

**TEXAS COMMISSION ON FIRE PROTECTION**  
**January 14, 2016, 9:00 a.m.**  
**1701 N. Congress Ave., William B. Travis Building, Room 1-104, Austin, Texas**

- 1. Roll call – 9:00 a.m. (including consideration of whether to excuse absences).**
- 2. Adoption of the commission meeting minutes of October 29, 2015.**
- 3. The Budget and Strategic Plan subcommittees may meet separately or together on January 14, 2016 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 Firemen’s and Fire Marshals’ Association of Texas, the Texas Fire Marshal’s Association, the Texas Association of Fire Educators, the Texas A&M Forest Service, the National Fire Protection Association, Texas State Association of Fire and Emergency Districts, 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 the appointment of a new commission representative to serve on the Texas Fire School Advisory Board.**
- 7. Discussion and possible action regarding report from commission representative to the Homeland Security Council.**
- 8. Discussion and possible action on current Fire Fighter Advisory Committee membership and the appointment of two new members to the committee.**
- 9. New matters from the commission, staff, or public which may be discussed in future commission meetings.**
- 10. Discussion and possible action on future meeting dates.**
- 11. Matters referred from the Fire Fighter Advisory Committee (FFAC), including, but not limited to:**
  - A. Discussion and possible final adoption of proposed amendments, new sections, and repeals as follows:**
    - 1. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 421, Standards for Certification.**
    - 2. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 437, Fees.**
    - 3. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 441, Continuing Education.**

- B. 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 431, Fire Investigation.**
  - C. Discussion and possible action on fees charged by the agency.**
  - D. 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. Inspector I Curriculum**
    - b. Inspector II Curriculum**
    - c. Plans Examiner I Curriculum**
    - d. Basic Fire Inspector Curriculum outline**
    - e. Basic Fire Inspector reference list**
  - E. Discussion and possible action on development of new curricula and possible new certifications.**
- 12. Discussion and possible action regarding current NFPA 1851 requirements for SCBA facepieces.**
- 13. 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.**
- 14. 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.**
- 15. Open session for further discussion and possible action regarding preceding agenda item.**
- 16. 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 – 9:00 a.m. (including consideration of whether to excuse absences).**

2. **Adoption of the commission meeting minutes of October 29, 2015.**

## TEXAS COMMISSION ON FIRE PROTECTION

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

Attending	Tommy Anderson John Gillette* Leonardo Perez	Elroy Carson Joseph Gonzalez Steve Tull	Carlos Cortez Mike Jones Tivy Whitlock	Kelley Doster John McMakin	Pat Ekiss Robert Moore
					*absent entire meeting **absent part of meeting
Staff	Tim Rutland Joyce Gunn	Deborah Cowan Mark Roughton	Paul Maldonado Andrew Lutostanski, Assistant Attorney General	Lisa Gonzalez	Sylvia Miller
Guests	Mike Swanson Aaron Bell Richie Pearson Rafael Balderas Leonard Chen	Lynn Bizzell Jason Jackson Danny Jones Joe Morris Bruce Pritchard	Mike Montgomery James Richardson Chris Botello Randy Safer Jason Alexander	Randy Parr Chris Barron Marco Martinez Glenn Deshields Daniel DeYear	David Brannon Mike Wisko Amado Cano, Jr. Kyle Falkner
1. Roll call and introduction of new members	Joseph Gonzales, Assistant Presiding Officer called roll and a quorum was present. Presiding Officer, Robert Moore introduced and welcomed new commission members Tommy Anderson, Carlos Cortez, Kelly Doster and Mike Jones.				
2. Adoption of Minutes	A motion to approve the minutes of the July 29, 2015 and July 30, 2015 meetings was made by Steve Tull and seconded by Pat Ekiss. 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. Appointment of sub-committee members	Presiding Officer Robert Moore, made the following appointments to the Budget sub-committee: Elroy Carson, Chair, John Gillette, Joseph Gonzalez, Leonardo Perez, Tivy Whitlock and Mike Jones. The following were appointed to the Strategic Plan sub-committee: Pat Ekiss, Chair, John McMakin, Steve Tull, Tommy Anderson, Carlos Cortez and Kelly Doster.				
5. Reports from Fire Service Interest Groups	A brief report was given by the Texas Fire Chief's Association, Texas State Association of Fire Fighters, State Firemen's and Fire Marshals' Association, the National Fire Protection Association and the Texas Fire Marshals' Association.				
6. Report from Fire Service School Advisory Board & TEEX	Commission representative Michael Hunt was unable to attend the meeting. Robert Moore gave a brief update on activities to date.				
7. Appointment of New Fire School Advisory Board Representative	A motion was made by Steve Tull and seconded by Tommy Anderson to advertise to fill the vacancy using the agency website and email blast and to have all interested individuals submit a letter of interest to the commission to be reviewed at a subsequent commission meeting. The motion carried.				

8. Report from Homeland Security Council Representative  
Commission Representative, Joseph Gonzalez, informed commissioners the committee met in September and a presentation on nuclear facilities operations was made. The Homeland Security Strategic Plan for 2015-2020 was presented and approved by the Governor. The council is discussing the updating of the National Preparedness Doctrine and how those changes will affect Texas.
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9. Discussion on Appointment of New fire fighter members  
A motion to accept applications to fill the two vacancies on the fire fighter advisory committee with a deadline of December 31, 2015 and for a subcommittee to be formed and meet the following week to review applications and narrow the number down to a maximum of 10 applicants. The motion carried.
- Subcommittee members appointed were: Steve Tull, Pat Ekiss and Jim Reidy (Chair of the fire fighter advisory committee) and their duties are to review all applications and finalize a list of not more than 10 applicants for the full commission to review at its January commission meeting.
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10. Requirements for advisory committee members  
A motion was made by Pat Ekiss and seconded by Joseph Gonzales to have the commission review the makeup of the fire fighter advisory committee every two years and have an update and any recommendations from Chair of the committee at that time. The motion carried.
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11. New matters  
Fire Executive Management Institute of Texas (FEMIT) Program  
Review fire science courses for fire/arson investigators
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12. Future meeting dates  
The next scheduled meeting is January 13, 2016 (workshop) beginning at 2:00 p.m. and the quarterly commission meeting scheduled for January 14, 2016 beginning at 9:00 a.m. as previously scheduled.
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13. Fees  
After discussion, the Presiding Officer asked the budget sub-committee to review all options and the impact of each option on the agency's budget and bring that information to the commission workshop meeting scheduled for January 13, 2016.
- The Presiding Officer also asked the fire fighter advisory committee to discuss the issue at its scheduled December 4, 2015 meeting and bring any recommendations to the January commission meeting.
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14. Matters from Fire Fighter Advisory Committee  
A. 1. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 421, §421.5 as discussed was made by Leonardo Perez and seconded by Pat Ekiss. The motion carried.
2. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 441, §441.5 as discussed was made by Steve Tull and seconded by Elroy Carson. The motion carried.
3. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 455, §455.3 as discussed was made by Tommy Anderson and seconded by Steve Tull. The motion carried.

- B. 1. A motion to approve for publication the proposed amendments to Chapter 421, §421.5 and §421.17 as discussed was made by Elroy Carson and seconded by Leonardo Perez. The motion carried.
2. A motion to approve for publication the proposed amendments to Chapter 437, §§437.3, 437.5 and 437.13 as discussed was made by Steve Tull and seconded by Pat Ekiss. The motion carried.
3. A motion to approve for publication the proposed amendments to Chapter 441, §441.5 as discussed was made by Leonardo Perez and seconded by Kelly Doster. The motion carried.
- C. A motion to approve the recommended changes to the Basic Fire Suppression Curriculum including outlines and reference lists and also the Driver-Operator/Pumper reference list to be effective immediately was made by Pat Ekiss and seconded by Steve Tull. The motion carried.
- D. After discussion, the commission referred the matter to the Curriculum and Testing committee to review the possibility of developing curricula for the agency's mandatory certifications.

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| 15. Higher levels of certification | A motion was made by Joseph Gonzalez and seconded by Leonardo Perez to approve the additional courses as discussed. The motion carried. |
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| 16. Fire & Life Safety Educator | No action taken. The Curriculum and Testing Committee will review the possibility of developing a certification in the future. |
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| 17. Matters from Executive Director | <p>a. Tim Rutland, Executive Director reported no informal conferences had occurred since the last commission meeting.</p> <p>B. Mr. Rutland informed commissioners that staff had sent Fire Officer III and Fire Officer IV information to the International Fire Service Accreditation Congress (IFSAC) to review for possible accreditation. He informed commissioners that NFPA 1851 required a risk assessment before a new contract is entered by the fire department for the purchase of personal protection ensembles. Mr. Rutland also informed commissioners the agency's last vacancy was filled and the new employee would start on November 1, 2015.</p> |
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| 18. Executive Session | Presiding Officer, Robert Moore did not call for the Executive Session. |
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| 19. Open Session | No action necessary. |
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| 20. Adjournment | A motion to adjourn was made by Elroy Carson and seconded by Mike Jones. The motion carried. |
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Robert Moore, Presiding Officer

- 3. The Budget and Strategic Plan subcommittees may meet separately or together on January 14, 2016 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 2016 - Operating Budget

*Thru: November 30, 2015*

### Summary

Goals:	FY16 Budget	FY16 Expended	Balance	%
Education, Information and Assistance	91,262.64	15,887.66	75,374.98	
Fire Department Standards	842,176.32	210,544.08	631,632.24	
Indirect Administration	740,334.00	185,083.50	555,250.50	
<b>1001 - Salaries &amp; Wages:</b>	<b>1,673,772.96</b>	<b>411,515.24</b>	<b>1,262,257.72</b>	<b>75%</b>
Education, Information and Assistance	4,702.59	139.45	4,563.14	
Fire Department Standards	28,256.28	9,712.70	18,543.58	
Indirect Administration	45,178.72	3,704.41	41,474.31	
<b>1002 - Other Personnel Costs</b>	<b>78,137.59</b>	<b>13,556.56</b>	<b>64,581.03</b>	<b>83%</b>
Education, Information and Assistance	100.00	-	100.00	
Fire Department Standards	-	-	-	
Indirect Administration	3,400.00	1,755.50	1,644.50	
<b>2001 - Professional Fees and Services:</b>	<b>3,500.00</b>	<b>1,755.50</b>	<b>1,744.50</b>	<b>50%</b>
Education, Information and Assistance	3,300.00	854.13	2,445.87	
Fire Department Standards	8,480.00	1,676.01	6,803.99	
Indirect Administration	2,600.00	562.47	2,037.53	
<b>2003 - Consumable Supplies:</b>	<b>14,380.00</b>	<b>3,092.61</b>	<b>11,287.39</b>	<b>78%</b>
Fire Department Standards	8,000.00	1,797.32	6,202.68	
<b>2004 - Utilities:</b>	<b>8,000.00</b>	<b>1,797.32</b>	<b>6,202.68</b>	<b>78%</b>
Education, Information and Assistance	2,200.00	-	2,200.00	
Fire Department Standards	70,800.00	16,420.71	54,379.29	
Indirect Administration	26,300.00	6,053.68	20,246.32	
<b>2005 - Travel:</b>	<b>99,300.00</b>	<b>22,474.39</b>	<b>76,825.61</b>	<b>77%</b>
Education, Information and Assistance	180.00	1.20	178.80	
Fire Department Standards	200.00	10.15	189.85	
Indirect Administration	530.00	127.17	402.83	
<b>2006 - Rent - Building (storage):</b>	<b>910.00</b>	<b>138.52</b>	<b>771.48</b>	<b>85%</b>
Education, Information and Assistance	1,500.00	186.14	1,313.86	
Fire Department Standards	6,500.00	1,582.24	4,917.76	
Indirect Administration	5,000.00	1,116.86	3,883.14	
<b>2007 - Rent - Machine and Other:</b>	<b>13,000.00</b>	<b>2,885.24</b>	<b>10,114.76</b>	<b>78%</b>
Education, Information and Assistance	14,689.77	612.89	14,076.88	
Fire Department Standards	50,013.12	10,417.26	39,595.86	
Indirect Administration	27,569.14	5,184.88	22,384.26	
<b>2009 - Other Operating Expense:</b>	<b>92,272.03</b>	<b>16,215.03</b>	<b>76,057.00</b>	<b>82%</b>
Fire Department Standards	17,500.00	5,623.20	11,876.80	
<b>4000 - Grants:</b>	<b>17,500.00</b>	<b>5,623.20</b>	<b>11,876.80</b>	<b>68%</b>
<b>5000 - Capital Expenditures:</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>0%</b>
<b>TOTAL - ALL EXPENDITURES</b>	<b>2,000,772.58</b>	<b>479,053.61</b>	<b>1,521,718.97</b>	<b>76%</b>

## Texas Commission on Fire Protection

### Fiscal Year 2016 - Operating Budget

*Thru: November 30, 2015*

## Goal A: Education, Info and Assistance

	Library	IT	Grants	Total	%
Budget:	91,262.64	0.00	0.00	91,262.64	0
Expended:	15,887.66	0.00	0.00	15,887.66	
<b>1001 - Balance Salaries &amp; Wages:</b>	<b>75,374.98</b>	<b>0.00</b>	<b>0.00</b>	<b>75,374.98</b>	<b>83%</b>
Other Personnel Costs:					
7017- One-Time Merit	0.00	0.00		0.00	
7022- Longevity Pay	60.00	0.00		60.00	
7023- Lump Sum Termination	0.00	0.00		0.00	
7040- ERS-Retirement Contribution	79.45	0.00		79.45	
7984- Unemployment/TWC	0.00	0.00		0.00	
Budget:	4,702.59	0.00	0.00	4,702.59	0
Expended:	139.45	0.00	0.00	139.45	
<b>1002 - Balance Other Personnel Costs</b>	<b>4,563.14</b>	<b>0.00</b>	<b>0.00</b>	<b>4,563.14</b>	<b>97%</b>
Professional Fees and Services:					
Budget:	100.00	0.00	0.00	100.00	0
Expended:	0.00	0.00	0.00	0.00	
<b>2001 - Balance Professional Fees and Services:</b>	<b>100.00</b>	<b>0.00</b>	<b>0.00</b>	<b>100.00</b>	<b>100%</b>
Budget:	2,500.00	800.00		3,300.00	0
Expended:	854.13	0.00		854.13	
<b>2003 - (7300) Balance Consumable Supplies:</b>	<b>1,645.87</b>	<b>800.00</b>	<b>0.00</b>	<b>2,445.87</b>	<b>74%</b>
Utilities:					
Budget:	0.00	0.00	0.00	0.00	0
Expended:	0.00	0.00	0.00	0.00	
<b>2004 - Balance Utilities:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0%</b>
Travel:					
Budget:	2,200.00	0.00	0.00	2,200.00	0
Expended:	0.00	0.00	0.00	0.00	
<b>2005 - Balance Travel:</b>	<b>2,200.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2,200.00</b>	<b>100%</b>
7462- Rent office space - building	0.00	0.00		0.00	
7470- Rent Space - storage	1.20	0.00		1.20	
Budget:	180.00	0.00	0.00	180.00	0
Expended:	1.20	0.00	0.00	1.20	
<b>2006 - (7470) Balance Rent - Building (storage):</b>	<b>178.80</b>	<b>0.00</b>	<b>0.00</b>	<b>178.80</b>	<b>99%</b>
Rent - Machine and Other:					
7406- Rental - Furnishings & Equipment (copier)	143.44	0.00		143.44	
7411- Rental - Computer Equipment	42.70	0.00		42.70	
Budget:	1,500.00	0.00	0.00	1,500.00	0
Expended:	186.14	0.00	0.00	186.14	
<b>2007 - Balance Rent - Machine and Other:</b>	<b>1,313.86</b>	<b>0.00</b>	<b>0.00</b>	<b>1,313.86</b>	<b>88%</b>
Other Operating Expense:					
7042- ERS Insurance Payment	124.23	0.00		124.23	
7201- Membership Dues	4.84	0.00		4.84	
7203- Registration Fees-Employee Training	10.50	0.00		10.50	
7211- Awards	5.29	0.00		5.29	
7291- Postage & Postal Services	285.64	0.00		285.64	

## Texas Commission on Fire Protection

### Fiscal Year 2016 - Operating Budget

*Thru: November 30, 2015*

### Goal A: Education, Info and Assistance

	Library	IT	Grants	Total	%
7299- Purchased Contracted Services	4.52	0.00		4.52	
7334- Furnishings & Equipment -Expensed	3.88	0.00		3.88	
7377- Computer Equipment - Expensed	10.25	0.00		10.25	
7947- Workers Compensation Transfer (SORM)	100.06	0.00		100.06	
7961- STS Transfers-Telecommunications (TexAn)	17.20	0.00		17.20	
7962- Capitol Complex (CCTS)	46.48	0.00		46.48	
<b>Budget:</b>	<b>14,689.77</b>	<b>0.00</b>	<b>0.00</b>	<b>14,689.77</b>	0
Expended:	612.89	0.00	0.00	612.89	
<b>2009 - Balance Other Operating Expense:</b>	<b>14,076.88</b>	<b>0.00</b>	<b>0.00</b>	<b>14,076.88</b>	<b>96%</b>
Grants:					
7623 Grants	0.00	0.00		0.00	
<b>Budget:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	0
Expended:	0.00	0.00	0.00	0.00	
<b>4000 - Balance Grants:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0%</b>
Capital Expenditures:					
				0.00	
				0.00	
<b>Budget:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	0
Expended:	0.00	0.00	0.00	0.00	
<b>5000 - Balance Capital Expenditures:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0%</b>
<b>Budget:</b>	<b>117,135.00</b>	<b>800.00</b>	<b>0.00</b>	<b>117,935.00</b>	0
Expended:	17,681.47	0.00	0.00	17,681.47	
<b>TOTAL BALANCE</b>	<b>99,453.53</b>	<b>800.00</b>	<b>0.00</b>	<b>100,253.53</b>	<b>85%</b>

