire Training Structure Evolutions. The safety officer shall have the authority, regardless of rank, to alter, suspend or control any aspect of the operations when, in his or her judgment, a potential or actual danger, accident, or unsafe condition exists. The safety officer shall not be assigned other duties that interfere with safety responsibilities.

(5) No person(s) shall play the role of a victim inside the building.

(6) Prior to the ignition of any fire, instructors shall ensure that all personal protective clothing and/or self contained breathing apparatus are NFPA compliant and being worn in the proper manner.

(7) Prior to conducting any live fire training, a pre-burn briefing session shall be conducted. All participants shall be required to conduct a walk-through of the structure in order to have a

knowledge of, and familiarity with, the layout of the building and to be able to facilitate any necessary evacuation of the building.

(8) A standard operating procedure shall be developed and utilized for Live Fire Training Structure Evolutions. The standard operating procedure shall include, but not be limited to:

(A) a Personal Alert Safety System (PASS). A PASS device shall be provided for all participating in live fire training and shall meet the requirements in §435.9 of this title (relating to Personal Alert Safety System (PASS));

(B) a Personnel Accountability System that complies with §435.13 of this title (relating to Personnel Accountability System) shall be utilized;

(C) an Incident Management System;

(D) use of personal protective clothing and self-contained breathing apparatus;

(E) an evacuation signal and procedure; and

(F) pre-burn, burn and post-burn procedures.

§435.29 Federal Highway Administration Traffic Incident Management Program.

(a) In an effort to improve firefighter safety in the State of Texas, all regulated entities will ensure that the Federal Highway Administration Traffic Incident Management program or an equivalent course that is approved by the commission be completed as part of the continuing education required for certified fire protection personnel by December 1, 2020. Individuals will be credited with four hours of continuing education credit for completing this program.

(b) All regulated fire protection personnel must complete the Federal Highway Administration Traffic Incident Management program or an equivalent course that is approved by the commission prior to December 1, 2020.

(c) All fire protection personnel appointed after December 1, 2020 will be required to complete the Federal Highway Administration Traffic Incident Management program training or an equivalent course that is approved by the commission within one year of appointment to a fire department.

(d) Departments will report the completion of training through the commission's web based reporting system.

(e) Failure to complete the Federal Highway Administration Traffic Incident Management program or an equivalent course that is approved by the commission before the required deadlines will be considered a violation of continuing education rules found in Chapter 441 of this title (relating to Continuing Education).

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

- A. Discussion and possible action on proposed amendments, new sections, and repeals as follows:**
 - 7. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 441, Continuing Education.**

CHAPTER 441

CONTINUING EDUCATION

§441.1 Objective.

Continuing education is intended to maintain or increase the knowledge and skills pertinent to the fire service.

§441.3 Definitions.

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

(1) Certification period--That period from the time a certificate is obtained or renewed until it is time for the certificate to be renewed again. See §437.5 of this title (relating to Renewal Fees) for the definition of certification period.

(2) Level 1--Training intended to maintain previously learned skills as stated in the commission certification curriculum manual for the certifications held.

(3) Level 2--Fire service training or education intended to develop new skills that are not contained in the commission's certification curriculum manual for certifications held.

§441.5 Requirements.

(a) Continuing education shall be required in order to renew certification.

(b) The continuing education requirement for renewal shall consist of a minimum of 18 hours of training to be conducted during the certification period. All documentation of training used to satisfy the continuing education requirements must be maintained for a period of three years from the date of the training. Continuing education records shall be maintained by the department in accordance with the Texas State Library and Archives Commission, State and Local Records Management Division, Records Schedule, Local Schedule (GR 1050-28), whichever is greater.

(c) Level 1 training must be conducted by a certified instructor. Interactive computer-based continuing education training that is supervised and verified by a certified instructor is acceptable.

(d) The continuing education program of a regulated entity must be administered and maintained in accordance with commission rule by a certified instructor.

(e) No more than four hours per year in any one subject of Level 1 training may be counted toward the continuing education requirement for a particular certification.

(f) There shall be no "hour per subject limit" placed on Level 2 courses, except that emergency medical courses shall be limited to four hours per year.

(g) The head of a fire department may select subject matter for continuing education appropriate for a particular discipline.

(h) The head of a fire department must certify whether or not the individuals whose certificates are being renewed have complied with the continuing education requirements of this chapter on the certification renewal document. Unless exempted from the continuing education requirements, an individual who fails to comply with the continuing education requirements in this chapter shall be notified by the commission of the failure to comply.

(i) After notification from the commission of a failure to comply with continuing education requirements, an individual who holds a certificate is prohibited from performing any duties authorized by a required certificate until such time as the deficiency has been resolved and written documentation is furnished by the department head for approval by the commission ~~through its Fire Service Standards and Certification Division director~~. Continuing education hours obtained to resolve a deficiency may not be applied to the continuing education requirements for the current certification period.

(j) Any person who is a member of a paid or volunteer fire department who is on extended leave for a cumulative period of six months or longer due to a documented illness, injury, or activation to military service may be exempted from the continuing education requirement for the applicable renewal period(s). Such exemptions shall be reported by the head of the department to the commission at renewal time, and a copy kept with the department continuing education records for three years.

(k) Any individual who is not a member of a paid or volunteer fire department who is unable to perform work, substantially similar in nature as would be performed by fire protection personnel appointed to that discipline, may be exempted from the continuing education requirement for the applicable renewal period(s). Commission staff shall determine the exemption using documentation of the illness or injury that cumulatively lasts six months or longer, which is provided by the individual and the individual's treating physician or by documentation of activation to military service.

(l) In order to renew certification for any discipline which has a continuing education requirement stated in this chapter, an individual holder of a certificate not employed by a regulated entity must comply with the continuing education requirements for that discipline. Only 20 total hours of continuing education for each certification period in Level 1 or Level 2 subjects relating to the certification being renewed shall be required to renew all certificates the individual holds, except as provided in §441.17 of this title (relating to Continuing Education for Hazardous Materials Technician).

(m) An individual certificate holder, not employed by a regulated entity, shall submit documentation of continuing education training upon notification by the commission. An example of documentation of continuing education training may include, but not be limited to a Certificate of Completion, a college or training facility transcript, a fire department training roster, etc. Commission staff will review and may approve or disapprove such documentation of training in accordance with applicable commission rules and/or procedures. The training for a resident of Texas at the time the continuing education training is conducted shall be administered by a commission instructor, commission certified training facility, an accredited institution of higher education, or a military or nationally recognized provider of training. The training for a nonresident of Texas, shall be delivered by a state fire academy, a fire department training facility, an accredited institution of higher education, or a military or nationally recognized provider of training. The individual must submit training documentation to the commission for evaluation of the equivalency of the training required by this chapter. The individual certificate holder is responsible for maintaining all of his/her training records for a period of three years from the date of the training.

(n) If an individual has completed a commission approved academy in the 12 months prior to his or her certification expiration date, a copy of that certificate of completion will be acceptable documentation of continuing education for that certification renewal period.

§441.7 Continuing Education for Structure Fire Protection Personnel.

(a) A minimum of two hours of continuing education in structure fire protection subjects in addition to the continuing education requirements in §441.5(b) of this title (relating to Requirements) will be required for personnel certified as structure fire protection personnel and who are appointed to structure fire protection duties.

(b) Subjects selected to satisfy the continuing education requirement may be selected from Level 1, Level 2, or a combination of both.

§441.9 Continuing Education for Aircraft Rescue Fire Fighting Personnel.

(a) Continuing education will be required for personnel assigned as aircraft rescue fire fighting personnel.

(b) Continuing education must, at a minimum, meet the specific training requirements of FAR 139.319(i)(2) and (3) (pertaining to Aircraft Rescue and Fire Fighting Operational Requirements). Continuing education required by this subsection may exceed 20 hours, if necessary, to complete all required subjects.

§441.11 Continuing Education for Marine Fire Protection Personnel.

(a) A minimum of two hours of continuing education in marine fire protection subjects in addition to the continuing education requirements in §441.5(b) of this title (relating to Requirements) will be required for personnel certified as marine fire protection personnel and who are appointed to marine fire protection duties for any certification period beginning after October 31, 1993.

(b) Subjects selected to satisfy the continuing education requirement may be selected from Level 1, Level 2, or a combination of both.

§441.13 Continuing Education for Fire Inspection Personnel.

(a) A minimum of two hours of continuing education in fire inspection subjects in addition to the continuing education requirements in §441.5(b) of this title (relating to Requirements) will be required for personnel certified as fire inspection personnel and who are appointed to fire inspection duties.

(b) Subjects selected to satisfy the continuing education requirement may be selected from Level 1, Level 2, or a combination of both.

§441.15 Continuing Education for Arson Investigator or Fire Investigator.

(a) A minimum of two hours of continuing education in arson or fire investigation subjects in addition to the continuing education requirements in §441.5(b) of this title (relating to Requirements) will be required for personnel certified as arson investigation or fire investigation personnel and who are appointed to arson or fire investigation duties.