## Texas Commission on Fire Protection

### Fiscal Year 2016 - Operating Budget

Thru: November 30, 2015

## Goal B: Fire Department Standards

	Mgmt	Complnc	Cert	Testing	Curr Dev	Total	%
<b>Budget:</b>	0.00	370,209.12	203,499.36	215,159.64	53,308.20	842,176.32	0.00
Expended:	0.00	92,552.28	50,874.84	53,789.91	13,327.05	210,544.08	
<b>1001 - Balance Salaries &amp; Wages:</b>	<b>0.00</b>	<b>277,656.84</b>	<b>152,624.52</b>	<b>161,369.73</b>	<b>39,981.15</b>	<b>631,632.24</b>	<b>75%</b>
Other Personnel Costs:							
7017- One-Time Merit	0.00	0.00	4,000.00	0.00	0.00	4,000.00	
7022- Longevity Pay	0.00	1,620.00	1,620.00	1,200.00	220.00	4,660.00	
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	462.72	254.40	268.95	66.63	1,052.70	
7984- Unemployment/TWC	0.00	0.00	0.00	0.00	0.00	0.00	
<b>Budget:</b>	<b>0.00</b>	<b>8,600.00</b>	<b>12,356.28</b>	<b>6,000.00</b>	<b>1,300.00</b>	<b>28,256.28</b>	0.00
Expended:	0.00	2,082.72	5,874.40	1,468.95	286.63	9,712.70	
<b>1002 - Balance Other Personnel Costs</b>	<b>0.00</b>	<b>6,517.28</b>	<b>6,481.88</b>	<b>4,531.05</b>	<b>1,013.37</b>	<b>18,543.58</b>	<b>66%</b>
Professional Fees and Services:							
<b>Budget:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	0.00
Expended:	0.00	0.00	0.00	0.00	0.00	0.00	
<b>2001 - Balance Professional Fees and Serv</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>#DIV/0!</b>
<b>Budget:</b>	<b>2,020.00</b>	<b>2,020.00</b>	<b>2,020.00</b>	<b>2,020.00</b>	<b>400.00</b>	<b>8,480.00</b>	0.00
Expended:	499.86	466.09	121.14	588.92	0.00	1,676.01	
<b>2003 - (7300) Balance Consumable Supplies</b>	<b>1,520.14</b>	<b>1,553.91</b>	<b>1,898.86</b>	<b>1,431.08</b>	<b>400.00</b>	<b>6,803.99</b>	<b>80%</b>
Utilities:							
7516- Telecom-Other (reg voice/internet)	0.00	1,797.32	0.00	0.00	0.00	1,797.32	
7517- Telecommunications Equipment	0.00	0.00	0.00	0.00	0.00	0.00	
<b>Budget:</b>	<b>0.00</b>	<b>8,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>8,000.00</b>	0.00
Expended:	0.00	1,797.32	0.00	0.00	0.00	1,797.32	
<b>2004 - Balance Utilities:</b>	<b>0.00</b>	<b>6,202.68</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>6,202.68</b>	<b>78%</b>
Travel:							
7101- Travel I/S - Public Transportation Fares	0.00	3,653.62	161.56	488.06	977.20	5,280.44	
7102- Mileage	0.00	2,069.07	0.00	37.55	0.00	2,106.62	
7104- Travel I/S - Actual Expense Overnight	0.00	0.00	0.00	0.00	0.00	0.00	
7105- Travel I/S - Incidental Expenses	0.00	1,229.82	0.00	329.28	11.79	1,570.89	
7106- Travel I/S - Meals & Lodging	0.00	5,404.52	0.00	805.56	0.00	6,210.08	
7107- Travel I/S - Non-Overnight Travel (Meals)	0.00	221.43	0.00	0.00	0.00	221.43	
7110- Travel I/S - Board Member Meals & Lodging	0.00	0.00	0.00	0.00	0.00	0.00	
7111- Travel OOS - Public Transportation Fares	0.00	0.00	0.00	0.00	558.02	558.02	
7112- Travel OOS - Mileage	0.00	0.00	0.00	0.00	8.86	8.86	
7114- Travel OOS -	0.00	0.00	0.00	0.00	0.00	0.00	
7115- Travel OOS - Incidental Expenses	0.00	0.00	0.00	0.00	0.00	0.00	
7116- Travel OOS - Meals, Lodging Allowable	0.00	0.00	0.00	0.00	187.89	187.89	
7135- Travel I/S - State Occupancy Tax	0.00	242.16	0.00	34.32	0.00	276.48	
7136- Travel I/S - State Occupancy Tax Galveston	0.00	0.00	0.00	0.00	0.00	0.00	
<b>Budget:</b>	<b>0.00</b>	<b>60,000.00</b>	<b>1,700.00</b>	<b>7,100.00</b>	<b>2,000.00</b>	<b>70,800.00</b>	0.00
Expended:	0.00	12,820.62	161.56	1,694.77	1,743.76	16,420.71	
<b>2005 - Balance Travel:</b>	<b>0.00</b>	<b>47,179.38</b>	<b>1,538.44</b>	<b>5,405.23</b>	<b>256.24</b>	<b>54,379.29</b>	<b>77%</b>



## Texas Commission on Fire Protection

### Fiscal Year 2016 - Operating Budget

*Thru: November 30, 2015*

## Goal B: Fire Department Standards

		Mgmt	Complnc	Cert	Testing	Curr Dev	Total	%
	Expended:	0.00	0.00	0.00	0.00	0.00	0.00	
<b>5000 - Balance Capital Expenditures:</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0%</b>
	<b>Budget:</b>	<b>28,620.00</b>	<b>456,229.12</b>	<b>241,175.64</b>	<b>245,279.64</b>	<b>60,621.32</b>	<b>1,031,925.72</b>	0.00
	Expended:	6,245.88	111,181.19	63,529.97	60,624.22	16,202.41	257,783.67	
<b>TOTAL BALANCE</b>		<b>22,374.12</b>	<b>345,047.93</b>	<b>177,645.67</b>	<b>184,655.42</b>	<b>44,418.91</b>	<b>774,142.05</b>	<b>75%</b>

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

	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	After FY	Total
4006 - Certification	57,031.94					57,031.94
4005 - Compliance	107,921.71					107,921.71
4007 - Testing	57,542.55					57,542.55

## Texas Commission on Fire Protection

### Fiscal Year 2016 - Operating Budget

Thru: November 30, 2015

## Goal C: Indirect Administration

	Exec Office	Fin Svcs	Commis	Total	%
<b>Budget:</b>	540,982.68	199,351.32	0.00	740,334.00	0.00
Expended:	135,245.67	49,837.83	0.00	185,083.50	
<b>1001 - Balance Salaries &amp; Wages:</b>	<b>405,737.01</b>	<b>149,513.49</b>	<b>0.00</b>	<b>555,250.50</b>	<b>75%</b>
Other Personnel Costs:					
7004- Non-Permanent Full-Time Employee	0.00	0.00	0.00	0.00	
7017- One-Time Merit	0.00	0.00	0.00	0.00	
7022- Longevity Pay	1,600.00	360.00	0.00	1,960.00	
7023- Lump Sum Termination	0.00	0.00	0.00	0.00	
7033- Employee Retirement - Other expenses	0.00	902.61	0.00	902.61	
7040- ERS Retirement Contribution	592.59	249.21	0.00	841.80	
7984- Unemployment/TWC	0.00	0.00	0.00	0.00	
<b>Budget:</b>	<b>30,000.00</b>	<b>15,178.72</b>	<b>0.00</b>	<b>45,178.72</b>	0.00
Expended:	2,192.59	1,511.82	0.00	3,704.41	
<b>1002 - Balance Other Personnel Costs</b>	<b>27,807.41</b>	<b>13,666.90</b>	<b>0.00</b>	<b>41,474.31</b>	<b>92%</b>
Professional Fees and Services:					
7242- Consulting Services - IT Computer	0.00	0.00	0.00	0.00	
7245- Financial & Accounting Services	0.00	1,755.50	0.00	1,755.50	
7253- Other Professional Fees (EAP)	0.00	0.00	0.00	0.00	
7275- Computer Programming Services	0.00	0.00	0.00	0.00	
Expended:	0.00	1,755.50	0.00	1,755.50	
<b>2001 - Balance Professional Fees and Services:</b>	<b>0.00</b>	<b>1,644.50</b>	<b>0.00</b>	<b>1,644.50</b>	<b>48%</b>
<b>Budget:</b>	<b>500.00</b>	<b>2,100.00</b>	<b>0.00</b>	<b>2,600.00</b>	0.00
Expended:	51.80	510.67	0.00	562.47	
<b>2003 - (7300) Balance Consumable Supplies:</b>	<b>448.20</b>	<b>1,589.33</b>	<b>0.00</b>	<b>2,037.53</b>	<b>78%</b>
Utilities:					
7501- Electricity	0.00	0.00	0.00	0.00	0.00
<b>Budget:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	0.00
Expended:	0.00	0.00	0.00	0.00	
<b>2004 - Balance Utilities:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>#DIV/0!</b>
Travel:					
7101- Travel I/S - Public Transportation Fares	564.25	0.00	708.67	1,272.92	
7102- Mileage	171.00	72.11	488.00	731.11	
7105- Travel I/S - Incidental Expenses	143.14	43.56	451.51	638.21	
7107- Travel I/S - Non-Overnight Travel (Meals)	0.00	0.00	0.00	0.00	
7110- Travel I/S - Board Member Meals & Lodging	0.00	0.00	1,608.98	1,608.98	
7116- Travel OOS - Meals, Lodging Allowable	0.00	0.00	0.00	0.00	
7135- Travel I/S - State Occupancy Tax	0.00	23.76	43.38	67.14	
7136- Travel I/S - State Occupancy Tax Galveston	0.00	0.00	0.00	0.00	
<b>Budget:</b>	<b>8,800.00</b>	<b>4,000.00</b>	<b>13,500.00</b>	<b>26,300.00</b>	0.00
Expended:	2,217.71	535.43	3,300.54	6,053.68	
<b>2005 - Balance Travel:</b>	<b>6,582.29</b>	<b>3,464.57</b>	<b>10,199.46</b>	<b>20,246.32</b>	<b>77%</b>
Rent:					
7462- Rent office space - building	0.00	0.00	0.00	0.00	
7470- Rent Space - storage	120.00	7.17	0.00	127.17	
<b>Budget:</b>	<b>480.00</b>	<b>50.00</b>	<b>0.00</b>	<b>530.00</b>	0
Expended:	120.00	7.17	0.00	127.17	

## Texas Commission on Fire Protection

### Fiscal Year 2016 - Operating Budget

*Thru: November 30, 2015*

### Goal C: Indirect Administration

	Exec Office	Fin Svcs	Commis	Total	%
<b>2006 - (7470) Balance Rent - Building (storage):</b>	<b>360.00</b>	<b>42.83</b>	<b>0.00</b>	<b>402.83</b>	<b>76%</b>
Rent - Machine and Other:					
7406- Rental - Furnishings & Equipment (copier)	0.00	860.64	0.00	860.64	
7411- Rental - Computer Equipment	0.00	256.22	0.00	256.22	
<b>Budget:</b>	<b>0.00</b>	<b>5,000.00</b>	<b>0.00</b>	<b>5,000.00</b>	0.00
Expended:	0.00	1,116.86	0.00	1,116.86	
<b>2007 - Balance Rent - Machine and Other:</b>	<b>0.00</b>	<b>3,883.14</b>	<b>0.00</b>	<b>3,883.14</b>	<b>78%</b>
Other Operating Expense:					
7042- ERS Insurance Payment	1,352.49	498.36	0.00	1,850.85	
7201- Membership Dues	75.00	29.03	0.00	104.03	
7203- Registration Fees-Employee Training	0.00	63.05	0.00	63.05	
7211- Awards	0.00	31.71	0.00	31.71	
7291- Postage & Postal Services	0.00	1,713.88	0.00	1,713.88	
7299- Purchased Contracted Services	0.00	27.10	0.00	27.10	
7334- Furnishings & Equipment -Expensed	262.92	87.42	0.00	350.34	
7377- Computer Equipment - Expensed	0.00	61.50	0.00	61.50	
7947- Workers Compensation Transfer (SORM)	0.00	600.36	0.00	600.36	
7961- STS Transfers-Telecommunications (TexAn)	0.00	103.18	0.00	103.18	
7962- STS transfer to GR (CCTS)	0.00	278.88	0.00	278.88	
<b>Budget:</b>	<b>7,350.00</b>	<b>20,219.14</b>	<b>0.00</b>	<b>27,569.14</b>	0.00
Expended:	1,690.41	3,494.47	0.00	5,184.88	
<b>2009 - Balance Other Operating Expense:</b>	<b>5,659.59</b>	<b>16,724.67</b>	<b>0.00</b>	<b>22,384.26</b>	<b>81%</b>
Capital Expenditures:					
<b>Budget:</b>	<b>588,112.68</b>	<b>249,299.18</b>	<b>13,500.00</b>	<b>850,911.86</b>	0.00
Expended:	141,518.18	58,769.75	3,300.54	203,588.47	
<b>TOTAL - BALANCE</b>	<b>446,594.50</b>	<b>190,529.43</b>	<b>10,199.46</b>	<b>647,323.39</b>	<b>76%</b>

Key	Strategy	FY16 1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	FY16 YTD Sum	FY16 Target	% Target ytd/tar	Measures/Explanation
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**Output** A quantifiable indicator of the number of goods or services an agency produces

Yes	Standards Enforcement	203				203	1,100	18%	Number of inspections of regulated entities.
						Cumulative			
Yes	Standards Enforcement	1,799				1,799	9,400	19%	Number of examinations administered.
						Cumulative			
	Indirect Administration					\$0	\$13,000	0%	Dollar value of professional & other services from HUBs. From semi-annual Comptroller report
						Cumulative			

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

Yes	Standards Enforcement	91.16%				91.16%	90%	101%	Pass Rate (Percent)
						Non-Cumulative			
Yes	Standards Enforcement	30,813				30,813	31,400	98%	Number of individuals certified by the Commission.
						Non-Cumulative			
Yes	Standards Enforcement	269				269	255	105%	Number of training providers certified by the Commission.
						Non-Cumulative			

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

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

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

Yes	Standards Enforcement	\$433				\$433	\$425	102%	Average cost per inspection of regulated facilities.
						Non-Cumulative			Costs = Inspector salaries + 25% of manager salary, other personnel costs, applicable travel expenses Total inspections per quarter = Inspections + audits + investigations

Key	Strategy	FY16 1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	FY16 YTD Sum	FY16 Target	% Target ytd/tar	Measures/Explanation
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**Outcome** (Annual) *A quantifiable indicator of the public and customer benefits from an agency's actions*

Indirect Administration						#DIV/0!	10%	#DIV/0!	Percent of total dollar value of commodity purchasing from HUBs. Taken from semi-annual Comptroller report
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 Firemen's and Fire Marshals' Association of Texas, the Texas Fire Marshal's Association, the Texas Association of Fire Educators, the Texas A&M Forest Service, the National Fire Protection Association, Texas State Association of Fire and Emergency Districts, 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 the appointment of a new commission representative to serve on the Texas Fire School Advisory Board.**

**EDUCATION CODE****CHAPTER 86****TEXAS A & M UNIVERSITY****SUBCHAPTER A. GENERAL PROVISIONS****§ 86.16. FIREMEN'S TRAINING SCHOOL**

(a) The Texas A & M University System shall conduct and maintain a firemen's training school through the Texas Engineering Extension Service as a unit of the university system in the manner deemed expedient and advisable by the system's board of regents. The Texas Engineering Extension Service shall serve as the recognized statewide fire and rescue training agency liaison to the National Fire Academy. In their capacity as the National Fire Academy liaison, the extension service shall distribute National Fire Academy student manuals on request to associations, fire departments, state agencies, and institutions of higher education which meet National Fire Academy qualifications.

(b) The firemen's training school advisory board is composed of:

(1) three members of the staff of the system appointed by the system's board of regents, one of whom shall be the director of the engineering extension service who serves ex officio as the chairman of the advisory board;

(2) four members or representatives of the State Firemen's and Fire Marshals' Association of Texas or its successor, appointed by the president or other managing officer of that association;

(3) one person who is fire protection personnel as defined by Section 419.021, Government Code, and who is the head of a training division for the fire department of a political subdivision, appointed by the Texas Commission on Fire Protection; and

(4) one fire chief appointed by the president or other managing officer of the Texas Fire Chiefs Association or its successor.

(c) The advisory board shall confer with and advise the engineering extension service with reference to the organization of the school, the purchasing of equipment, the curriculum and program, and the conduct and management of the school.

(d) Expenditures for the per diem expenses of members of the advisory board and all other necessary expenses of the school shall be made only on the order of the system's board of regents, and no warrants shall be paid unless also approved in writing by the director of the engineering extension service.

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

- 8. Discussion and possible action on current fire fighter advisory committee membership and the appointment of two new members to the committee.**

## Current Fire Fighter Advisory Committee Members

<b>Member</b>	<b>Appointment Date</b>	<b>Position Held</b>
Mike Wisko	10/10/1995	Vice-chair 06/15/2011
Amado Cano	10/24/2002	Member
Jim Reidy	04/15/2004	Chairman 12/06/2007
J. P. Steelman	01/10/2008	Secretary 06/15/2011
Daniel DeYear	01/10/2008	Member
Jason Collier	01/26/2011	Curriculum & Testing liaison 01/08/2013
Ken Swindle	04/25/2013	Member
Vacant		
Vacant		

9. **New matters from the commission, staff, or public for discussion at future commission meetings.**

**10. Discussion and possible action on future meeting dates.**

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

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

**1. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 421, Standards For Certification.**



***Texas Commission on Fire Protection***

***Agenda Item Summary***

**MEETING: Commission**

**DATE: 01/14/2016**

**Agenda Item #: 11 A: #1-3**

**Agenda Title: New language to address military personnel and others**

**Action to be taken: Discussion and possible final adoption**

***Origin of Item: FF Advisory Committee***

**1. INTRODUCTION/PURPOSE**

The purpose of the proposed changes in agenda items 11 A: #1, 2 and 3 is to address requirements contained in newly-passed legislation. The legislation requires the waiving of certain fees for military personnel and spouses as well as extending the time in which military service members can renew certification without penalty. Definitions are being proposed for inclusion in Chapter 421 of TCFP rules to clarify who qualifies for the above benefits.

**2. DESCRIPTION/ JUSTIFICATION**

The proposed language maintains compliance with statute.

**3. BUDGET IMPACT**

Impact cannot be determined at this time. Some revenue loss from fee waivers could be offset by an increase in the number of applications for non-mandatory certifications (the proposed rule changes apply only to mandatory certifications). Additionally a general increase in the overall number of certificate holders would also result in an increase in renewal revenue.

**4. TIMELINE CONSIDERATIONS**

Proposed language is for possible final adoption.

**5. RECOMMENDATION**

Reviewed and forwarded as approved by FF Advisory Committee.

**6. REFERENCES**

Title 37, Part 13, Chapters 421, 437, and 441; Texas Administrative Code. Senate Bills 807 and 1307, 84th Legislature.

**CHAPTER 421  
STANDARDS FOR CERTIFICATION**

**§421.5 Definitions.**

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

- (1) Admission to employment--An entry level full-time employee of a local government entity in one of the categories of fire protection personnel.
- (2) Appointment--The designation or assignment of a person to a discipline regulated by the commission. The types of appointments are:
  - (A) permanent appointment--the designation or assignment of certified fire protection personnel or certified part time fire protection employees to a particular discipline (See Texas Government Code, Chapter 419, §419.032); and
  - (B) probationary or temporary appointment--the designation or assignment of an individual to a particular discipline, except for head of a fire department, for which the individual has passed the commission's certification and has met the medical requirement of §423.1(c) of this title (relating to Minimum Standards for Structure Fire Protection Personnel), if applicable, but has not yet been certified. (See Texas Government Code, Chapter, §419.032.)
- (3) Approved training--Any training used for a higher level of certification must be approved by the commission and assigned to either the A-List or the B-List. The training submission must be in a manner specified by the commission and contain all information requested by the commission. The commission will not grant credit twice for the same subject content or course. Inclusion on the A-List or B-List does not preclude the course approval process as stated elsewhere in the Standards Manual.
- (4) Assigned/work--A fire protection personnel or a part-time fire protection employee shall be considered "assigned/working" in a position, any time the individual is receiving compensation and performing the duties that are regulated by the commission and has been permanently appointed, as defined in this section, to the particular discipline.
- (5) Assistant fire chief--The officer occupying the first position subordinate to the head of a fire department.
- (6) Auxiliary fire fighter--A volunteer fire fighter.
- (7) Benefits--Benefits shall include, but are not limited to, inclusion in group insurance plans (such as health, life, and disability) or pension plans, stipends, free water usage, and reimbursed travel expenses (such as meals, mileage, and lodging).
- (8) Chief Training Officer--The individual, by whatever title he or she may be called, who coordinates the activities of a certified training facility.
- (9) Class hour--Defined as not less than 50 minutes of instruction, also defined as a contact hour; a standard for certification of fire protection personnel.
- (10) Code--The official legislation creating the commission.
- (11) College credits--Credits earned for studies satisfactorily completed at an institution of higher education accredited by an agency recognized by the U.S. Secretary of Education and including National Fire Academy (NFA) open learning program colleges, or courses recommended for college credit by the American Council on Education (ACE) or delivered through the National Emergency Training Center (both EMI and NFA) programs. A course of study satisfactorily completed and identified on an official transcript from a college or in the ACE National Guide that is primarily related to Fire Service, Emergency Medicine, Emergency Management, or Public Administration is defined as applicable for Fire Science college credit, and is acceptable for higher levels of certification. A criminal justice course

related to fire and or arson investigation that is satisfactorily completed and identified on an official transcript from a college or in the ACE National Guide may be used to qualify for Master Arson Investigator certification.

- (12) Commission--Texas Commission on Fire Protection.
- (13) Commission-recognized training--A curriculum or training program which carries written approval from the commission, or credit hours that appear on an official transcript from an accredited college or university, or any fire service training received from a nationally recognized source, i.e., the National Fire Academy.
- (14) Compensation--Compensation is to include wages, salaries, and "per call" payments (for attending drills, meetings or answering emergencies).
- (15) Expired--Any certification that has not been renewed on or before the end of the certification period.
- (16) Federal fire fighter--A person as defined in Texas Government Code, Chapter 419, §419.084(h).
- (17) Fire chief--The head of a fire department.
- (18) Fire department--A department of a local government that is staffed by one or more fire protection personnel or part-time fire protection employees.
- (19) Fire protection personnel--Any person who is a permanent full-time employee of a fire department or governmental entity and who is appointed duties in one of the following categories/disciplines: fire suppression, fire inspection, fire and arson investigation, marine fire fighting, aircraft rescue fire fighting, fire training, fire education, fire administration and others employed in related positions necessarily or customarily appertaining thereto.
- (20) Fire Code Inspection—Also called Fire Safety Inspection as referenced in Texas Government Code, Chapter 419, §419.909. An inspection performed for the purpose of determining and enforcing compliance with an adopted fire code.
- (21) Fire suppression duties--Engaging in the controlling or extinguishment of a fire of any type or performing activities which are required for and directly related to the control and extinguishment of fires or standing by on the employer's premises or apparatus or nearby in a state of readiness to perform these duties.
- (22) Full-time--An officer or employee is considered full-time if the employee works an average of 40 hours a week or averages 40 hours per week or more during a work cycle in a calendar year. For the purposes of this definition paid leave will be considered time worked.
- (23) Government entity--The local authority having jurisdiction as employer of full-time fire protection personnel in a state agency, incorporated city, village, town or county, education institution or political subdivision.
- (24) High school--A school accredited as a high school by the Texas Education Agency or equivalent accreditation agency from another jurisdiction.
- (25) Immediately dangerous to life or health (IDLH)--An atmosphere that poses an immediate threat to life, would cause irreversible adverse health effects, or would impair an individual's ability to escape from a dangerous atmosphere.
- (26) Incipient stage fire--A fire which is in the initial or beginning stage and which can be controlled or extinguished by portable fire extinguishers, Class II standpipe or small hose systems without the need for protective clothing or breathing apparatus.
- (27) Instructor:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (A) city;
- (B) county;
- (C) school district;
- (D) junior college district;
- (E) levee improvement district;
- (F) drainage district;
- (G) irrigation district;
- (H) water improvement district;
- (I) water control and improvement district;
- (J) water control and preservation district;
- (K) freshwater supply district;
- (L) navigation district;
- (M) conservation and reclamation district;
- (N) soil conservation district;
- (O) communication district;
- (P) public health district;
- (Q) river authority;
- (R) municipal utility district;
- (S) transit authority;
- (T) hospital district;
- (U) emergency services district;
- (V) rural fire prevention district; and
- (W) any other governmental entity that:
  - (i) embraces a geographical area with a defined boundary;
  - (ii) exists for the purpose of discharging functions of the government; and
  - (iii) possesses authority for subordinate self-government through officers selected by it.

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

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

**§421.17 Requirement to Maintain Certification.**

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

**S.B. No. 1307**

## AN ACT

relating to occupational licenses for military service members, military veterans, and military spouses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Chapter 55, Occupations Code, as amended by Chapters 66 (S.B. 162) and 348 (H.B. 2254), Acts of the 83rd Legislature, Regular Session, 2013, is reenacted to read as follows:

CHAPTER 55. LICENSING OF MILITARY SERVICE MEMBERS,  
MILITARY VETERANS, AND MILITARY SPOUSES

SECTION 2. Section 55.001, Occupations Code, is amended to read as follows:

Sec. 55.001. DEFINITIONS. In this chapter:

(1) "Active duty" means current full-time military service in the armed forces of the United States or active duty military service as a member of the Texas military forces, as defined by Section 437.001, Government Code, or similar military service of another state.

(2) "Armed forces of the United States" means the army, navy, air force, coast guard, or marine corps of the United States or a reserve unit of one of those branches of the armed forces.

(3) "License" means a license, certificate, registration, permit, or other form of authorization required by law or a state agency rule that must be obtained by an individual to engage in a particular business.

(4) ~~[(1-a)]~~ "Military service member" means a person who is on active duty ~~[currently serving in the armed forces of the United States, in a reserve component of the armed forces of the United States, including the National Guard, or in the state military service of any state].~~

(5) ~~[(1-b)]~~ "Military spouse" means a person who is married to a military service member ~~[who is currently on active duty].~~

(6) ~~[(1-c)]~~ "Military veteran" means a person who has served on active duty and who was discharged or released from active duty ~~[in the army, navy, air force, marine corps, or coast guard of the United States, or in an auxiliary service of one of those branches of the armed forces].~~

(7) ~~[(2)]~~ "State agency" means a department, board, bureau, commission, committee, division, office, council, or agency of the state.

SECTION 3. Section 55.002, Occupations Code, is amended to read as follows:

Sec. 55.002. EXEMPTION FROM PENALTY FOR FAILURE TO RENEW LICENSE. A state agency that issues a license shall adopt rules to exempt an individual who holds a license issued by the

agency from any increased fee or other penalty imposed by the agency for failing to renew the license in a timely manner if the individual establishes to the satisfaction of the agency that the individual failed to renew the license in a timely manner because the individual was servicing as a military service member ~~[on active duty in the United States armed forces serving outside this state]~~.

SECTION 4. Section 55.003, Occupations Code, is amended to read as follows:

Sec. 55.003. EXTENSION OF LICENSE RENEWAL ~~[CERTAIN]~~ DEADLINES FOR [ACTIVE DUTY] MILITARY SERVICE MEMBERS ~~[PERSONNEL]~~.

A military service member ~~[person]~~ who holds a license ~~[, is a member of the state military forces or a reserve component of the armed forces of the United States, and is ordered to active duty by proper authority]~~ is entitled to two years of ~~[an]~~ additional ~~[amount of]~~ time ~~[, equal to the total number of years or parts of years that the person serves on active duty,]~~ to complete:

- (1) any continuing education requirements; and
- (2) any other requirement related to the renewal of the military service member's ~~[person's]~~ license.

SECTION 5. Section 55.004, Occupations Code, is amended to read as follows:

Sec. 55.004. ALTERNATIVE LICENSING ~~[LICENSE PROCEDURE]~~ FOR MILITARY SERVICE MEMBERS, MILITARY VETERANS, AND MILITARY SPOUSES ~~[SPOUSE]~~.

(a) A state agency that issues a license shall adopt rules for the issuance of the license to an applicant who is a military service member, military veteran, or military spouse ~~[the spouse of a person serving on active duty as a member of the armed forces of the United States]~~ and:

(1) holds a current license issued by another jurisdiction ~~[state]~~ that has licensing requirements that are substantially equivalent to the requirements for the license in this state; or

(2) within the five years preceding the application date held the license in this state ~~[that expired while the applicant lived in another state for at least six months]~~.

(b) ~~[Rules adopted under this section must include provisions to allow alternative demonstrations of competency to meet the requirements for obtaining the license.]~~

~~[(c)]~~ The executive director of a state agency may waive any prerequisite to obtaining a license for an applicant described by Subsection (a) after reviewing the applicant's credentials ~~[issue a license by endorsement in the same manner as the Texas Commission of Licensing and Regulation under Section 51.404 to an applicant described by Subsection (a)].~~

(c) In addition to the rules adopted under Subsection (a), a state agency that issues a license may adopt rules that would establish alternate methods for a military service member, military veteran, or military spouse to demonstrate competency to meet the requirements for obtaining the license.

SECTION 6. The heading to Section 55.005, Occupations Code, as added by Chapter 66 (S.B. 162), Acts of the 83rd Legislature, Regular Session, 2013, is amended to read as follows:

Sec. 55.005. EXPEDITED LICENSE PROCEDURE FOR MILITARY SERVICE MEMBERS, MILITARY VETERANS, AND MILITARY SPOUSES.

SECTION 7. Section 55.005(a), Occupations Code, as added by Chapter 66 (S.B. 162), Acts of the 83rd Legislature, Regular Session, 2013, is amended to read as follows:

(a) A state agency that issues a license shall, as soon as practicable after a military service member, military veteran, or military spouse files an application for a license:

(1) process the application; and

(2) issue the [a] license to an [a-qualified military spouse] applicant who qualifies for the license under Section 55.004 [holds a current license issued by another jurisdiction that has licensing requirements that are substantially equivalent to the licensing requirements in this state].

SECTION 8. Section 55.005, Occupations Code, as added by Chapter 348 (H.B. 2254), Acts of the 83rd Legislature, Regular Session, 2013, is redesignated as Section 55.008, Occupations Code, and amended to read as follows:

Sec. 55.008 [55.005]. APPRENTICESHIP REQUIREMENTS FOR APPLICANT WITH MILITARY EXPERIENCE.

(a) Notwithstanding any other law, if an apprenticeship is required for a [an occupational] license issued by a state agency, the state agency shall credit verified military service, training, or education that is relevant to the occupation toward the apprenticeship requirements for the license.

(b) The state agency shall adopt rules necessary to implement this section.

SECTION 9. The heading to Section 55.006, Occupations Code, is amended to read as follows:

Sec. 55.006. RENEWAL OF EXPEDITED LICENSE ISSUED TO MILITARY SERVICE MEMBER, MILITARY VETERAN, OR MILITARY SPOUSE.

SECTION 10. Chapter 55, Occupations Code, is amended by adding Section 55.009 to read as follows:

Sec. 55.009. NOTICE OF CHAPTER PROVISIONS. A state agency that issues a license shall prominently post a notice on the home page of the agency's Internet website describing the

provisions of this chapter that are available to military service members, military veterans, and military spouses.

SECTION 11. The changes in law made by this Act apply only to an application for an occupational license or renewal of an occupational license filed on or after January 1, 2016. An application for a license or for license renewal filed before January 1, 2016, is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 12. To the extent of any conflict, this Act prevails over another Act of the 84th Legislature, Regular Session, 2015, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 13. This Act takes effect September 1, 2015.

**BILL ANALYSIS**

Senate Research Center  
84R7822 NC-F

S.B. 1307  
By: Menéndez  
Veteran Affairs & Military Installations  
3/26/2015  
As Filed

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The state, through the Department of Licensing and Regulation and other regulatory agencies, issues licenses to individuals who seek careers in which certain knowledge and skills are required to perform their duties such as plumbing, nursing, electricians, public safety, et cetera. Veterans and military spouses significantly benefit from occupational licenses because of their unique life circumstances. Many veterans are trained in specialized skillsets like electrical engineering or medical training. Often, military spouses find careers which are easily transferable because their living situation is mobile and dependent on their significant other's deployment schedule. This makes occupational licensing careers like teaching, cosmetology, or nursing desirable because those licenses are transferable from state to state.

Chapter 55 (Licensing of Military Services Members, Military Veterans, and Military Spouses), Occupations Code, regulates the licensing of military service members, veterans, and military spouses. Given the overwhelming support of crediting military skills to occupational licenses, the 83rd Legislature passed six bills amending the Occupations Code. These bills while effective and important left the regulatory code with multiple titles, confusing definitions, and burdensome to interpret. S.B. 1307 would streamline the Occupations Code and ensure that every military spouse, veteran, and active duty service member get credit for their skills and have their occupational licenses expedited.

As proposed, S.B. 1307 amends current law relating to occupational licenses for military service members, military veterans, and military spouses.

**RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to state agencies that issue licenses in SECTION 5 (Section 55.004, Occupations Code) of this bill.

Rulemaking authority previously granted to state agencies that issue licenses is modified in SECTION 3 (Section 55.002, Occupations Code), SECTION 5 (Section 55.004, Occupations Code), and SECTION 8 (55.008, Occupations Code) of this bill.

**SECTION BY SECTION ANALYSIS**

SECTION 1. Reenacts the heading to Chapter 55, Occupations Code, as amended by Chapters 66 (S.B. 162) and 348 (H.B. 2254), Acts of the 83rd Legislature, Regular Session, 2013, to read as follows:

CHAPTER 55. LICENSING OF MILITARY SERVICE MEMBERS, MILITARY VETERANS,  
AND MILITARY SPOUSES

SECTION 2. Amends Section 55.001, Occupations Code, as follows:

Sec. 55.001. DEFINITIONS. Defines, in this chapter, "active duty" and "armed forces of the United States," and redefines, in this chapter, "military service member," "military spouse," and "military veteran," and makes nonsubstantive changes.

SECTION 3. Amends Section 55.002, Occupations Code, as follows:

Sec. 55.002. EXEMPTION FROM PENALTY FOR FAILURE TO RENEW LICENSE. Requires a state agency that issues a license to adopt rules to exempt an individual who holds a license issued by the agency from any increased fee or other penalty imposed by the agency for failing to renew the license in a timely manner if the individual establishes to the satisfaction of the agency that the individual failed to renew the license in a timely manner because the individual was serving as a military service member, rather than because the individual was on active duty in the United States armed forces serving outside this state.

SECTION 4. Amends Section 55.003, Occupations Code, as follows:

Sec. 55.003. New heading: EXTENSION OF LICENSE RENEWAL DEADLINES FOR MILITARY SERVICE MEMBERS. Entitles a military service member who holds a license to two years of additional time to complete any continuing education requirements, and any other requirement related to the renewal of the military service member's license, rather than entitles a person who holds a license, is a member of the state military forces or a reserve component of the armed forces of the United States, and is ordered to active duty by proper authority to an additional amount of time equal to the total number of years or parts of years that the person serves on active duty to complete any continuing education requirements and any other requirement related to the renewal of the person's license.

SECTION 5. Amends Section 55.004, Occupations Code, as follows:

Sec. 55.004. New heading: ALTERNATIVE LICENSING FOR MILITARY SERVICE MEMBERS, MILITARY VETERANS, AND MILITARY SPOUSES. (a) Requires a state agency that issues a license to adopt rules for the issuance of the license to an applicant who is a military service member, military veteran, or military spouse, rather than to an applicant who is the spouse of a person serving on active duty as a member of the armed forces of the United States, and:

(1) holds a current license issued by another jurisdiction, rather than state, that has licensing requirements that are substantially equivalent to the requirements for the license in this state; or

(2) within the five years preceding the application date held the license in this state, rather than held the license in this state that expired while the applicant lived in another state for at least six months.

(b) Authorizes the executive director of a state agency to waive any prerequisite to obtaining a license for an applicant described by Subsection (a) after reviewing the applicant's credentials.

(c) Authorizes, in addition to the rules adopted under Subsection (a), a state agency that issues a license to adopt rules that would establish alternate methods for a military service member, military veteran, or military spouse to demonstrate competency to meet the requirements for obtaining the license.