(b) Subjects selected to satisfy the continuing education requirement may be selected from Level 1, Level 2, or a combination of both.

§441.17 Continuing Education for Hazardous Materials Technician.

(a) Eight hours of continuing education in hazardous materials (technician level) will be required for individuals certified as a hazardous materials technician. This will be in addition to continuing education required by other sections of this chapter.

(b) Subjects selected to satisfy the continuing education requirement may be selected from Level 1, Level 2, or a combination of both.

§441.19 Continuing Education for Head of a Fire Department.

(a) A minimum of **twenty** [~~two~~] hours of continuing education [~~in fire administration subjects~~] in addition to the continuing education requirements in §441.5(b) of this title (relating to Requirements) will be required for personnel certified as head of a fire department and who are appointed as head of a department. **The twenty hours of continuing education shall include:**

(1) ten hours in emergency operations subjects; and

(2) ten hours in fire administration subjects. These subjects may include emergency management, leadership, budget and finance, labor relations, human resources and personnel management, collective bargaining, conflict resolution, organizational and strategic planning, community relations and public education, intergovernmental relations, and personnel health, safety and wellness.

(b) Subjects selected to satisfy the continuing education requirement may be selected from Level 1, Level 2, or a combination of both.

§441.21 Continuing Education for Fire Service Instructor.

(a) A minimum of two hours of continuing education in fire service instruction subjects in addition to the continuing education requirements in §441.5(b) of this title (relating to Requirements) will be required for individuals certified as a fire service instructor and who are appointed to fire service instructor duties.

(b) Subjects selected to satisfy the continuing education requirement may be selected from Level 1, Level 2, or a combination of both.

§441.23 Continuing Education for Wildland Fire Fighter.

A minimum of four hours of continuing education in Wildland Fire Fighting subjects will be required for individuals certified as a Wildland Fire Fighter. The required hours must include hands-on refresher training in the use and deployment of a fire shelter. The four hours may be included in the eighteen hours required during the certification renewal period.

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

A. Discussion and possible action on proposed amendments, new sections, and repeals as follows:

- 8. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 451, Fire Officer.**

CHAPTER 451

FIRE OFFICER

SUBCHAPTER A

MINIMUM STANDARDS FOR FIRE OFFICER I

§451.1 Fire Officer I Certification.

A Fire Officer I is defined as an individual who may supervise fire personnel during emergency and non-emergency work periods; serve in a public relations capacity with members of the community; implement departmental policies and procedures at the unit level; secure fire scenes and perform fire investigations to determine preliminary cause; conduct pre-incident planning; supervise emergency operations; or ensure a safe working environment for all personnel.

§451.3 Minimum Standards for Fire Officer I Certification.

(a) In order to be certified as a Fire Officer I an individual must:

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

(2) hold Fire Service Instructor I certification through the commission; and

(A) possess valid documentation as a Fire Fighter II and Fire Officer I from either:

(i) the International Fire Service Accreditation Congress; or

(ii) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2009 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1(a)(2) of this title (relating to Requirements—General); or

(B) complete a commission approved Fire Officer I program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Fire Officer I program must consist of one of the following:

(i) completion of a commission approved Fire Officer I Curriculum as specified in Chapter 9 of the commission's Certification Curriculum Manual;

(ii) completion of an out-of-state and/or military training program that has been submitted to the commission for evaluation and found to be equivalent to or exceed the commission approved Fire Officer I Curriculum; or

(iii) successful completion of 12 college semester hours consisting of the following courses or their equivalent:

(I) Fire Prevention Codes and Inspections, 3 semester hours;

(II) Fire and Arson Investigation I or II, 3 semester hours;

(III) Fire Administration I, 3 semester hours; and

(IV) Firefighting Strategies and Tactics I or II, 3 semester hours.

- (b) Out-of-state or military training programs which are submitted to the commission for the purpose of determining equivalency will be considered equivalent if all competencies set forth in Chapter 9 (pertaining to Fire Officer I) of the commission's Certification Curriculum Manual are met.
- (c) College courses will be considered equivalent if the course description is substantially similar to the course description contained in the Workforce Education Course Manual (WECM) from the Texas Higher Education Coordinating Board.

§451.5 Examination Requirements.

- (a) Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive Fire Officer I certification.
- (b) Individuals will be permitted to take the Commission examination for Fire Officer I certification by documenting the following: Structure Fire Protection Personnel certification and Fire Service Instructor certification through the Commission or the equivalent IFSAC seals, and completing a Commission-approved Fire Officer I curriculum.