Deletes existing text requiring that rules adopted under this section include provisions to allow alternative demonstrations of competency to meet the requirements for obtaining the license.

Deletes existing text authorizing the executive director of a state agency to issue a license by endorsement in the same manner as the Texas Commission of Licensing and Regulation under Section 51.404 (Endorsement; Reciprocity) to an applicant described by Subsection (a).

Makes a nonsubstantive change.

SECTION 6. Amends the heading to Section 55.005, Occupations Code, as added by Chapter 66 (S.B. 162), Acts of the 83rd Legislature, Regular Session, 2013, to read as follows:

Sec. 55.005. EXPEDITED LICENSE PROCEDURE FOR MILITARY SERVICE MEMBERS, MILITARY VETERANS, AND MILITARY SPOUSES.

SECTION 7. Amends Section 55.005(a), Occupations Code, as added by Chapter 66 (S.B. 162), Acts of the 83rd Legislature, Regular Session, 2013, as follows:

(a) Requires a state agency that issues a license, as soon as practicable after a military service member, military veteran, or military spouse files an application for a license, to:

- (1) process the application; and
- (2) issue the license to an applicant who qualifies for the license under Section 55.004, rather than issue a license to a qualified military spouse applicant who holds a current license issued by another jurisdiction that has licensing requirements that are substantially equivalent to the licensing requirements in this state.

SECTION 8. Redesignates Section 55.005, Occupations Code, as added by Chapter 348 (H.B. 2254), Acts of the 83rd Legislature, Regular Session, 2013, as Section 55.008 and amends it as follows:

Sec. 55.008 APPRENTICESHIP REQUIREMENTS FOR APPLICANT WITH MILITARY EXPERIENCE. (a) Redesignates Section 55.005, as Section 55.008. Requires a state agency, notwithstanding any other law, if an apprenticeship is required for a license, rather than an occupational license, issued by a state agency, to credit verified military service, training, or education that is relevant to the occupation toward the apprenticeship requirements for the license.

(b) Requires the state agency to adopt rules necessary to implement this section.

SECTION 9. Amends the heading to Section 55.006, Occupations Code, to read as follows:

Sec. 55.006. RENEWAL OF EXPEDITED LICENSE ISSUED TO MILITARY SERVICE MEMBER, MILITARY VETERAN, OR MILITARY SPOUSE.

SECTION 10. Amends Chapter 55, Occupations Code, by adding Section 55.009, as follows:

Sec. 55.009. NOTICE OF CHAPTER PROVISIONS. Requires a state agency that issues a license to prominently post a notice on the home page of the agency's Internet website describing the provisions of this chapter that are available to military service members, military veterans, and military spouses.

SECTION 11. Provides that the changes in law made by this Act apply only to an application for an occupational license or renewal of an occupational license filed on or after January 1, 2016. Provides that an application for a license or for license renewal filed before January 1, 2016, is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 12. Provides that, to the extent of any conflict, this Act prevails over another Act of the 84th Legislature, Regular Session, 2015, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 13. Effective date: September 1, 2015.

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

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

**2. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 437, Fees.**

## CHAPTER 437

### FEES

#### §437.3 Certification Application Processing Fees

- (a) A non-refundable application processing fee of \$85 is required for each certificate issued by the commission. If a certificate is issued within the time provided in §401.125 of this title (relating to Processing Periods), the fee will be applied to the certification. If the certificate is denied, the applicant must pay a new certification application processing fee to file a new application.
- (b) The regulated employing entity shall be responsible for all certification application processing fees required as a condition of appointment.
- (c) Nothing in this section shall prohibit an individual from paying a certification application processing fee for any certificate which he or she is qualified to hold, providing the certificate is not required as a condition of appointment (see subsection (b) of this section concerning certification fees).
- (d) A facility that provides training for any discipline for which the commission has established a curriculum must be certified by the commission. The training facility will be charged a separate certification application processing fee for each discipline or level of discipline for which application is made.
- (e) The certification application processing fee is waived for a military service member or military veteran whose military service, training, or education substantially meets the requirements for commission certification, and is applying for the first time for a certification required by commission rules for appointment to duties.**
- (f) The certification application processing fee is waived for a military service member, military veteran, or military spouse who holds a current license or certification issued by another jurisdiction that has requirements substantially equivalent to the requirements for commission certification, and is applying for the first time for a certification required by commission rules for appointment to duties.**

#### §437.5 Renewal Fees.

- (a) A non-refundable annual renewal fee of \$85 shall be assessed for each certified individual and certified training facility. If an individual or certified training facility holds more than one certificate, the commission may collect only one renewal fee of \$85, which will renew all certificates held by the individual or certified training facility.
- (b) A regulated employing entity shall pay the renewal fee for each individual who is required to possess certification as a condition of employment.
- (c) If a person re-enters the fire service whose certificate(s) has been expired for less than one year, the regulated entity must pay all applicable renewal fee(s) and any applicable additional fee(s). Upon payment of the required fees, the certificates previously held by the individual, for which he or she continues to qualify, will be renewed.
- (d) If a person wishes to renew a certificate(s) which has been expired less than one year and the individual is not employed by a regulated employing entity as defined in subsection (b) of this section, the individual must pay all applicable renewal fee(s) and any applicable additional fee(s). Upon payment of the required fee(s), the certificate(s) previously held by the individual, for whom he or she continues to qualify, will be renewed.
- (e) Nothing in this section shall prohibit an individual from paying a renewal fee for any certificate which he or she is qualified to hold providing the certificate is not required as a condition of employment.

- (f) Certification renewal information will be sent to all regulated employing entities and individuals holding certification at least 60 days prior to October 31 of each calendar year. Certification renewal information will be sent to certified training facilities at least 60 days prior to February 1 of each calendar year.
- (g) If renewal payment is submitted by mail, all certification renewal fees must be submitted with the renewal invoice to the commission.
- (h) All certification renewal fees must be paid on or before the last day of the certification period (see subsection (i) of this section) to avoid additional fee(s).
- (i) The certification period shall be a period not to exceed one year. The certification period for employees of regulated employing entities, and individuals holding certification is November 1 to October 31. The certification period of certified training facilities is February 1 to January 31.
- (j) All certification renewal fees received from one to 30 days after the last day of the certification period will cause the individual or entity responsible for payment to be assessed a non-refundable late fee of \$42.50 in addition to the renewal fee for each individual or training provider for which a renewal fee was due.
- (k) All certification renewal fees received more than 30 days after the last day of the certification period will cause the individual or entity responsible for payment to be assessed a non-refundable late fee of \$85 in addition to the renewal fee for each individual or training provider for which a renewal fee was due.
- (l) In addition to any non-refundable late fee(s) assessed for certification renewal, the commission may hold an informal conference to determine if any further action(s) is to be taken.
- (m) An individual or entity may petition the commission for a waiver of the late fees required by this section if the person's certificate expired because of the individual or regulated employing entity's good faith clerical error, or expired as a result of termination of the person's employment where the person has been restored to employment through a disciplinary procedure or a court action.
- (1) Applicants claiming good faith clerical error must submit a sworn statement together with any supporting documentation that evidences the applicant's good faith efforts to comply with commission renewal requirements and that failure to comply was due to circumstances beyond the control of the applicant.
- (2) Applicants claiming restoration to employment as a result of a disciplinary or court action must submit a certified copy of the order restoring the applicant to employment.
- (n) An individual, **who is a military service member, or** ~~upon~~ returning from activation to military service, ~~[ whose certification has expired, ]~~ must notify the commission in writing **if the individual wishes to renew an expired certification. Provided other qualifications for renewal are met, the** ~~[ The ]~~ individual will have any normally associated late fees waived and will be required to pay a renewal fee of \$85.

#### **§437.13 Processing Fees for Test Application**

- (a) A non-refundable application processing fee of \$85 shall be charged for each examination.
- (b) Fees will be paid in advance with the application or the certified training provider may be invoiced or billed if previous arrangements have been approved by the commission in writing via mail, e-mail or fax.
- (1) Any payment postmarked from 61 to 90 days after the invoice date will cause the provider of training to be assessed a non-refundable late fee of one half the amount shown on the invoice. This late fee is in addition to the amount shown on the invoice for test application processing fees.

(2) Any payment postmarked more than 90 days after the invoice date will cause the provider of training to be assessed a non-refundable late fee in an amount equal to the amount shown on the invoice. This late fee is in addition to the amount shown on the invoice for test application processing fees.

**(c) The test application processing fee is waived for a military service member or military veteran whose military service, training, or education substantially meets the training requirements for a commission examination. This subsection applies to initial examinations for certifications required by commission rules for appointment to duties. Retests following a failed initial examination or an examination to regain a certification that was lost are not included.**

**(d) The test application processing fee is waived for a military service member, military veteran, or military spouse who holds a current license or certification issued by another jurisdiction that has requirements substantially equivalent to the training requirements for a commission examination. This subsection applies to initial examinations for certifications required by commission rules for appointment to duties. Retests following a failed initial examination or an examination to regain a certification that was lost are not included.**

S.B. No. 807

AN ACT

relating to occupational license application and examination fees for certain military service members, military veterans, and military spouses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 55, Occupations Code, is amended by adding Section 55.009 to read as follows:

Sec. 55.009. LICENSE APPLICATION AND EXAMINATION FEES. Notwithstanding any other law, a state agency that issues a license shall waive the license application and examination fees paid to the state for an applicant who is:

(1) a military service member or military veteran whose military service, training, or education substantially meets all of the requirements for the license; or

(2) a military service member, military veteran, or military spouse who holds a current license issued by another jurisdiction that has licensing requirements that are substantially equivalent to the requirements for the license in this state.

SECTION 2. The changes in law made by this Act apply only to an application for an occupational license filed on or after the effective date of this Act. An application for a license filed before the effective date of this Act is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2015.

**BILL ANALYSIS**

Senate Research Center  
84R14765 NC-D

C.S.S.B. 807  
By: Campbell; Lucio  
Veteran Affairs & Military Installations  
3/19/2015  
Committee Report (Substituted)

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

C.S.S.B. 807 expedites the employment of skilled veterans by waiving examination and fee requirements for occupational licenses issued by state agencies.

One unnecessary burden to the reentry of service members into the workforce is that Texas occupations requiring licensure frequently require an examination and payment of certain fees in order to receive appropriate certification from the state. In the case of service members or veterans who have a substantially equivalent certification from the military, this process is redundant, unduly burdensome, and in need of reform.

Additionally, current Texas statutes do not provide waived or reduced fees for military service members and veterans who initially apply for a Texas occupational license. However, some state agencies have waived some fees for military spouses who are applying for a Texas occupational license when they have a similar license in another jurisdiction with similar licensing requirements.

By recognizing military experience or licenses from other states, Texas can attract the most qualified and skilled veterans and remove barriers to employment for those who are just transitioning out of active duty military service.

C.S.S.B. 807 amends current law relating to occupational license application and examination fees for certain military service members, military veterans, and military spouses.

**RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

**SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 55, Occupations Code, by adding Section 55.009, as follows:

Sec. 55.009. LICENSE APPLICATION AND EXAMINATION FEES. Requires a state agency that issues a license, notwithstanding any other law, to waive the license application and examination fees paid to the state for an applicant who is:

- (1) a military service member or military veteran whose military service, training, or education substantially meets all of the requirements for the license; or

(2) a military service member, military veteran, or military spouse who holds a current license issued by another jurisdiction that has licensing requirements that are substantially equivalent to the requirements for the license in this state.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2015.

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

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

**3. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 441, Continuing Education.**

**CHAPTER 441**  
**CONTINUING EDUCATION**

**§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. 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 **provided by the individual and the individual's treating physician** 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 **military service or** 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.

- 11. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:**
  - B. 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 431, Fire Investigation**



*Texas Commission on Fire Protection*

*Agenda Item Summary*

**MEETING: Commission**

**DATE: 1/14/2016**

**Agenda Item #: 11B: #1**

**Agenda Title: Criminal Justice Courses for Fire/Arson Investigator**

**Action to be taken: Discussion and possible action for publication**

*Origin of Item: FF Advisory Committee*

**1. INTRODUCTION/PURPOSE**

The purpose of the proposed rule revision is to allow all criminal justice courses to be used to satisfy the 18-semester hour requirement toward the Master levels of Fire or Arson Investigator certifications.

**2. DESCRIPTION/ JUSTIFICATION**

Current rules only allow criminal justice courses related to fire and arson investigation to be used to satisfy the requirement, substantially restricting the opportunity to use other valuable, and often closely-related, criminal justice courses.

**3. BUDGET IMPACT**

No significant budget impact is anticipated, except that there may be a slight increase in the number of applicable certifications applied for and issued.

**4. TIMELINE CONSIDERATIONS**

Proposed language is for possible publication.

**5. RECOMMENDATION**

Reviewed and forwarded as approved by the FF Advisory Committee.

**6. REFERENCES**

Title 37, Part 13, Chapter 431, Texas Administrative Code.

## 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.

## CHAPTER 431

### FIRE INVESTIGATION

#### 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:**

- C. Discussion and possible action on fees charged by the agency.**

## CHAPTER 437

### FEES

#### **§437.1 Purpose and Scope.**

- (a) The purpose of this chapter is to set forth requirements governing the fees charged by the commission as prescribed by Texas Government Code, Chapter 419, §419.025 and §419.026, and commission rule.
- (b) This chapter shall govern all proceedings before and dealing with the commission concerning fees. Hearings and appellate proceedings regarding these fees shall be governed by this chapter where applicable and by the rules of the practice and procedure of the commission and the Administrative Procedure Act and Texas Register Act, Chapter 2001, of the Texas Government Code.
- (c) If a fee submitted in the form of a check is returned for insufficient funds the certification, seal or test for which the fee was collected will be invalidated.
- (d) Additional fees, such as those charged for exam administration or criminal background checks, may be charged to applicants and regulated entities by service providers other than the commission. The commission does not charge and will not collect these additional fees. Payment of the additional fees shall be made via a separately established agreement between the individual or regulated entity and the applicable service providers.

#### **§437.3 Certification Application Processing Fees.**

- (a) A non-refundable application processing fee of \$85 is required for each certificate issued by the commission. If a certificate is issued within the time provided in §401.125 of this title (relating to Processing Periods), the fee will be applied to the certification. If the certificate is denied, the applicant must pay a new certification application processing fee to file a new application.
- (b) The regulated employing entity shall be responsible for all certification application processing fees required as a condition of appointment.
- (c) Nothing in this section shall prohibit an individual from paying a certification application processing fee for any certificate which he or she is qualified to hold, providing the certificate is not required as a condition of appointment (see subsection (b) of this section concerning certification fees).
- (d) A facility that provides training for any discipline for which the commission has established a curriculum must be certified by the commission. The training facility will be charged a separate certification application processing fee for each discipline or level of discipline for which application is made.

#### **§437.5 Renewal Fees.**

- (a) A non-refundable annual renewal fee of \$85 shall be assessed for each certified individual and certified training facility. If an individual or certified training facility holds more than one certificate, the commission may collect only one renewal fee of \$85, which will renew all certificates held by the individual or certified training facility.
- (b) A regulated employing entity shall pay the renewal fee for each individual who is required to possess certification as a condition of employment.
- (c) If a person re-enters the fire service whose certificate(s) has been expired for less than one year, the regulated entity must pay all applicable renewal fee(s) and any applicable additional fee(s). Upon payment of the required fees, the certificates previously held by the individual, for which he or she continues to qualify, will be renewed.

- (d) If a person wishes to renew a certificate(s) which has been expired less than one year and the individual is not employed by a regulated employing entity as defined in subsection (b) of this section, the individual must pay all applicable renewal fee(s) and any applicable additional fee(s). Upon payment of the required fee(s), the certificate(s) previously held by the individual, for whom he or she continues to qualify, will be renewed.
- (e) Nothing in this section shall prohibit an individual from paying a renewal fee for any certificate which he or she is qualified to hold providing the certificate is not required as a condition of employment.
- (f) Certification renewal information will be sent to all regulated employing entities and individuals holding certification at least 60 days prior to October 31 of each calendar year. Certification renewal information will be sent to certified training facilities at least 60 days prior to February 1 of each calendar year.
- (g) If renewal payment is submitted by mail, all certification renewal fees must be submitted with the renewal invoice to the commission.
- (h) All certification renewal fees must be paid on or before the last day of the certification period (see subsection (i) of this section) to avoid additional fee(s).
- (i) The certification period shall be a period not to exceed one year. The certification period for employees of regulated employing entities, and individuals holding certification is November 1 to October 31. The certification period of certified training facilities is February 1 to January 31.
- (j) All certification renewal fees received from one to 30 days after the last day of the certification period will cause the individual or entity responsible for payment to be assessed a non-refundable late fee of \$42.50 in addition to the renewal fee for each individual or training provider for which a renewal fee was due.
- (k) All certification renewal fees received more than 30 days after the last day of the certification period will cause the individual or entity responsible for payment to be assessed a non-refundable late fee of \$85 in addition to the renewal fee for each individual or training provider for which a renewal fee was due.
- (l) In addition to any non-refundable late fee(s) assessed for certification renewal, the commission may hold an informal conference to determine if any further action(s) is to be taken.
- (m) An individual or entity may petition the commission for a waiver of the late fees required by this section if the person's certificate expired because of the individual or regulated employing entity's good faith clerical error, or expired as a result of termination of the person's employment where the person has been restored to employment through a disciplinary procedure or a court action.
  - (1) Applicants claiming good faith clerical error must submit a sworn statement together with any supporting documentation that evidences the applicant's good faith efforts to comply with commission renewal requirements and that failure to comply was due to circumstances beyond the control of the applicant.
  - (2) Applicants claiming restoration to employment as a result of a disciplinary or court action must submit a certified copy of the order restoring the applicant to employment.
- (n) An individual, upon returning from activation to military service, whose certification has expired, must notify the commission in writing. The individual will have any normally associated late fees waived and will be required to pay a renewal fee of \$85.

#### **§437.7 Standards Manual and Certification Curriculum Manual Fees.**

- (a) Current versions of the Standards Manual for Fire Protection Personnel and Certification Curriculum Manual are available on the commission's website.

- (b) The commission does not provide printed copies of the manuals. A printed copy of the commission's standards may be obtained from Thomson West, 610 Opperman Drive, Eagan, MN 55123, by requesting "Title 37, Public Safety and Corrections" of the Texas Administrative Code. The web address for Thomson West is [www.west.thomson.com](http://www.west.thomson.com).

**§437.11 Copying Fees.**

- (a) All photographic reproduction of records or documents in the files of the commission and prepared on standard office machines will be furnished for a fee.
- (b) A fee will be charged for address and telephone number lists of fire service agencies.
- (c) A fee will be charged for mailing peel-off labels of fire service agencies.

**§437.13 Processing Fees for Test Application.**

- (a) A non-refundable application processing fee of \$85 shall be charged for each examination.
- (b) Fees will be paid in advance with the application or the certified training provider may be invoiced or billed if previous arrangements have been approved by the commission in writing via mail, e-mail or fax.

(1) Any payment postmarked from 61 to 90 days after the invoice date will cause the provider of training to be assessed a non-refundable late fee of one half the amount shown on the invoice. This late fee is in addition to the amount shown on the invoice for test application processing fees.

(2) Any payment postmarked more than 90 days after the invoice date will cause the provider of training to be assessed a non-refundable late fee in an amount equal to the amount shown on the invoice. This late fee is in addition to the amount shown on the invoice for test application processing fees.

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

A non-refundable \$15 fee shall be charged for each IFSAC seal issued by the commission.

**§437.17 Records Review Fees.**

- (a) A non-refundable fee of \$35 shall be charged for each training records review conducted by the commission for the purpose of determining equivalency to the appropriate commission training program or to establish eligibility to test. Applicants submitting training records for review shall receive a written analysis from the commission.
- (b) The fee provided for in this section shall not apply to an individual who holds an advanced or Fire Fighter II certificate from the State Firemen's and Fire Marshals' Association of Texas.

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

- D. 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. Inspector I Curriculum**
  - b. Inspector II Curriculum**
  - c. Plans Examiner I Curriculum**
  - d. Basic Fire Inspector Curriculum outline**
  - e. Basic Fire Inspector reference list**

## **SECTION 401**

### **INSPECTOR I**

#### **401-4.1**      **General**

The Fire Inspector I shall meet the job performance requirements defined in Sections 4.2 through 4.4. In addition, the Fire Inspector I shall meet the requirements of Section 4.2 of NFPA 472.

- 401-A.4.1**      The intent of the committee is that individuals at the Fire Inspector I level perform basic fire safety inspections. Individuals at this level can include fire fighters who are normally assigned to fire suppression or other individuals whose primary job responsibilities are not fire inspection.

#### **401-4.2**      **Administration**

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

- 401-A.4.2**      Maintaining an open dialogue with plan examiners and emergency response personnel is a key component of the duties of Fire Inspector I.

- 401-4.2.1**      Prepare inspection reports, given agency policy and procedures, and observations from an assigned field inspection, so that the report is clear and concise and reflects the findings of the inspection in accordance with the applicable codes and standards and the policies of the jurisdiction.

#### **Requisite Knowledge:**

1. Applicable codes and standards adopted by the jurisdiction
  - a. Model codes
  - b. Model code organizations
    - i. International Code Council (ICC)
    - ii. **National Fire Protection Association (NFPA)**
    - iii. ~~Legacy codes~~
    - iv. ~~Building Officials and Code Administrators International (BOCA)~~
    - v. ~~International Conference of Building Officials (ICBO)~~
    - vi. ~~Southern Building Code Congress International (SBCCI)~~
  - c. Code adoption
2. Policies of the jurisdiction

- a. Inspection priorities and frequency
  - i. Permit model
  - ii. Inspection model

**Requisite Skills:** The ability to conduct a field inspection, apply codes and standards, and communicate orally and in writing.

**401-4.2.2** Recognize the need for a permit, given a situation or condition, so that requirements for permits are communicated in accordance with the applicable codes and standards and the policies of the jurisdiction.

**401-A.4.2.2** Situations or conditions requiring permits include new construction, operational conditions, and planned impairments involving building systems or facilities, as required by the AHJ.

**Requisite Knowledge:**

1. Permit policies of the jurisdiction
2. Rationale for the permit

**Requisite Skills:** The ability to communicate orally and in writing.

**401-4.2.3** Recognize the need for plan review, given a situation or condition, so that requirements for plan reviews are communicated in accordance with the applicable codes and standards and the policies of the jurisdiction.

**Requisite Knowledge:**

1. Plan review policies of the jurisdiction
2. Rationale for the plan review

**Requisite Skills:** The ability to communicate orally and in writing.

**401-4.2.4** Investigate common complaints, given a reported situation or condition, so that complaint information is recorded, the AHJ-approved process is initiated, and the complaint is resolved.

**401-A.4.2.4** The objective of a complaint investigation is the recognition and correction or removal of a fire or life safety hazard. At this professional level, the resolution of the complaint would not require the fire inspector to interpret a code or standard.

**Requisite Knowledge:**

1. Applicable codes and standards adopted by the jurisdiction

2. Policies of the jurisdiction

**Requisite Skills:** The ability to apply codes and standards, communicate orally and in writing, recognize problems, and resolve complaints.

- 401-4.2.5** Identify the applicable code or standard, given a fire protection, fire prevention, or life safety issue, so that the applicable document, edition, and section are referenced.

- 401-A.4.2.5** The fire inspector should avoid enforcement of codes or standards that have not been legally adopted by the jurisdiction. The fire inspector should not retroactively apply codes and standards unless legally required by the jurisdiction.

**Requisite Knowledge:**

1. Applicable codes adopted by the jurisdiction
2. Applicable standards adopted by the jurisdiction

**Requisite Skills:** The ability to apply codes and standards.

- 401-4.2.6** Participate in legal proceedings, given the findings of a field inspection or a complaint and consultation with legal counsel, so that all information is presented and the inspector's demeanor is professional.

**Requisite Knowledge:**

1. The legal requirements pertaining to evidence rules in the legal system
  - a. Texas Rules of Evidence
2. Types of legal proceedings
  - a. Appeals
    - i. Appeals boards
    - ii. Appeals hearings
  - b. Criminal
  - c. Civil
3. Hearing preparation

**Requisite Skills:** The ability to maintain a professional courtroom demeanor, communicate, listen, and differentiate facts from opinions.

**401-4.3**      **Field Inspection**

This duty involves fire safety inspections of new and existing structures and properties for construction, occupancy, fire protection, and exposures, according to the following job performance requirements.

- 401-4.3.1** Identify the occupancy classification of a single-use occupancy, given a description of the occupancy and its use, so that the classification is made according to the applicable codes and standards.

**Requisite Knowledge:**

1. Occupancy classification types
2. Applicable codes, regulations and standards adopted by the jurisdiction
3. Operational features
4. Fire hazards presented by various occupancies

**Requisite Skills:** The ability to make observations and correct decisions.

- 401-4.3.2** Compute the allowable occupant load of a single-use occupancy or portion thereof, given a detailed description of the occupancy, so that the calculated allowable occupant load is established in accordance with applicable codes and standards.

**Requisite Knowledge:**

1. Occupancy classification types
  - a. Function of space
  - b. Net floor area
  - c. Gross floor area
2. Applicable codes, regulations, and standards adopted by the jurisdiction
  - a. International Building Code (IBC)
  - b. National Fire Protection Association (NFPA)
  - c. Other regulatory agencies
3. Operational features
4. Fire hazards presented by various occupancies
5. Occupant load factors - function

**Requisite Skills:** The ability to calculate occupant loads, identify occupancy factors related to various occupancy classifications, use measuring tools, and make field sketches.

**401-4.3.3** Inspect means of egress elements, given observations made during a field inspection of an existing building, so that means of egress elements are maintained in compliance with applicable codes and standards and deficiencies are identified, documented, and reported in accordance with the applicable codes and standards and the policies of the jurisdiction.

**401-A.4.3.3** Examples of means of egress elements include exit access, exit enclosures, exit discharges, exit travel distances, arrangement, capacity, stairways, ramps, doors, hardware, exit markings, and illumination.

**Requisite Knowledge:**

1. Applicable codes and standards adopted by the jurisdiction related to means of egress **elements**
2. Maintenance requirements of egress elements
3. Types of construction
4. **Occupancy egress requirements. The means of egress elements include:**
  - a. **Exit access**
  - b. **Exit**
  - c. **Exit discharge**
  - d. **Exit enclosures**
  - e. **Exit travel distances**
  - f. **Common path of travel**
  - g. **Arrangement**
  - h. **Exit passageway**
  - i. **Delayed egress (Access controlled)**
  - j. **Accessible means of egress**
  - k. **Areas of refuge**
  - l. **Capacity**
  - m. **Stairways**
  - n. **Ramps**
  - o. **Corridors**
  - p. **Doors**
  - q. **Hardware**
  - r. **Exit markings**
  - s. **Illumination**

5. ~~Occupancy egress requirements~~
- a. ~~Examples of means of egress elements include:~~
- ~~i. Exit access~~
  - ~~ii. Exit~~
  - ~~iii. Exit enclosures~~
  - ~~iv. Exit discharges~~
  - ~~v. Exit travel distances~~
  - ~~vi. Common path of travel~~
  - ~~vii. Arrangement~~
  - ~~viii. Exit passageway~~
  - ~~ix. Delayed egress (Access controlled)~~
  - ~~x. Accessible means of egress~~
  - ~~xi. Areas of refuge~~
  - ~~xii. Capacity~~
  - ~~xiii. Stairways~~
  - ~~xiv. Ramps~~
  - ~~xv. Corridors~~
  - ~~xvi. Doors~~
  - ~~xvii. Hardware~~
  - ~~xviii. Exit markings~~
  - ~~xix. Illumination~~

5. The relationship of fixed fire protection systems to egress requirements and to approved means of egress **elements**, including, but not limited to, doors, hardware, and lights

**Requisite Skills:** The ability to observe and recognize problems, calculate, make basic decisions related to means of egress, use measuring tools, and make field sketches.

- 401-4.3.4** Verify the type of construction for an addition or remodeling project, given field observations or a description of the project and the materials being used, so that the construction type is identified and recorded in accordance with the applicable codes and standards and the policies of the jurisdiction.

- 401-A.4.3.4** A building description includes height and area dimensions, construction type, and construction materials.

**Requisite Knowledge:**

1. Applicable codes and standards adopted by the jurisdiction
2. Types of construction ~~classification~~
  - a. Height and area dimensions

- b. Construction type
  - c. Construction materials
3. Rated construction components
  4. Accepted building construction methods and materials

**Requisite Skills:** The ability to read plans, make decisions, and apply codes and standards.

**401-4.3.5** Determine the operational readiness of existing fixed fire suppression systems, given test documentation and field observations, so that the systems are in an operational state, maintenance is documented, and deficiencies are identified, documented, and reported in accordance with the applicable codes and standards and the policies of the jurisdiction.

**401-A.4.3.5** Individuals should be able to confirm the operational status of fixed extinguishing systems by visual inspection of the control panels for automatic suppression systems (e.g., dry chemical systems, Halon, CO<sub>2</sub>, and clean agent systems), automatic fire pumps and booster pumps, and detection systems arranged to operate automatic systems. Operational status of sprinkler systems, including wet pipe, dry pipe, deluge, foam-water, and preaction systems, can be confirmed by visually inspecting above ground water supply control valves, spring testing underground water supply control valves, inspecting water levels in tanks and reservoirs, and observing sprinkler system drain tests. Periodic inspections and tests should be documented as noted in the applicable standards (NFPA 11, NFPA 12, NFPA 12A, NFPA 17, NFPA 25, NFPA 72, and NFPA 2001).

**Requisite Knowledge:**

1. A basic understanding of the components and operation of fixed fire suppression systems
  - a. Sprinkler systems
  - b. Types of sprinklers
  - c. Standpipes
  - d. Other extinguishing systems
2. Applicable codes and standards

**Requisite Skills:** The ability to observe, make decisions, recognize problems, and read reports.

**401-4.3.6** Determine the operational readiness of existing fire detection and alarm systems, given test documentation and field observations, so that the systems are in an operational state, maintenance is documented, and all deficiencies are identified, documented, and reported in accordance with the policies of the jurisdiction.

**401-A.4.3.6** ~~Fire Inspectors~~ **Individuals** should be able to confirm the operational status of fire detection systems by visual inspection of the control panels for the detection system. Operational testing, maintenance, and sensitivity testing of detectors, where applicable, should be documented in accordance with applicable NFPA standards **NFPA 72**. To meet this requirement, the Fire Inspector **I** is required to simply verify that valves are open and secured, control panels are on with no trouble indications, and fire extinguishers or systems are sealed with proper gauge readings. Documentation of maintenance would include inspection tags and records of alarm system and device tests, sprinkler or standpipe main drain tests, and so forth.

**Requisite Knowledge:**

1. A basic understanding of the components and operation of fire detection and alarm systems and devices
2. Applicable codes and standards

**Requisite Skills:** The ability to observe, make decisions, recognize problems, and read reports.

**401-4.3.7** Determine the operational readiness of existing portable fire extinguishers, given field observations and test documentation, so that the equipment is in an operational state, maintenance is documented, and deficiencies are identified, documented, and reported in accordance with the policies of the jurisdiction.

**401-A.4.3.7** ~~Fire Inspectors~~ **Individuals** should be able to confirm the operational status of extinguishers by visually examining the units, checking gauges, checking that they are tagged and hydrostatically tested in accordance with NFPA 10, and checking that they are correctly located and marked. Extinguishers should also be confirmed to be appropriate for the hazard.

**Requisite Knowledge:**

1. A basic understanding of portable fire extinguishers
  - a. Components
  - b. Placement

2. Applicable codes and standards

**Requisite Skills:** The ability to observe, make decisions, recognize problems, and read reports.

**401-4.3.8** Recognize hazardous conditions involving equipment, processes, and operations, given field observations, so that the equipment, processes, or operations are conducted and maintained in accordance with applicable codes and standards and deficiencies are identified, documented, and reported in accordance with the applicable codes and standards and the policies of the jurisdiction.

**401-A.4.3.8** The Fire Inspector I is expected to have knowledge of processes, equipment, and operations that include dust collection, kitchen hood and ducts, dip tanks, spray painting, and flammable and combustible liquids storage, dispensing, and use.

**Requisite Knowledge:**

1. Practices and techniques of code compliance inspections
2. Fire behavior
3. Fire prevention practices
4. Ignition sources
5. Safe housekeeping practices
6. Classification of hazardous materials
7. ~~Dust hazard processes~~
8. ~~Kitchen hood and ducts~~
9. ~~Dip tanks~~
10. ~~Flammable finishing operations~~
11. ~~Flammable and combustible liquids storage, dispensing, and use~~
12. ~~Welding and thermal cutting operations~~
13. ~~Dipping and coating operations~~

~~14. Quenching operations~~

~~15. Dry cleaning operations~~

~~16. Asphalt and tar kettles~~

~~17. Semiconductor/Electronics manufacturing~~

**Requisite Skills:** The ability to observe, communicate, apply codes and standards, recognize problems, and make decisions.

**401-4.3.9** Compare an approved plan to an existing fire protection system, given approved plans and field observations, so that any modifications to the system are identified, documented, and reported in accordance with the applicable codes and standards and the policies of the jurisdiction.

**Requisite Knowledge:**

1. Fire protection symbols
2. Terminology

**Requisite Skills:** The ability to read and comprehend plans for fire protection systems, observe, communicate, apply codes and standards, recognize problems, and make decisions.

**401-4.3.10** Verify that emergency planning and preparedness measures are in place and have been practiced, given field observations, copies of emergency plans, and records of exercises, so that plans are prepared and exercises have been performed in accordance with applicable codes and standards and deficiencies are identified, documented, and reported in accordance with the applicable codes and standards and the policies of the jurisdiction.

**401-A.4.3.10** Emergency planning and preparation involves fire drills, announcements, evacuation plans, fire department access, response personnel, and standby personnel.

**Requisite Knowledge:**

1. Requirements relative to emergency evacuation drills that are required within the jurisdiction
  - a. Emergency planning
  - b. Emergency preparation
2. Ways to conduct and/or evaluate fire drills in various occupancies

- a. Fire drills
- b. Announcements
- c. Evacuation plans
- d. Fire department access
- e. Response personnel
- f. Standby personnel

### 3. Human behavior during fires and other emergencies

**Requisite Skills:** The ability to identify the emergency evacuation requirements contained in the applicable codes and standards and interpret plans and reports.

**401-4.3.11** Inspect emergency access for an existing site, given field observations, so that the required access for emergency responders is maintained and deficiencies are identified, documented, and corrected in accordance with the applicable codes, standards, and policies of the jurisdiction.

**401-A.4.3.11** Emergency access includes emergency vehicle access roadways, pathway access from roadways to the building, key box facilities, gate access, and door access into structures. The Fire Inspector I is expected to be able to find and correct deficiencies and obstructions to fire and emergency personnel access into buildings, such as blocked roadways, missing or outdated keys in key boxes, locked gates, and inaccessible doors. Actual response operations, safe zones, and vehicle size, width, and turning capabilities should be evaluated for a given site. For sites with topographical limitations, such as a riverfront or mountainside setting, alternate methods to provide access should be evaluated based upon the requirements of the responding personnel to approach and address incidents within the site.

**Requisite Knowledge:**

1. Applicable codes and standards
2. Policies of the jurisdiction
3. Emergency access and accessibility requirements

**Requisite Skills:** The ability to identify the emergency access requirements contained in the applicable codes and standards, observe, make decisions, and use measuring tools.

**401-4.3.12** Verify code compliance for incidental storage, handling, and use of flammable and combustible liquids and gases, given field observations

and inspection guidelines from the AHJ, so that applicable codes and standards are addressed and deficiencies are identified, documented, in accordance with the applicable codes and standards and the policies of the jurisdiction.

**401-A.4.3.12** It is anticipated that the Fire Inspector I will find nominal amounts of flammable and combustible liquids or gases in occupancies usually considered to be “low-hazard.” These nominal amounts, referred to as incidental or exempt amounts, depending on the code adopted by the jurisdiction, are needed for normal maintenance or daily operations could include cleaning fluids, lubricating oils, or propane for a forklift. Once incidental or exempt amounts are exceeded, additional building and fire requirements are triggered. At that point, the inspection should be referred to the Fire Inspector II or III.