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

- (a) Individuals holding a current commission Fire Officer I certification received prior to March 10, 2003, may be granted an International Fire Service Accreditation Congress (IFSAC) seal as a Fire Officer I by making application to the commission for the IFSAC seal and paying applicable fees. **This subsection will expire on August 1, 2016.**
- (b) Individuals completing a commission-approved Fire Officer I program, documenting an IFSAC seal for Fire Fighter II and Instructor I, and passing the applicable state examination may be granted an IFSAC seal as a Fire Officer I by making application to the commission for the IFSAC seal and paying applicable fees.

SUBCHAPTER B

MINIMUM STANDARDS FOR FIRE OFFICER II

§451.201 Fire Officer II Certification.

A Fire Officer II is defined as an individual who may evaluate the performance of personnel; deliver public education programs; prepare budget requests, news releases, and policy changes; conduct inspections and investigations; supervise multi-unit emergency operations; and identify unsafe work environments and take preventive action; or review injury, accident, and health exposure reports. Individuals who perform inspections must comply with Chapter 429 of this title (relating to Minimum Standards for Fire Inspectors). Individuals who perform investigations must comply with Chapter 431 of this title (relating to Fire Investigation).

§451.203 Minimum Standards for Fire Officer II Certification.

(a) In order to be certified as a Fire Officer II an individual must:

- (1) hold certification as Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel; and
- (2) hold Fire Officer I certification through the commission; and
- (3) hold, as a minimum, Fire Service Instructor I certification through the commission; and
 - (A) possess valid documentation as Fire Officer II; from either:
 - (i) the International Fire Service Accreditation Congress; or
 - (ii) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2009 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1(a)(2) of this title (relating to Requirements—General); or
 - (B) complete a commission approved Fire Officer II program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Fire Officer II program must consist of one of the following:
 - (i) completion of a commission approved Fire Officer II Curriculum as specified in Chapter 9 of the commission's Certification Curriculum Manual;
 - (ii) completion of an out-of-state and/or military training program that has been submitted to the commission for evaluation and found to be equivalent to or exceed the commission approved Fire Officer II Curriculum; or
 - (iii) successful completion of 15 college semester hours consisting of the following courses or their equivalent:
 - (I) Fire Prevention Codes and Inspections, 3 semester hours;
 - (II) Fire and Arson Investigation I or II, 3 semester hours;
 - (III) Fire Administration I, 3 semester hours;
 - (IV) Fire Administration II or Company Fire Officer, 3 semester hours; and
 - (V) Firefighting Strategies and Tactics I or II, 3 semester hours.

- (b) Out-of-state or military training programs which are submitted to the commission for the purpose of determining equivalency will be considered equivalent if all competencies set forth in Chapter 9 (pertaining to Fire Officer) of the commission's Certification Curriculum Manual are met.
- (c) College courses will be considered equivalent if the course description is substantially similar to the course description contained in the Workforce Education Course Manual (WECM) from the Texas Higher Education Coordinating Board.

§451.205 Examination Requirements.

- (a) Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive Fire Officer II certification.
- (b) Individuals will be permitted to take the Commission examination for Fire Officer II certification by documenting the following: Structure Fire Protection Personnel certification, Fire Service Instructor certification and Fire Officer I certification through the Commission or the equivalent IFSAC seals, and completing a Commission-approved Fire Officer II curriculum.

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

- (a) Individuals holding a current Commission Fire Officer II certification received prior to March 10, 2003, may be granted an International Fire Service Accreditation Congress (IFSAC) seal as a Fire Officer II by making application to the Commission for the IFSAC seal and paying applicable fees. **This subsection will expire on August 1, 2016.**
- (b) Individuals completing a Commission-approved Fire Officer II program; documenting IFSAC seals for Fire Fighter II, Instructor I and Fire Officer I; and passing the applicable state examination, may be granted an IFSAC seal as a Fire Officer II by making application to the Commission for the IFSAC seal and paying applicable fees.

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

- A. Discussion and possible action on proposed amendments, new sections, and repeals as follows:**
 - 9. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 453, Hazardous Materials.**

CHAPTER 453**HAZARDOUS MATERIALS****SUBCHAPTER A****MINIMUM STANDARDS FOR HAZARDOUS MATERIALS TECHNICIAN****§453.1 Hazardous Materials Technician Certification.**

- (a) A Hazardous Materials Technician is defined as an individual who performs emergency response to an occurrence which results in, or is likely to result in, an uncontrolled release of a hazardous substance where there is a potential safety or health hazard (i.e., fire, explosion, or chemical exposure). A Hazardous Materials Technician responds to such occurrences and is expected to perform work to handle and control (stop, confine, or extinguish) actual or potential leaks or spills. The Hazardous Materials Technician assumes a more aggressive role than a first responder at the operations level, in that the Hazardous Materials Technician will approach the point of release. The Hazardous Materials Technician is expected to use specialized Chemical Protective Clothing (CPC) and specialized control equipment.
- (b) All individuals holding a Hazardous Materials Technician Certification shall be required to comply with the continuing education requirements in §441.17 of this title (relating to Continuing Education for Hazardous Materials Technician).