**Requisite Knowledge:**

1. Classification
2. Properties
3. Labeling
4. Storage
5. Handling
6. Use of incidental amounts of flammable and combustible liquids and gases
7. Applicable codes and standards (Incidental or exempt amounts allowed)

**Requisite Skills:** The ability to observe, communicate, apply codes and standards, recognize problems, and make decisions.

**401-4.3.13** Verify code compliance for incidental storage, handling, and use of hazardous materials, given field observations, so that applicable codes and standards for each hazardous material encountered are addressed and all deficiencies are identified, documented, and reported in accordance with the applicable codes and standards and the policies of the jurisdiction.

**401-A.4.3.13** Moderate amounts of hazardous materials will be found in many occupancies that are not classified as “Hazardous” or “Group H”

occupancies. These materials could be on display in a wholesale/retail setting or used for maintenance purposes or operation of equipment. They could include swimming pool or water purification chemicals, refrigeration equipment, or a single chemical process such as a dip tank. These moderate amounts of hazardous materials are referred to as incidental or exempt amounts, depending on the code adopted by the jurisdiction. Once incidental or exempt amounts are exceeded — whether in storage, use, or wholesale/retail sales settings — additional building and fire requirements are triggered. At that point, the inspection should be referred to the Fire Inspector II or III.

**Requisite Knowledge:**

1. Classification
2. Properties
3. Labeling
4. Transportation
5. Storage
6. Handling
7. Use of hazardous materials
8. Applicable codes and standards (Incidental or exempt amounts allowed)
9. Hazardous Materials Awareness Level Personnel (NFPA 472, *Standard for Competence of Responders to Hazardous Materials/Weapons of Mass Destruction Incidents* section 4.2 – Analyzing the Incident)
  - a. ~~The Fire Inspector candidate shall identify and be able to describe the purpose, goals, and definitions in the NFPA standards applicable to Hazardous Materials/WMD.~~
  - b. ~~The Fire Inspector candidate shall demonstrate knowledge of safety principles applicable to hazardous materials/WMD response.~~
  - c. ~~The Fire Inspector candidate shall identify how hazardous materials incidents are different from other emergencies.~~
  - d. ~~The Fire Inspector candidate shall identify principles pertaining to the recognition of hazardous materials/WMD.~~

- e. ~~The Fire Inspector candidate shall identify the definition of hazardous materials/WMD.~~
- f. ~~The Fire Inspector candidate shall identify the following nine UN/DOT hazardous classes or divisions and give examples of common materials in each hazard class or division, and the primary hazards associated with each hazard class or division.~~
  - i. ~~Class 1—Explosives~~
  - ii. ~~Class 2—Gases~~
  - iii. ~~Class 3—Flammable liquids~~
  - iv. ~~Class 4—Flammable solids~~
  - v. ~~Class 5—Oxidizers~~
  - vi. ~~Class 6—Non-gaseous poisonous materials~~
  - vii. ~~Class 7—Radioactive material~~
  - viii. ~~Class 8—Corrosive~~
  - ix. ~~Class 9—Miscellaneous~~
- g. ~~The Fire Inspector candidate shall identify typical occupancies and locations in the community or facility where hazardous materials/WMD are manufactured, transported, stored, used or disposed of.~~
- h. ~~The Fire Inspector candidate, given various examples of typical container shapes, shall identify:~~
  - i. ~~Those which may contain a hazardous material/WMD~~
  - ii. ~~Those which would contain liquids, gases, or solids~~
  - iii. ~~Markings on fixed facility containers that would indicate:~~
    - a) ~~Size of container~~
    - b) ~~Product contained~~
    - c) ~~Site identification numbers~~
- i. ~~The Fire Inspector candidate shall identify facility and transportation markings and colors that indicate hazardous materials/WMD, including the following:—~~
  - i. ~~Transportation markings, including UN/NA identification number marks, marine pollutant mark, elevated temperature (HOT) mark, commodity markings, and inhalation hazard mark~~
  - ii. ~~NFPA 704, Standard System for the Identification of the Hazards of Materials for Emergency Response, markings~~
  - iii. ~~Military hazardous materials/WMD markings~~
  - iv. ~~Special hazard communication markings for each hazard class~~
  - v. ~~Pipeline markings\_\_\_\_\_~~
  - vi. ~~Container markings\_\_\_\_\_~~
- j. ~~The Fire Inspector candidate, given an example of an NFPA 704 marking, shall identify the significance of the following components.~~

- i. ~~Five degrees of hazard – (4-0)~~
- ii. ~~Three categories of hazard~~
  - a) ~~Health – Blue color~~
  - b) ~~Flammability – Red color~~
  - c) ~~Reactivity – Yellow color~~
  - d) ~~Special information – White color~~
- iii. ~~Special hazards that may be indicated~~
  - a) ~~ACID – Acid~~
  - b) ~~ALK – Alkali~~
  - c) ~~COR – Corrosive~~
  - d) ~~OX – Oxidizer~~
  - e) ~~W – Reacts with water~~
- k. ~~The Fire Inspector candidate shall identify and describe U.S. and Canadian placards and labels that would indicate hazardous materials/WMD.~~
- l. ~~The Fire Inspector candidate shall identify the following information from material safety data sheets (MSDS)/(SDS) and shipping papers that indicates hazardous materials/WMD.~~
  - i. ~~The Fire Inspector candidate shall identify where to find MSDS/SDS~~
    - a) ~~Manufacturer~~
    - b) ~~CHEMTREC~~
    - c) ~~Shipper~~
    - d) ~~Fixed facility~~
  - ii. ~~Entries on an MSDS/SDS that indicate the presence of hazardous materials/WMD containers by their shape~~
  - iii. ~~The Fire Inspector candidate shall identify the following in regards to shipping papers:~~
    - a) ~~Information that would indicate the presence of hazardous materials/WMD~~
    - b) ~~Name of the shipping papers in regards to the mode of transportation~~
      - i) ~~Air – Air Bill~~
      - ii) ~~Highway – Bill of Lading or Freight Bill~~
      - iii) ~~Water – Dangerous Cargo Manifest~~
      - iv) ~~Rail – Waybill and/or Consist~~
    - c) ~~Where the shipping papers are found in each mode of transportation~~
    - d) ~~The person responsible for having the shipping papers in each mode of transportation~~
    - e) ~~Where the shipping papers may be found in an emergency in each mode of transportation~~
- m. ~~The Fire Inspector candidate shall identify examples of clues (other than occupancy/location, container shape,~~

markings/color, placards/labels, MSDS/SDS, and shipping papers) that use the senses of sight, sound, and odor to indicate hazardous materials/WMD.

- i. Odors
  - ii. Gas leak
  - iii. Fire
  - iv. Vapor cloud
  - v. Visible corrosive actions
  - vi. Visible chemical reactions
  - vii. Pooled liquids
  - viii. Sound of a pressure release
  - ix. Condensation line on pressure tank
  - x. Injured persons or casualties
- n. ~~The Fire Inspector candidate shall describe the limitations of using the senses in determining the presence or absence of hazardous materials/WMD.~~
- o. ~~The Fire Inspector candidate shall identify at least four types of locations that could become targets for criminal or terrorist activity using hazardous materials/WMD.~~
- a) ~~Public assembly~~
  - b) ~~Public building~~
  - c) ~~Mass transit system~~
  - d) ~~Places with high economic impact~~
  - e) ~~Telecommunications facilities~~
  - f) ~~Places with historical or symbolic significance~~
  - g) ~~Military installations~~
  - h) ~~Airports~~
  - i) ~~Industrial facilities~~
- p. ~~The Fire Inspector candidate shall describe the difference between a chemical and a biological incident.~~
- q. ~~The Fire Inspector candidate shall identify at least four indicators of possible criminal or terrorist activity involving chemical agents.~~
- r. ~~The Fire Inspector candidate shall identify at least four indicators of possible criminal or terrorist activity involving biological agent~~
- s. ~~The Fire Inspector candidate shall identify at least four indicators of possible criminal or terrorist activity involving radiological agents.~~
- t. ~~The Fire Inspector candidate shall identify at least four indicators of possible criminal or terrorist activity involving illicit laboratories (clandestine laboratories, weapons lab, and ricin lab).~~

- u. ~~The Fire Inspector candidate shall identify at least four indicators of possible criminal or terrorist activity involving explosives.~~
- v. ~~The Fire Inspector candidate shall identify at least four indicators of secondary devices.~~
- w. ~~The Fire Inspector candidate shall identify the hazardous materials/WMD in each situation by name, UN/NA identification number, or type placard applied, and meet the following requirements, given examples of facility and transportation situations involving hazardous materials/WMD:~~
  - i. ~~Identify difficulties in determining specific names of hazardous materials/WMD in both facilities and transportation.~~
  - ii. ~~Identify sources for obtaining the names of, UN/NA identification numbers for, or types of placard associated with hazardous materials/WMD in transportation.~~
  - iii. ~~Identify sources for obtaining the names of hazardous materials/WMD in a facility.~~
- x. ~~The Fire Inspector candidate, utilizing the most current edition of the DOT *Emergency Response Guidebook*, shall:~~
  - i. ~~Identify the three methods for determining the appropriate guide page for a specific hazardous material/WMD.~~
    - a) ~~Locate UN number in the yellow-bordered pages.~~
    - b) ~~Locate name of material in the alphabetic listing in the blue-bordered pages.~~
    - c) ~~Locate a matching placard in the table of placards and consult the two-digit guide number located next to the similar placard.~~
  - ii. ~~Identify at least two general types of hazards found on each guide page.~~
    - a) ~~Fire~~
    - b) ~~Explosion~~
    - c) ~~Health~~

Note: The material below is from section 4.2 of the current Hazardous Materials Awareness curriculum.

- a. **Competencies — Analyzing the Incident**
- b. **Detecting the Presence of Hazardous Materials/WMD**  
**Given examples of various situations, awareness level personnel shall identify those situations where hazardous materials/WMD are present and shall meet the following requirements:**

- i. Identify the definitions of both *hazardous material* (or *dangerous goods*, in Canada) and *WMD*.
  - a) Hazardous materials (or dangerous goods in Canada) – a substance (solid, liquid, gas or energy) that when released is capable of creating harm to people, the environment, and property, including weapons of mass destruction (WMD) as defined in 18 U.S. Code, Section 2332a, as well as any other criminal use of hazardous materials, such as illicit labs, environmental crimes, or industrial sabotage
  - b) Weapons of Mass Destruction (WMD) - (1) Any destructive device, such as any explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one quarter ounce (7 grams), mine, or device similar to the above; (2) any weapon involving toxic or poisonous chemicals; (3) any weapon involving a disease organism; or (4) any weapon that is designed to release radiation or radioactivity at a level dangerous to human life.
- ii. Identify the UN/DOT hazard classes and divisions of hazardous materials/WMD and identify common examples of materials in each hazard class or division.
  - a) Class 1 – Explosives
    - i) Division 1.1 Explosives with a mass explosion hazard. Examples of Division 1.1 explosives include black powder trinitrotoluene, dynamite, and trinitrotoluene (TNT).
    - ii) Division 1.2 Explosives with a projection hazard. Examples of Division 1.2 explosives include aerial flares, detonating cord, and power device cartridges.
    - iii) Division 1.3 Explosives with predominantly a fire hazard. Examples of Division 1.3 explosives include

- liquid-fueled rocket motors and propellant explosives.
- iv) Division 1.4 Explosives with no significant blast hazard. Examples of Division 1.4 explosives include line-throwing rockets, practice ammunition, and signal cartridges.
- v) Division 1.5 Very insensitive explosives with a mass explosion hazard. Examples of Division 1.5 explosives include piled ammonium nitrate fertilizer–fuel oil mixtures (blasting agents).
- vi) Division 1.6 Extremely insensitive articles. An example of Division 1.6 includes wetted cellulose nitrate.
- b) Class 2 - Gases
  - i) Division 2.1 Flammable gases. Examples of Division 2.1 gases include inhibited butadienes, methyl chloride, and propane.
  - ii) Division 2.2 Non-flammable, non-toxic gases. Examples of Division 2.2 gases include anhydrous ammonia, cryogenic argon, carbon dioxide, and compressed nitrogen.
  - iii) Division 2.3 Toxic gases. Examples of Division 2.3 gases include anhydrous hydrogen fluoride, arsine, chlorine, and methyl bromide.
- c) Class 3 - Flammable liquids (and Combustible liquids [U.S.]) Examples of Class 3 liquids include acetone, amyl acetate, gasoline, methyl alcohol, and toluene.
- d) Class 4 - Flammable solids; Spontaneously combustible materials; and Dangerous when wet materials/Water-reactive substances
  - i) Division 4.1 Flammable solids. Examples of Division 4.1 materials include magnesium (pellets, turnings, or ribbons) and nitrocellulose.

- ii) Division 4.2 Spontaneously combustible materials. Examples of Division 4.2 materials include aluminum alkyls, charcoal briquettes, magnesium alkyls, and phosphorus.
- iii) Division 4.3 Water-reactive substances/Dangerous when wet materials. Examples of Division 4.3 materials include calcium carbide, magnesium powder, potassium metal alloys, and sodium hydride.
- e) Class 5 - Oxidizing substances and Organic peroxides
  - i) Division 5.1 Oxidizing substances. Examples of Division 5.1 materials include ammonium nitrate, bromine trifluoride, and calcium hypochlorite.
  - ii) Division 5.2 Organic peroxides. Examples of Division 5.2 materials include dibenzoyl peroxide, methyl ethyl ketone peroxide, and peroxyacetic acid.
- f) Class 6 - Toxic substances and Infectious substances
  - i) Division 6.1 Toxic substances. Examples of Division 6.1 materials include aniline, arsenic compounds, carbon tetrachloride, hydrocyanic acid, and tear gas.
  - ii) Division 6.2 Infectious substances. Examples of Division 6.2 materials include anthrax, botulism, rabies, and tetanus.
- g) Class 7 - Radioactive materials. Examples of Class 7 materials include cobalt, uranium hexafluoride, and "yellow cake."
- h) Class 8 - Corrosive substances. Examples of Class 8 materials include nitric acid, phosphorus trichloride, sodium hydroxide, and sulfuric acid.
- i) Class 9 - Miscellaneous hazardous materials/Products, Substances or Organisms. Examples of Class 9 materials

- include adipic acid, hazardous substances (e.g., PCBs), and molten sulfur.
- iii) Identify the primary hazards associated with each UN/DOT hazard class and division.
- a) Class 1 — Explosives
- An explosive is any substance or article, including a device, that is designed to function by explosion (i.e., an extremely rapid release of gas and heat) or that, by chemical reaction within itself, is able to function in a similar manner even if not designed to function by explosion. Explosives in Class 1 are divided into six divisions. Each division has a letter designation.
- i) Division 1.1 consists of explosives that have a mass explosion hazard. A mass explosion is one that affects almost the entire load instantaneously.
- ii) Division 1.2 consists of explosives that have a projection hazard but not a mass explosion hazard.
- iii) Division 1.3 consists of explosives that have a fire hazard and a minor blast hazard, a minor projection hazard, or both, but not a mass explosion hazard.
- iv) Division 1.4 consists of explosive devices that present a minor explosion hazard. No device in the division can contain more than 0.9 oz (25 g) of a detonating material. The explosive effects are largely confined to the package, and no projection of fragments of appreciable size or range are expected. An external fire must not cause virtually instantaneous explosion of almost the entire contents of the package.
- v) Division 1.5 consists of very insensitive explosives. This division comprises substances that have a mass explosion hazard but are so insensitive that there is very little probability of initiation or of transition

- from burning to detonation under normal conditions of transport.
- vi) Division 1.6 consists of extremely insensitive articles that do not have a mass explosive hazard. This division comprises articles that contain only extremely insensitive detonating substances and that demonstrate a negligible probability of accidental initiation or propagation.
- b) Class 2 — Gases
- i) Division 2.1 (flammable gas) consists of materials that are a gas at 68°F (20°C) or less and 14.7 psi (101.3 kPa) of pressure, have a boiling point of 68°F (20°C) or less at 14.7 psi (101.3 kPa), and have the following properties:
- (1) Are ignitable at 14.7 psi (101.3 kPa) when in a mixture of 13 percent or less by volume with air
- (2) Have a flammable range at 14.7 psi (101.3 kPa) with air of at least 12 percent regardless of the lower limit
- ii) Division 2.2 (nonflammable, nonpoisonous compressed gas, including compressed gas, liquefied gas, pressurized cryogenic gas, and compressed gas in solution, asphyxiant gas, and oxidizing gas) consists of materials (or mixtures) that exert in the packaging an absolute pressure of 41 psi (280 kPa) at 68°F (20°C). A cryogenic liquid is a refrigerated liquefied gas having a boiling point colder than -130°F (-90°C) at 14.7 psi (101.3 kPa).
- iii) Division 2.3 (gas poisonous by inhalation) consists of materials that are a gas at 68°F (20°C) or less and a pressure of 14.7 psi, or 1 atm (101.3 kPa), have a boiling point of 68°F

(20°C) or less at 14.7 psi (101.3 kPa), and have the following properties:

- (1) Are known to be so toxic to humans as to pose a hazard to health during transportation
- (2) In the absence of adequate data on human toxicity, are presumed to be toxic to humans because, when tested on laboratory animals, they have an LC<sub>50</sub> value of not more than 5000 ppm.

**c) Class 3 — Flammable and Combustible Liquids**

- i) Flammable liquids are liquids having a flash point of not more than 140°F (60°C) or materials in a liquid phase with a flash point at or above 100°F (37.8°C) that are intentionally heated and offered for transportation or transported at or above their flash point in a bulk packaging. Examples of flammable liquids include acetone, amyl acetate, gasoline, methyl alcohol, and toluene.**
- ii) Combustible liquids are liquids that do not meet the definition of any other hazard class and that have a flash point above 140°F (60°C) and below 200°F (93°C). Flammable liquids with a flash point above 100°F (38°C) can be reclassified as combustible liquids. Examples of combustible liquids include mineral oil, peanut oil, and No. 6 fuel oil.**

**d) Class 4 — Flammable Solids**

- i) Division 4.1 (flammable solids) comprised of the following three types of materials:**
  - (1) Desensitized explosives — explosives wetted with sufficient water, alcohol, or plasticizers to suppress explosive properties**
  - (2) Self-reactive materials — materials that are thermally**



that either are known to be so toxic to humans as to afford a hazard to health during transportation or in the absence of adequate data on human toxicity are presumed to be toxic to humans, including materials that cause irritation.