§453.3 Minimum Standards for Hazardous Materials Technician Certification.

- (a) In order to be certified as a Hazardous Materials Technician an individual must:
- (1) hold certification as Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel; and
 - (2) possess valid documentation as a Hazardous Materials Technician from either:
 - (A) the International Fire Service Accreditation Congress; or
 - (B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2008 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1(a)(2) of this title (relating to Requirements—General); or
 - (3) complete a commission approved Hazardous Materials Technician program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Hazardous Materials Technician program must consist of one of the following:
 - (A) completion of a commission approved Hazardous Materials Technician Curriculum as specified in Chapter 6 of the commission's Certification Curriculum Manual; or
 - (B) completion of an out-of-state and/or military training program that has been submitted to the commission for evaluation and found to be equivalent to, or exceeds the commission approved Hazardous Materials Technician Curriculum.
- (b) Out-of-state or military training programs which are submitted to the commission for the purpose of determining equivalency will be considered equivalent if all competencies set forth in Chapter 6 (pertaining to Hazardous Materials Technician) of the commission's Certification Curriculum Manual are met.

§453.5 Examination Requirements.

- (a) Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive a Hazardous Materials Technician Certification.
- (b) Individuals will be permitted to take the commission examination for Hazardous Materials Technician by documenting completion of the NFPA 472 Awareness and Operations level training and completing a commission approved Hazardous Materials Technician curriculum.

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

- (a) Individuals holding a current commission Hazardous Materials Technician certification received prior to March 10, 2003, may be granted an International Fire Service Accreditation Congress (IFSAC) seal as a Hazardous Materials Technician by making application to the commission for the IFSAC seal and paying applicable fees. **This subsection will expire on August 1, 2016.**
- (b) Individuals completing a commission approved Hazardous Materials Technician program, documenting an IFSAC seal for Hazardous Materials Awareness Level Personnel; and
 - (1) Hazardous Materials Operations Level Responders, including the Mission-Specific Competencies for Personal Protective Equipment and Product Control under the current edition; or
 - (2) NFPA 472 Hazardous Materials Operations prior to the 2008 edition; and
 - (3) upon passing the applicable state examination, may be granted an IFSAC seal as a Hazardous Materials Technician by making application to the commission for the IFSAC seal and paying applicable fees.

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

B. Report from the Curriculum and Testing Committee with discussion and possible action on recommendations regarding possible changes to the Certification Curriculum Manual, including but not limited to the following:

- a. Fire Investigator reference list**
- b. Driver/Operator-Pumper reference list**



Texas Commission on Fire Protection

Agenda Item Summary

MEETING: Commission
DATE: 4/9/2015

Agenda Item: 11. B

Agenda Title: Recommended changes to Certification Curriculum Manual

Action to be taken: Discussion, possible approval

Origin of Item: Curriculum and Testing Committee

INTRODUCTION/PURPOSE

Update current reference list for Fire Investigator and Driver/Operator-Pumper curricula.

DESCRIPTION/ JUSTIFICATION

The recommended change updates reference material to reflect new editions and correct titles for certain publications. Curricula content is not impacted by the reference material updates.

BUDGET IMPACT

No budget impact anticipated

TIMELINE CONSIDERATIONS

Effective date of reference material updates immediately if approved by commission.

RECOMMENDATION

Changes recommended by FF Advisory Committee

REFERENCES

Curriculum Manual

RECOMMENDED REFERENCE LIST FOR THE FIRE INVESTIGATOR CURRICULUM

This Reference List is provided as a general guide for both instructors and students to locate information pertaining to the specific objectives in the TCFP Curriculum. This list is **not** all-inclusive and does not in any way limit TCFP development and use of questions to test the objectives of the curriculum:

Required References

DeHaan, John D., *Kirk's Fire Investigation*, (7th ed.) (2012). Upper Saddle River, NJ: Brady/Prentice Hall.

Emergency Response Guidebook, (Current ed.) U.S. Department of Transportation Research and Special Programs Administration, Office of Hazardous Materials Initiatives and Training.

Fire Inspection and Code Enforcement (8th ed.) (2014). Stillwater, OK: Fire Protection Publications. International Fire Service Training Association.

Fire Investigator (2nd ed.) (2010). Stillwater OK: Fire Protection Publications. International Fire Service Training Association (IFSTA).

Fire Investigator: Principles and Practices (3rd ~~4th~~ ed.) (~~2012~~ **2016**). Burlington, MA: Jones and Bartlett Learning.

NFPA 921: Guide for Fire and Explosion Investigations (2014 ed.) Quincy, MA: National Fire Protection Association. NFPA Publications.

NFPA 1033: Standard for Professional Qualifications for Fire Investigator (2014 ed.) Quincy, MA: National Fire Protection Association. NFPA Publications.

Rules of Criminal Evidence, latest edition. (On 10/28/14, this information was available online at <http://www.txcourts.gov/rules-forms/rules-standards.aspx>).

Texas Code of Criminal Procedure, latest edition. (On 10/28/14, this information was available online at <http://www.statutes.legis.state.tx.us/>).

Texas Commission on Fire Protection, *Fire Investigator Curriculum*.

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

Texas Family Code, latest edition. (On 10/28/14, this information was available online at <http://www.statutes.legis.state.tx.us/>).

Texas Insurance Code, latest edition. (On 10/28/14, this information was available online at <http://www.statutes.legis.state.tx.us/>).

Texas Penal Code, latest edition. (On 10/28/14, this information was available online at <http://www.statutes.legis.state.tx.us/>).

Texas Public Information Act Handbook, latest edition. (On 10/28/14, this information was available online at http://www.oag.state.tx.us/AG_publications/pdfs/publicinfo_hb.pdf. It is available through the Texas Attorney General's office.)

United States Constitution. (On 10/28/14, this information was available online at <http://www.archives.gov/exhibits/charters/charters.html>).

Recommended References

The most current edition of the following publications and media are recommended (not required) supplemental material for program use.

Texts

Cole, Lee S., *Investigation of Motor Vehicles*, (4th ed.) (2001). Lee Books.

Fire in Texas, Texas State Fire Marshal's Office. Department of Insurance, TEXFIRS section.

Icove, David J., DeHaan, John D, and Haynes, Gerald A., *Forensic Fire Scene Reconstruction*, (3rd ed.) (2012). Upper Saddle River, NJ: Brady/Prentice Hall.

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

Factory Mutual Insurance – *Fire Investigators Handbook*

The VIN number book - Passenger Vehicle Identification Manual (2013, 84th edition) National Insurance Crime Bureau, 1111 E. Touhy Avenue, Suite 400, Des Plaines, IL 60018-2805

TX State FMO Lab submittal guide (Forensic Arson Laboratory Guidelines for Evidence) (<http://www.tdi.state.tx.us/fire/documents/fmlabguideline.pdf>)

US DOJ (Fire and Arson Scene Evidence) (<http://www.ncjrs.gov/pdffiles1/nij/181584.pdf>)

RECOMMENDED REFERENCE LIST FOR THE DRIVER/OPERATOR-PUMPER CURRICULUM

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

Fire Apparatus Driver/Operator: Pump, Aerial, Tiller and Mobile Water Supply (2nd ed.) (2014). Sudbury, MA: Jones and Bartlett Publishers.

NFPA 1002: Standard on Fire Apparatus Driver/Operator Professional Qualifications (2014 ed.) Quincy, MA: National Fire Protection Association. NFPA Publications.

NFPA 1901, Standard for Automotive Fire Apparatus, (2009 ed.) Quincy, MA: National Fire Protection Association. NFPA Publications.

*Pumping Apparatus **and Aerial** Driver/Operator Handbook* (3rd ed.) (2014). Stillwater, OK: Fire Protection Publications. International Fire Service Training Association.

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

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

A. Report on decisions of the Executive Director in contested cases and consent orders.

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

B. Status of division functions.

Overview and Executive Office Activities

All agency functional areas continue the fiscal year with full schedules and workloads.

Activities for Legislative Session

The agency entered the 2nd quarter with the upcoming 2015 legislative session in view. Of particular interest are the exceptional items requested by the agency for its FY2016-17 budget, and the request to have the agency's 3 million dollar budget rider deleted. The executive office and financial services section appeared before the House Appropriations Committee (Feb 18th) and the Senate Finance Committee (Feb 23rd) during the quarter to testify and make formal requests regarding its upcoming budget appropriations. Additionally the Executive Director appeared before the Urban Affairs Committee (Feb 17th) to provide an agency overview for the benefit of new committee members. The agency also continues to track introduced legislative bills that have the potential to impact its operations.