- ii) Division 6.2 (infectious substances) comprises materials known to contain or suspected of containing a pathogen. A pathogen is a micro-organism (including viruses, plasmids, and other genetic elements) or a proteinaceous infectious particle (prion) that has the potential to cause disease in humans or animals. The terms *infectious substance* and *etiologic agent* are synonymous.
- g) Class 7 — Radioactive Materials  
Radioactive material is any material containing radionuclides where both the activity concentration and the total activity in the consignment exceed specified values.
- h) Class 8 — Corrosive Materials  
Corrosive materials are liquids or solids that cause full-thickness destruction of skin at the site of contact within a specified period of time. A liquid that has a severe corrosion rate on steel or aluminum is also a corrosive material.
- i) Class 9 — Miscellaneous Hazardous Materials  
Miscellaneous hazardous materials are materials that present a hazard during transport but that do not meet the definition of any other hazard class. Miscellaneous hazardous materials include the following:
  - i) Any material that has an anesthetic, noxious, or other similar property that could cause extreme annoyance or discomfort to a flight crew member so as to prevent the correct performance of assigned duties

- ii) Any material that is not included in any other hazard class but that is subject to DOT requirements (e.g. elevated-temperature material, hazardous substance, hazardous waste, marine pollutant).
- iv. Identify the difference between hazardous materials/WMD incidents and other emergencies.
  - a) Size
  - b) Complexity
  - c) Intent
  - d) Crime scene management
  - e) Secondary devices/attacks and armed
- v. Identify typical occupancies and locations in the community where hazardous materials/WMD are manufactured, transported, stored, used, or disposed of.
- vi. Identify typical container shapes that can indicate the presence of hazardous materials/WMD.
  - a) Non-bulk containers
  - b) Bulk containers
  - c) Fixed facility storage systems
  - d) Pipelines
  - e) Ships & marine vessels
- vii. Identify facility and transportation markings and colors that indicate hazardous materials/WMD, including the following:
  - a) Transportation markings, including UN/NA identification number marks, marine pollutant mark, elevated temperature (HOT) mark, commodity marking, and inhalation hazard mark
  - b) NFPA 704, *Standard System for the Identification of the Hazards of Materials for Emergency Response*, markings
  - c) Military hazardous materials/WMD markings
  - d) Special hazard communication markings for each hazard class (i.e., Hazardous Material Identification System – HMIS)
  - e) Pipeline markings
  - f) Container markings
- viii. Given an NFPA 704 marking, describe the significance of the colors, numbers, and special symbols.

- a) Categories of hazards
      - i) Health – blue color
      - ii) Flammability – red color
      - iii) Reactivity – yellow color
      - iv) Special hazards (white color with symbol)
    - b) Five degrees of hazards (0 – 4)
- ix. Identify U.S. and Canadian placards and labels that indicate hazardous materials/WMD. (see ERG or DOT Chart)
- x. Identify the following basic information on material safety data sheets (MSDS) or safety data sheets (SDS) and shipping papers for hazardous materials:
  - a) Identify where to find MSDS/SDS.
  - b) Identify major sections of an MSDS/SDS.
    - i) Basic information that indicates hazardous materials
    - ii) Entries that indicate the presence of hazardous materials containers by their shape
  - c) Identify the entries on shipping papers that indicate the presence of hazardous materials.
  - d) Match the name of the shipping papers found in transportation (air, highway, rail, and water) with the mode of transportation.
    - i) Air – air bill
    - ii) Highway – bill of lading or freight bill
    - iii) Water – dangerous cargo manifest
    - iv) Rail – waybill and/or consist
  - e) Identify the person responsible for having the shipping papers in each mode of transportation.
  - f) Identify where the shipping papers are found in each mode of transportation.
  - g) Identify where the papers can be found in an emergency in each mode of transportation.
- xi. Identify examples of clues (other than occupancy/ location, container shape, markings/color, placards/ labels, MSDS, and shipping papers) to include sight, sound, and odor of which indicate hazardous materials/WMD.
  - a) Odors

- b) Gas leak
  - c) Fire
  - d) Vapor cloud
  - e) Corrosive actions
  - f) Visible chemical reactions
  - g) Pooled liquids
  - h) Sound of a pressure release
  - i) Condensation line on pressure tank
  - j) Injured persons or casualties
- xii. Describe the limitations of using the senses in determining the presence or absence of hazardous materials/WMD.
- a) Exposes responder to possible ill health effects; or
  - b) Death
- xiii. Identify at least four types of locations that could be targets for criminal or terrorist activity using hazardous materials/WMD.
- a) Public assembly areas
  - b) Public buildings
  - c) Mass transit systems
  - d) Places with high economic impact
  - e) Telecommunications facilities
  - f) Places with historical or symbolic significance
  - g) Military installations
  - h) Airports
  - i) Industrial facilities
- xiv. Describe the difference between a chemical and a biological incident.
- a) Chemical – characterized by rapid onset of symptoms
  - b) Biological – symptoms requires days or weeks to manifest
- xv. Identify at least four indicators of possible criminal or terrorist activity involving chemical agents.
- a) The presence of hazardous materials/WMD or laboratory equipment that is not relevant to the occupancy
  - b) Intentional release of hazardous materials/WMD
  - c) Unexplained patterns of sudden onset of similar, nontraumatic illnesses or deaths (patterns that might be geographic, by

- employer, or associated with agent dissemination methods)
- d) Unexplained odors or tastes that are out of character with the surroundings
  - e) Multiple individuals exhibiting unexplained signs of skin, eye, or airway irritation
  - f) Unexplained bomb- or munitions-like material, especially if it contains a liquid
  - g) Unexplained vapor clouds, mists, and plumes
  - h) Multiple individuals exhibiting unexplained health problems such as nausea, vomiting, twitching, tightness in chest, sweating, pinpoint pupils (miosis), runny nose (rhinorrhea), disorientation, difficulty breathing, convulsions, or death
  - i) Trees, shrubs, bushes, food crops, and/or lawns that are dead, discolored, abnormal in appearance, or withered (not due to a current drought and not just a patch of dead weeds)
  - j) Surfaces exhibiting oily droplets/films and unexplained oily film on water surfaces
  - k) An abnormal number of sick or dead birds, animals, or fish
  - l) Unusual security, locks, bars on windows, covered windows, or barbed wire
- xvi. Identify at least four indicators of possible criminal or terrorist activity involving biological agents.
- a) Unusual number of sick or dying people or animals (any number of symptoms; time before symptoms are observed dependent on the agent used but usually days to weeks)
  - b) Healthcare facilities reporting multiple casualties with similar signs or symptoms
  - c) Unscheduled or unusual spray being disseminated, especially if outdoors during period of darkness
  - d) Abandoned spray devices (devices with no distinct odors)
- xvii. Identify at least four indicators of possible criminal or terrorist activity involving radiological agents.
- a) Radiation Symbols

- b) Unusual metal debris
  - c) Heat-emitting material
  - d) Glowing material
  - e) Sick people/animals
- xviii. Identify at least four indicators of possible criminal or terrorist activity involving illicit laboratories (e.g., clandestine laboratories, weapons lab, ricin lab).
- a) Structures with unusual or multiple vents
  - b) Buildings with heavy security
  - c) Obscured windows
  - d) Odd or unusual odors
  - e) May include mobile facilities, i.e. mobile meth labs
- xix. Identify at least four indicators of possible criminal or terrorist activity involving explosives
- a) Prior warning or threat of attack
  - b) Unknown explosions
  - c) Multiple fires or explosions
  - d) Unattended packages, backpacks and other objects left in high traffic public areas
  - e) Fragmentation damage or injuries
  - f) Craters
  - g) Small metal objects, i.e. nuts, bolts, nails used as shrapnel
- xx. Identify at least four indicators of secondary devices
- a) Containers with unknown liquids or materials
  - b) Unusual devices or containers with electronic components such as wires, circuit boards, cellular phones, antennas and other items attached or exposed
  - c) Devices containing quantities of fuses, fireworks, match heads, black powder, incendiary materials or other unusual materials
  - d) Materials attached to or surrounding an item such as nails, bolts, drill bits that could be used for shrapnel
  - e) Ordnance such as blasting caps, detcord, explosives, grenades, etc.
- c. Surveying Hazardous Materials/WMD Incidents  
Given examples of hazardous materials/WMD incidents, awareness level personnel shall, from a safe location, identify the hazardous material(s)/WMD involved in each

situation by name, UN/NA identification number, or type placard applied by completing the following requirements:

- i. Identify difficulties encountered in determining the specific names of hazardous materials/WMD at facilities and in transportation.
- ii. Identify sources for obtaining the names of, UN/NA identification numbers for, or types of placard associated with hazardous materials/WMD in transportation.
  - a) Shipping documents
  - b) Labels
  - c) Placards
  - d) DOT Emergency Response Guidebook (ERG)
- iii. Identify sources for obtaining the names of hazardous materials/WMD at a facility.
  - a) Shipping documents
  - b) Labels
  - c) Placards
  - d) ERG
  - e) Safety Data Sheets (SDS)/Material Safety Data Sheets (MSDS)
  - f) Facility documents
  - g) Facility pre-plans
- d. Collecting Hazard Information  
Given the identity of various hazardous materials/WMD (name, UN/NA identification number, or type placard), awareness level personnel shall identify the fire, explosion, and health hazard information for each material by using the current edition of the DOT Emergency Response Guidebook by completing the following requirements:
  - i. Identify the three methods for determining the guidebook page for a hazardous material/WMD.
    - a) Locate UN number in the yellow-bordered pages
    - b) Locate name of material in the alphabetic listing in the blue-bordered pages
    - c) Locate a matching placard or container shape and consult the appropriate guide number
  - ii. Identify the two general types of hazards found on each guidebook page.

- a) Fire/explosive
- b) Health

**Requisite Skills:** The ability to observe, communicate, apply codes and standards, recognize problems, and make decisions.

- 401-4.3.14** Recognize a hazardous fire growth potential in a building or space, given field observations, so that the hazardous conditions are identified, documented, and reported in accordance with the applicable codes and standards and the policies of the jurisdiction.

**Requisite Knowledge:**

1. Basic fire behavior
2. Flame spread ratings of contents
3. Smoke development ratings of contents
4. Interior finishes
5. Building construction elements
6. Decorations
7. Decorative materials
8. Furnishings
9. Safe housekeeping practices

**Requisite Skills:** The ability to observe, communicate, apply codes and standards, recognize hazardous conditions, and make decisions.

- 401-4.3.15** Determine code compliance, given the codes, standards, and policies of the jurisdiction and a fire protection issue, so that the applicable codes, standards, and policies are identified and compliance is determined.

- 401-A.4.3.15** The Fire Inspector should be able to identify the correct code, standard, or policy, including edition, ~~and correctly interpret~~ and apply the adopted codes, standards, and referenced documents.

**Requisite Knowledge:**

1. Basic fire behavior

2. Flame spread ratings of contents
3. Smoke development ratings of contents
4. Interior finishes
5. Building construction elements
6. Life safety systems
7. Decorations
8. Decorative materials
9. Furnishings
10. Safe housekeeping practices

**Requisite Skills:** The ability to observe, communicate, apply codes and standards, recognize hazardous conditions, and make decisions.

- 401-4.3.16** Verify fire flows for a site, given fire flow test results and water supply data, so that required fire flows are in accordance with applicable codes and standards and deficiencies are identified, documented, and reported in accordance with the applicable codes and standards and the policies of the jurisdiction.

**Requisite Knowledge:**

1. Types of water distribution systems
2. Other water sources in the local community
3. Water distribution system testing
4. Characteristics of public water supply systems
5. Characteristics of private water supply systems
6. Flow testing procedures

**Requisite Skills:** The ability to use Pitot tubes, gauges, and other data gathering devices as well as calculate and graph fire flow results.

**401-4.4**      **Plans Review**

There are no plan review job performance requirements for Fire Inspector I.

## **SECTION 402**

### **INSPECTOR II**

#### **402-5.1**      **General**

The Fire Inspector II shall meet the job performance requirements defined in Chapter 4 and Sections 5.2 through 5.4.

#### **402-A.5.1**

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

#### **402-5.2**      **Administration**

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

#### **402-A.5.2**

The responsibilities and duties of this position are at a higher level than that of Fire Inspector I. If functions are similar or overlapping, it is assumed that those performed at this level will be at a higher technical level and will require more professional expertise, as should be visible in presentation, performance, and quality.

#### **402-5.2.1**

Process a permit application, given a specific request, so that the application is evaluated and a permit is issued or denied in accordance with the applicable codes, standards, policies, and procedures of the jurisdiction.

#### **Requisite Knowledge:**

1. Permit application process
2. Applicable codes, standards, policies, and procedures of the jurisdiction

**Requisite Skills:** The application of the requisite knowledge.

**402-5.2.2** Process a plan review application, given a specific request, so that the application is evaluated and processed in accordance with the applicable codes and standards and the policies of the jurisdiction.

**Requisite Knowledge:**

1. Plan review application process
2. Code requirements of the jurisdiction
3. Policies and procedures of the jurisdiction

**Requisite Skills:** The ability to communicate orally and in writing on matters related to code requirements, policies, and procedures of the jurisdiction.

**402-5.2.3** Investigate complex complaints, given a reported situation or condition, so that complaint information is recorded, the investigation process is initiated, and the complaint is resolved in accordance with the applicable codes and standards and the policies of the jurisdiction.

**402-A.5.2.3** The objective of a complaint investigation is the recognition and correction or removal of a fire or life safety hazard. At this professional level, the resolution of the complaint will depend heavily on the technical evaluation of the complaint and the selection of possible corrective actions. More than one solution might be available.

**Requisite Knowledge:**

1. Applicable codes and standards adopted by the jurisdiction
2. Policies of the jurisdiction

**Requisite Skills:** The ability to interpret codes and standards, recognize problems, and refer complaints to other agencies when required.

**402-5.2.4** Recommend modifications to the adopted codes and standards of the jurisdiction, given a fire safety issue, so that the proposed modifications address the problem, need, or deficiency.

**402-A.5.2.4** Local or regional modifications to codes and standards developed through the consensus process can be made to address specific local environmental and societal factors with adequate input from affected parties and oversight by the jurisdiction's governing body. Such modifications should be based on substantiated information, compiled and presented to justify the impacts of the regulation or modification proposed.

Data professionally presented can support a request for a governing body to modify a code or a standard far more effectively than supposition or fear.

**Requisite Knowledge:**

1. State statutes or local ordinances establishing or empowering the agency to adopt, enforce, and revise codes and standards
2. The legal instruments establishing or adopting codes and standards
3. The development and adoption process for fire and life safety legislation or regulations

**Requisite Skills:** The ability to recognize problems, collect and develop potential solutions, and identify cost/risk benefits.

**402-5.2.5** Recommend policies and procedures for the delivery of inspection services, given management objectives, so that inspections are conducted in accordance with the policies of the jurisdiction and due process of the law is followed.

**402-A.5.2.5** Mandated inspection frequencies, follow-up visits, and timely response to complaints require good time-management skills of the ~~Fire Inspector~~ **individual** and a coordinated management program. Improvements in the delivery of inspection services can often be originated at the inspector level.

**Requisite Knowledge:**

1. Policies and procedures of the jurisdiction related to code enforcement
2. Sources of detailed and technical information relating to fire protection and life safety
  - a. Fire loss data
    - i. Local (e.g., fire department reporting system)
    - ii. State (e.g., Texas Fire Incident Reporting System – TEXFIRS)
    - iii. Federal (e.g., National Fire Incident Reporting System – NFIRS, National Institute of Occupational Safety and Health – NIOSH, US Fire Administration, National Fire Academy)
    - iv. NFPA
  - b. Loss prevention bulletins (e.g., Factory Mutual Global, Consumer Product Safety Commission, Underwriter’s Laboratory)

**Requisite Skills:** The ability to identify approved construction methods and materials related to fire safety, read and interpret construction plans and specifications, educate, conduct research, make decisions, recognize problems, and resolve conflicts.

**402-5.3**     **Field Inspection**

This duty involves code enforcement inspections and analyses of new and existing structures and properties for construction, occupancy, fire protection, and exposures, according to the following job performance requirements.

**402-5.3.1**     Compute the maximum allowable occupant load of a multi-use building, given field observations or a description of its uses, so that the maximum allowable occupant load calculation is in accordance with applicable codes and standards.

**Requisite Knowledge:**

1. How to calculate occupant loads for an occupancy
2. How to calculate occupant loads for building use
3. Code requirements presented by various occupancies
  - a. International Building Code (IBC)
  - b. National Fire Protection Association (NFPA)
4. Regulations presented by various occupancies
  - a. Local regulatory agencies
  - b. Other regulatory agencies
5. Operational features presented by various occupancies
6. Fire hazards presented by various occupancies

**Requisite Skills:** The ability to calculate occupant loads, identify occupancy factors related to various occupancy classifications, use measuring tools, read plans, and use a calculator.

**402-5.3.2**     Identify the occupancy classifications of a mixed-use building, given a description of the uses, so that each area is classified in accordance with applicable codes and standards.

**402-A.5.3.2**     Judgment should be exercised in the classification of occupancies within a mixed-use building. Small uses that are accessory to a major occupancy

should be evaluated within the framework of the adopted codes and standards, recognizing that not all spaces require separation while some spaces will always require separation.

**Requisite Knowledge:**

1. Occupancy classification presented by various occupancies
  - a. Building code use
  - b. Use groups
  - c. Incidental use area
  - d. Accessory use area
2. Applicable codes, and standards presented by various occupancies
  - a. IBC
  - b. NFPA
3. Operational features presented by various occupancies
4. Fire hazards presented by various occupancies

**Requisite Skills:** The ability to interpret code requirements and recognize building uses that fall into each occupancy classification.

**402-5.3.3** Evaluate a building's area, height, occupancy classification, and construction type, given an approved set of plans, and construction features, so that it is verified that the building is in accordance with applicable codes and standards.

**402-A.5.3.3** The Fire Inspector II should be able to assess proper construction type based on new construction or changes to a building that have occurred since the original occupancy of the building. Examples of such changes ~~may~~ **can** include renovations or additions, changes in storage commodity, changes in occupancy classification, and similar changes that might occur throughout the life of a building.