On January 28th, the commission board met for a legislative workshop. The purpose of the workshop was to discuss budget requests and other pertinent documents that could be scrutinized by the legislature during the session. The workshop provided the opportunity to ensure that everyone was "on the same page" regarding the agency, its functions, and its needs.

On February 4th the executive office also had the opportunity to meet with Mr. Seth Christensen, the new liaison to TCFP from the governor's office. The director provided Mr. Christensen with an overview of the agency and its legislative requests.

Small State Agency Task Force

TCFP staff had the opportunity to participate in two meetings of the Small State Agency Task Force, an informal group that looks out for the interests of agencies with fewer than 100 employees. One of the meetings in particular focused on the upcoming legislative session, and provided a good deal of useful information to participants regarding such things as priorities, pointers for testifying before committees, and other important items.

Other Activities of the Executive Director

- ❖ Presented at the 2015 TEEEX Leadership Symposium on January 14th in San Marcos.
- ❖ Participated in annual meetings of the Rural Fire Advisory Council on February 19th and 20th at the SFFMA offices in Manchaca.
- ❖ Participated in follow-up meetings with the State Office of Risk Management (SORM) regarding the agency's completed inspection. SORM recommended that the agency explore the possibility of obtaining insurance for contents, and for directors. Application packages are currently being prepared for submission.
- ❖ December 10th: Conducted new commissioner orientation for incoming Commissioner Tivy Whitlock.
- ❖ Participated in booth at SAFE-D conference in Bastrop on January 16th.

Certification, Renewal and Curriculum 2nd Quarter Report, FY 2015

Certification/Renewal

- 2,565 certificates issued
- 1046 IFSAC seals issued
- 250 training facilities holding 1,457 active certifications
- 307 individual certificate holders renewed
- 31,024 active certificate holders
- 202 training facilities renewed
- 16 training facility certificates issued to 10 different entities

Other Activities:

- The continuing education audit program is back on track. The program goal of auditing 50% (1368) of the individual certificate holders is currently in process. There were 402 individuals audited in the 2nd qtr with 968 more individuals to be audited in the 3rd and 4th quarters.
- 3rd reminder for certified training facilities with expired certificates of renewal expiration date and the requirements.

Curriculum Development

Committees Meetings

- 12/17/14 Head of Dept. Ad Hoc committee
- 12/18/14 FF Advisory committee
- 1/26 – 1/27/15 Hazmat Ad Hoc committee
- 1/28 – 1/29/15 Curriculum & Testing committee
- 1/29/15 Commission meeting
- 2/11 – 2/12/15 Investigator Ad Hoc committee

Committees

- **Hazmat Ad Hoc committee** – Committee met in January to review test question banks in preparation for the new curriculum which becomes effective June 1, 2015.
- **Curriculum and Testing Committee**
 - Reviewed and created new test questions for Fire Officer IV and Investigator
 - Reviewed the changes to NFPA 1031 (2014 Edition) and determined that an ad hoc committee would be formed in 2015 to update the Inspector I, II and Plans Examiner I curricula. (These curricula must be updated by June of 2016.)
- **Head Of Department** – the committee had a public meeting, attended by several members of the FF Advisory committee, several commissioners, as well as interested TCFP customers. The ad hoc committee listened to feedback from the audience and amended the proposed rules for the **FF Advisory committee** meeting the following day. (No further comments about nor changes to the rules were made at the FF Advisory committee meeting.)
- **Investigator** – new test question bank to be used for on-line testing was reviewed. Many new test questions were written to fill in places where needed.

Test Development and Test Bank Maintenance

- Created 145 monthly certification exams.
- Continued regular review of test questions as required.
- Finished creating five new TCFP test banks for on-line testing: Officer I – IV, Fire Investigator.
- Updated all four hazmat test question banks to new editions of NFPA standards and new text books (Awareness, Ops, Tech and Hazmat IC)

**Commission Quarterly Report
Training Approval and Testing Section**

- **Test Administration, Training Approvals, Record Reviews, and Training and Skill Testing Audits Statistics – 2nd Quarter, FY 2015**
 - o Test Administration – 2060 exams were administrated during this quarter (1132 in December) with an average grade of 81.46% and a pass rate of 90.77%.
 - o Training Approvals – Total of 179 training approvals were submitted during this quarter in the commission’s Training Facility Management System.
 - o Record Reviews – One hundred thirty-one (131) record reviews for equivalency were conducted (43 out of state; 28 SFFMA; 31 Wildland; 13 new disciplines for individuals with current certifications; 16 for expired skills) and 405 test packets were distributed in the 2nd quarter. One hundred ninety (190) Qual #s were issued in the Training Facility Management System.
 - o Training and Skill Testing Audits –
 - Forty-five (45) onsite training, record, and skill audits were conducted during this quarter. Thirteen (13) deficiencies were found. The deficiencies identified dealt with incomplete records and failure to submit deviations as required. All deficiencies have been addressed.
 - Ten (10) online training audits were conducted with no deficiencies identified.
- **Activities for the Next Quarter**
 - o Continue to work with IT staff on the online test scheduling procedures, payment processes, and web-based testing project.
 - o Continue working in conjunction with the Compliance Officers to focus on conducting more on-site training, record, and skill audits within their respective regions.

Compliance Report Second Quarter FY 2015

Training

- The Compliance Officers traveled to TCFP Austin office the week of February 2 – 6 to work together on the Personal Protective Equipment (Proximity and Structural) Risk Assessment Education Informational packet. Prior to assembling in Austin the team worked in pairs on separate components of the packet. After the Commissioner's made their final decision on the expectations for regulated entities, the team assembled in Austin to modify, adjust and finalize the frequently asked question, sample risk assessments, and a description of the inspection process. The team also was able to receive updates on other relevant compliance issues.

Meetings & Conferences

- During February the Executive Director had to attend several legislative hearings which created schedule conflicts for him. Due to these conflicts the Compliance Manager attended the following meetings and provided TCFP activity updates to the meeting participants.
 - The State Fire Marshal Forum in Pflugerville Texas on February, 18
 - Annual Fire Chief's Conference in Frisco Texas on February 22 – 24.
- The Compliance Manager attended a meeting of the Small Agency Legislative Task Force to receive updates and information pertaining to the upcoming 84th Regular Legislative session.

Miscellaneous

- The Compliance Manager worked with the Executive Director to finalize and post the Risk Assessment informational packet on the TCFP website.
- The Compliance Manager assisted with the drafting of revisions and recommendations to TAC 445, Administrative Inspections and Penalties for the purpose of streamlining and consistency of the processes used for enforcement.
- The Compliance Manager provided assessment, comment and feedback to the Executive Director as requested on proposed legislation that is of interest the TCFP.

FY 2015 Injury Reporting Program

	1Q	2Q	3Q	4Q	Totals
Reported Injuries	889	1124			2013
Burns	29	34			63
SOP-related*	9	6			15
Environmental-related	34	13			47

*Injuries involving SOP violations

<i>Publications/postings</i>					
AvoidInjury! blog posts	4	3			7

FY 2015 Library Program

	1Q	2Q	3Q	4Q	Totals
<i>Items loaned</i>					
AV items	71	73			144
Print items	14	17			31
<i>Research and reference requests</i>					
Internal	3	5			8
External	26	24			50
New library borrowers (new users)	8	8			16
Responses to borrower follow-up surveys	11	9			20
<i>Items cataloged</i>					
AV items	4	50			54
Print items	0	36			36
Desk copy items ordered and processed	3	6			9
<i>Publications/postings</i>					
Library newsletter	3	3			6

FY 2015 Other Public Information and Outreach Activities

	1Q	2Q	3Q	4Q	Totals
Fire department job postings	134	128			262
Number of departments requesting postings	122	120			242
Website home page articles	3	2			5
Facebook posts	20	22			44
Twitter "tweets"	25	18			43
Open records requests	10	9			19

IT Activity Report: 2nd Quarter, 2015

1. TCFP Websites and Web Applications Uptime 99.999
2. Resolved 155 Service Request (Tickets)
 - Internal users: 101 (may have indirectly addressed external issues.)
 - External users: 54
3. Designing migration plan from Windows Server 2003 to Windows Server 2012
4. Created 5 Servers in preparation for future projects and migration projects
 - FIDO /FARM/HelpDesk/Moodle/Exam
5. Implemented 5 VPN Connections for staff (Remote access)
 - Fred/Bobby/Tim/Mark/Joyce
6. Developed Finance Module for Reconciliation Purposes
7. Augmented CE Audit Application in FARM
8. Developing Online Exams (Programs)
 - Application to Test (complete)
 - Paying for Test (Ongoing)
9. Researched professional development suites
 - Lynda.com (Recommended)lsight.com
10. Researched 5 Major IT products
 - Redmine
 - VSO
 - TFS (Recommended)
 - MS 365
 - GitHub
11. Interviewed potential candidates for Programmer position
 - Recommended 1 for hire.

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

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

15. Adjourn meeting.