**Requisite Knowledge:**

1. Building construction with emphasis on fire-rated construction
2. Evaluation of methods of construction
3. Assemblies for fire rating
4. ~~3.~~ Analysis of test results
5. ~~4.~~ Manufacturer's specifications

**Requisite Skills:** The ability to identify characteristics of each type of building construction and occupancy classification.

**402-5.3.4** Evaluate fire protection systems and equipment provided for life safety and property protection, given field observations of the facility and documentation, the hazards protected, and the system specifications, so that the fire protection systems provided are approved for the occupancy or hazard being protected. ~~Evaluate installation for compliance with applicable codes and standards so that deficiencies are identified, documented, and reported in accordance with the policies of the jurisdiction.~~

**402-A.5.3.4** **This requirement** includes buildings under construction or demolition. Building documentation includes performance-based design documents to ensure input features remain applicable to the building as it is currently configured. The design documentation should include an Operations and Maintenance Manual, which acts as a user guide to the performance-based design. The Operations and Maintenance Manual includes the assumptions and estimates made during the design regarding concepts such as selected fire scenarios and fuel loads, building use, occupant characteristics, and system reliability. The inspector should be able to compare these original assumptions and estimates to those that would be used to evaluate the building as it is currently configured.

**Requisite Knowledge:**

1. Applicable codes and standards for fire protection systems
2. Basic physical science as it relates to fire behavior and fire suppression
3. Implications and hazards associated with system operation
4. Installation techniques
5. Acceptance inspection
6. Testing
7. Reports of maintenance of completed installations
8. Use and function of various systems

**Requisite Skills:** The ability to recognize problems, use codes and standards, and read reports, plans, and specifications.

- 402-5.3.5** Analyze the egress elements of a building or portion of a building, given observations made during a field inspection, so that means of egress elements are provided and located in accordance with applicable codes and standards and all deficiencies are identified, documented, and reported in accordance with the policies of the jurisdiction.

**Requisite Knowledge:** Acceptable means of egress devices.

**Requisite Skills:** The ability to calculate egress requirements, read plans, and make decisions related to the adequacy of egress.

- 402-5.3.6** Evaluate hazardous conditions involving equipment, processes, and operations, given field observations and documentation, so that the equipment, processes, or operations are installed in accordance with applicable codes and standards and all deficiencies are identified, documented, and reported in accordance with the policies of the jurisdiction.

- 402-A.5.3.6** The Fire Inspector II is expected to have knowledge of processes and operations that include milling operations and the manufacture, storage, and use of hazardous chemicals and explosives.

**Requisite Knowledge:**

1. Applicable codes and standards
2. Accepted fire protection practices
3. Fire behavior
4. Ignition sources
5. Safe housekeeping practices
6. Additional reference materials related to protection of hazardous processes and code enforcement.
7. **Quenching operations**
8. **Dry cleaning operations**
9. **Asphalt and tar kettles**

## 10. Semiconductor/electronics manufacturing

### 11. Welding and thermal cutting operations

**Requisite Skills:** The ability to observe, communicate, interpret codes, recognize problems, and make decisions.

**402-5.3.7** Evaluate emergency planning and preparedness procedures, given existing or proposed plans and procedures and applicable codes and standards, so that compliance is determined.

**402-A.5.3.7** Emergency planning might include components for building evacuation, sheltering of occupants in place, and securing occupants from outside threats.

**Requisite Knowledge:**

1. Occupancy requirements for emergency evacuation plans
2. Fire safety programs for crowd control
3. Roles of agencies and individuals in implementation and development of emergency plans
4. Information sources for emergency evacuation plans
  - a. Other occupancies with approved plans
  - b. Other jurisdictions
  - c. Emergency response agencies (e.g., Red Cross)

**Requisite Skills:** The ability to compare submitted plans and procedures with applicable codes and standards adopted by the jurisdiction.

**402-5.3.8** Verify code compliance for storage, handling, and use of flammable and combustible liquids and gases, given field observations and inspection guidelines from the authority having jurisdiction, so that deficiencies are identified, documented, and reported in accordance with the applicable codes and standards and the policies of the jurisdiction.

**Requisite Knowledge:**

1. Flammable and combustible liquids properties and hazards
2. Material safety data sheet
3. Safe handling practices

4. Applicable codes and standards
  - a. Quantity
  - b. Limits
5. Fire protection systems and equipment approved for the material
6. Fire behavior
7. Safety procedures
8. Storage compatibility

**Requisite Skills:** The ability to identify typical fire hazards associated with processes or operations utilizing flammable and combustible liquids and to observe, communicate, interpret codes, recognize problems, and make decisions.

- 402-5.3.9** Evaluate code compliance for the storage, handling, and use of hazardous materials, given field observations, so that deficiencies are identified, documented, and reported in accordance with the applicable codes and standards and the policies of the jurisdiction.

**Requisite Knowledge:**

1. Hazardous materials properties and hazards
2. Material safety data sheet
3. Safe handling practices
4. Applicable codes and standards
  - a. Quantity
  - b. Limits
5. Fire protection systems
6. Equipment approved for the material
7. Fire behavior
8. Safety procedures
9. Chemical reactions

## 10. Storage compatibility

**Requisite Skills:** The ability to identify fire hazards associated with processes or operations utilizing hazardous materials and to observe, communicate, interpret codes, recognize problems, and make decisions.

**402-5.3.10** Determine fire growth potential in a building or space, given field observations or plans, so that the contents, interior finish, and construction elements are evaluated for compliance and deficiencies are identified, documented, and corrected in accordance with the applicable codes and standards and the policies of the jurisdiction.

**402-A.5.3.10** Fire growth is dependent on several factors, including heat content of the materials involved, exposed surface area, material height and array, continuity of combustible materials within a space, ceiling height, and ventilation or openness of the space. Availability of an ignition source is usually not considered since fire growth is evaluated on the assumption that a fire has already begun and is not predicated on whether a fire will or will not start.

**Requisite Knowledge:**

1. Basic fire behavior
2. Flame spread ratings of contents
3. Smoke development ratings of contents
4. Interior finishes
5. Building construction elements
6. Decorations
7. Decorative materials
8. Furnishings
9. Safe housekeeping practices

**Requisite Skills:** The ability to observe, communicate, interpret codes and standards, recognize hazardous conditions, and make decisions.

**402-5.3.11** Verify compliance with construction documents, given a performance-based design, so that life safety systems and building services equipment

are installed, inspected, and tested to perform as described in the engineering documents and the operations and maintenance manual that accompanies the design, so that deficiencies are identified, documented, and reported in accordance with the applicable codes and standards and the policies of the jurisdiction.

**402-A.5.3.11** Performance-based design involves the evaluation of risk through a systematic process. See Rose, Flamberg, and Leverenz, *Guidance Document for Incorporating Risk Concepts into NFPA Codes and Standards*, for further information.

**Requisite Knowledge:**

1. Applicable codes and standards for installation and testing of fire protection systems
  - a. Fire sprinklers (e.g., NFPA 13)
  - b. Standpipe systems (e.g., NFPA 14)
  - c. Fire alarm systems (e.g., NFPA 72)
  - d. Fire pumps (e.g., NFPA 20)
  - e. Means of egress (e.g., International Building Code or NFPA 101)
  - f. Smoke control (e.g., International Building Code or NFPA 92A)
  - g. Emergency and/or standby power requirements (e.g., International Building Code and applicable electrical code(s))
  - h. Heating Ventilation Air Conditioning (HVAC) (e.g., International Mechanical Code, NFPA 90A)
  - i. Elevator and moving pedestrian equipment (e.g., International Building Code)
2. Means of egress
3. Building services equipment

**Requisite Skills:** The ability to witness and document tests of fire protection systems and building services equipment.

**402-5.3.12** Verify code compliance of heating, ventilation, air conditioning, and other building service equipment and operations, given field observations, so that the systems and other equipment are maintained in accordance with applicable codes and standards and deficiencies are identified, documented, and reported in accordance with the policies of the jurisdiction.

**402-A.5.3.12** The Fire Inspector II should coordinate that have other agencies within the jurisdiction with expertise in the area of mechanical equipment to provide a uniform approach to achieve a fire-safe environment.

**Requisite Knowledge:**

1. Types of building service equipment
2. Installation of building service equipment
3. Maintenance of building service equipment
4. Use of building service equipment
5. Operation of smoke and heat vents
6. Installation of kitchen cooking equipment (including hoods and ducts)
7. Installation of laundry chutes
8. Installation of elevators
9. Installation of escalators
10. Applicable codes and standards adopted by the jurisdiction

**Requisite Skills:** The ability to observe, recognize problems, interpret codes and standards, and write reports.

**402-5.4      Plans Review**

This duty involves field verification of shop drawings, plans, and construction documents to ensure that they meet the intent of applicable codes and standards for fire and life safety, according to the following job performance requirements.

- 402-5.4.1**      Classify the occupancy, given a set of plans, specifications, and a description of a building, so that the classification is made in accordance with the applicable codes and standards and the policies of the jurisdiction.
- 402-A.5.4.1**      For facilities that might qualify for more than one occupancy classification, additional information should be sought from the applicant following the initial review of a given set of plans. Occupancy classifications affect the construction type permitted or might limit the use of the building in the future. A different construction type or a more flexible future use of the building might be possible. Judgment should be exercised in the classification of occupancies within a mixed-use building. Small uses that are accessory to a major occupancy should be evaluated within the

framework of the adopted building code, recognizing that not all spaces might require separation while some spaces will always require separation.

**Requisite Knowledge:**

1. Occupancy classification of **presented by** various occupancies
2. Applicable codes and standards of **presented by** various occupancies
3. Regulations for **presented by** various occupancies (e.g., applicable state licensing rules, Texas Health and Safety Code)
4. Operational features presented by various occupancies
5. Fire hazards presented by various occupancies
  - a. Assembly (e.g., decorations)
  - b. Business (e.g., combustible waste)
  - c. Education (e.g., ignition sources)
  - d. Factory/Industrial (e.g., fabrication)
  - e. High-hazard (e.g., hazardous materials)
  - f. Institutional (e.g., egress)
  - g. Mercantile (e.g., fire load)
  - h. Residential (e.g., occupant activities)
  - i. Storage (e.g., storage arrangement)
  - j. Utility/miscellaneous (e.g., combustible waste)

**Requisite Skills:** The ability to read plans.

**402-5.4.2** Compute the maximum allowable occupant load, given a floor plan of a building or portion of the building, so that the calculated occupant load is in accordance with the applicable codes and standards and the policies of the jurisdiction.

**402-A.5.4.2** Occupant load calculation procedures should recognize the intended use of a given space and are determined in the model codes based on applying a load factor to either the net or gross area of the space. Except for public assembly occupancies, these factors are based on the overall use of a facility and do not guarantee a minimum space allocation per individual in a space.

**Requisite Knowledge:**

1. How to calculate occupant loads for an occupancy and building use

2. Code requirements
3. Regulations
4. Operational features such as fixed seating
5. Fire hazards presented by various occupancies
  - a. Assembly (e.g., decorations)
  - b. Business (e.g., combustible waste)
  - c. Education (e.g., ignition sources)
  - d. Factory/Industrial (e.g., fabrication)
  - e. High-hazard (e.g., hazardous materials)
  - f. Institutional (e.g., egress)
  - g. Mercantile (e.g., fire load)
  - h. Residential (e.g., occupant activities)
  - i. Storage (e.g., storage arrangement)
  - j. Utility/miscellaneous (e.g., combustible waste)
6. Mixed-use occupancies
  - a. Incidental use areas
  - b. Accessory use areas
7. Design Occupant Load
  - a. Actual occupant load
  - b. Occupant load factors
  - c. Occupant load combinations
  - d. Increased occupant load
8. Posting of occupant load
9. Outdoor area occupant loads

**Requisite Skills:** The ability to calculate accurate occupant loads, identify occupancy factors related to various occupancy classifications, use measuring tools, read plans, and use a calculator.

- 402-5.4.3** Review the proposed installation of fire protection systems, given shop drawings and system specifications for a process or operation, so that the system is reviewed for code compliance and installed in accordance with the approved drawings, and deficiencies are identified, documented, and reported in accordance with the applicable codes and standards and the policies of the jurisdiction.

**402-A.5.4.3** The Fire Inspector II is expected to be able to evaluate proposed fire protection systems and equipment for moderately technical applications. Knowledge of the compatibility and effectiveness of the protection systems and equipment with the hazard to be protected is essential.

**Requisite Knowledge:**

1. Proper selection, distribution, location, and testing of portable fire extinguishers (e.g., NFPA 10, International Fire Code)
2. methods used to evaluate the operational readiness of water supply systems used for fire protection (e.g., NFPA 24, 25, 13, 14)
3. Evaluation and testing of automatic sprinkler, water spray, and standpipe systems and fire pumps (e.g., NPFA 13, 14, 17, 20)
4. Evaluation and testing of fixed fire suppression systems (e.g., NFPA 15, 16, 17A, 18, 19)
5. Evaluation and testing of automatic fire detection and alarm systems and devices (e.g., NFPA 72, International Fire Code)

**Requisite Skills:** The ability to read basic floor plans or shop drawings and identify symbols used by the jurisdiction.

**402-5.4.4** Review the installation of fire protection systems, given an installed system, shop drawings, and system specifications for a process or operation, so that the system is reviewed for code compliance and installed in accordance with the approved drawings, and deficiencies are identified, documented, and reported in accordance with the applicable codes and standards and the policies of the jurisdiction.

**Requisite Knowledge:**

1. Proper selection, distribution, location and testing of portable fire extinguishers
2. Methods used to evaluate the operational readiness of water supply systems used for fire protection
3. Evaluation and testing of automatic sprinkler, water spray, and standpipe systems and fire pumps
4. Evaluation and testing of fixed fire suppression systems

5. Evaluation and testing of automatic fire detection and alarm systems and devices

**Requisite Skills:** The ability to read basic floor plans or shop drawings.

- 402-5.4.5** Verify that means of egress elements are provided, given a floor plan of a building or portion of a building, so that all elements are identified and checked against applicable codes and standards, and deficiencies are discovered and communicated in accordance with the policies of the jurisdiction.

**Requisite Knowledge:**

1. Applicable codes and standards adopted by the jurisdiction
2. Identification of standard symbols used in plans
3. Field verification practices

**Requisite Skills:** The ability to read plans and research codes and standards.

- 402-5.4.6** Verify the construction type of a building or portion thereof, given a set of approved plans and specifications, so that the construction type complies with the approved plans and applicable codes and standards.

**402-A.5.4.6** The Fire Inspector II should be familiar with current building materials, concepts and technologies. New building materials, processes, and technologies are continually being introduced in new building systems. The individual should be able to recognize new systems; research information relevant to the fire, life safety, and security impacts of a new system; and request a professional evaluation of a new system from the design engineer-of-record or architect-of-record. The individual should also be able to determine when further evaluation by an independent third party might be required.

**Requisite Knowledge:**

1. Building construction with emphasis on fire-rated construction
2. Evaluation of methods of construction and assemblies for fire rating
3. Analysis of test results
4. Manufacturer's specifications

**Requisite Skills:** The ability to identify characteristics of each type of building construction.

## **SECTION 470**

### **PLANS EXAMINER I**

#### **470-7.1**

#### **General**

The Plans Examiner I shall meet the job performance requirements defined in Sections 7.2 and 7.3.

#### **470-7.2**

#### **Administration**

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

#### **470-A.7.2**

Maintaining an open dialogue with fire inspectors and emergency response personnel is a key component of the duties of Plan Examiner I.

#### **470-7.2.1**

Prepare reports, given observations from a plan review, so that the report is clear and concise, and reflects the findings of the plan review in accordance with applicable codes and standards and the policies and procedures of the jurisdiction.

#### **Requisite Knowledge:**

1. Codes and standards
  - a. Reasons for construction permits
  - b. Ordinances
  - c. Code amendments
  - d. Code models
  - e. Code types
  - f. Code references
  - g. Plans review checklists
2. Legal requirements for plan review reports
  - a. Administrative
  - b. Judicial
3. Accepted practices, policies, and procedures of the jurisdiction
  - a. Plan review
  - b. Building and life safety components
  - c. Design, permitting and construction processes
  - d. Plans review organizations

e. Plans

**Requisite Skills:** The ability to conduct code-related research and write reports.

**470-7.2.2** Facilitate the resolution of deficiencies identified during the plan review, given a submittal and the established policies and procedures of the jurisdiction, so that deficiencies are identified, documented, and reported to the plan submitter with applicable references to codes and standards. ~~and alternative methods for compliance are identified.~~

**470-A.7.2.2** The plan review process should not select or direct the design of fire protection features; it is intended to evaluate the compliance of a proposed fire protection feature for a given hazard.

**Requisite Knowledge:**

1. Policies and procedures of the jurisdiction regarding the communication of discrepancies
2. The appeals process
  - a. Plans review process
  - b. Plan submittal and processing
  - c. Legal proceedings
3. Codes and standards
  - a. Code references
4. Alternate design
  - a. Materials
  - b. Methods
  - c. Equivalencies
  - d. Board of appeals
  - e. Performance-based codes
  - f. Performance-based design process

**Requisite Skills:** The ability to communicate orally and in writing.

**470-7.2.3** Process plan review documents, given a set of plans and specifications, so that required permits are issued in accordance with the policies of the jurisdiction.

**Requisite Knowledge:**

1. Plan review policies and procedures of the jurisdiction
  - a. Design analysis

- b. Abbreviations and symbols
  - c. Measurements
  - d. Plan set organization
2. Site, plot, utility and landscape plans
  3. Architectural plans
  4. Structural plans
  5. Mechanical plans
  6. Electrical plans
  7. Fire protection system plans
  8. Hazardous materials and processes
  9. Membrane structures and tents

**Requisite Skills:** The ability to review applications for completeness.

**470-7.2.4** Determine the applicable code or standard, given a fire protection issue, so that the proper document, edition, and section are referenced.

**470-A.7.2.4** The plan examiner should enforce only those codes and standards that have been legally adopted by the jurisdiction. The plan examiner should retroactively apply codes and standards only when authorized to do so by the jurisdiction.

**Requisite Knowledge:**

1. Applicable codes and standards adopted by the jurisdiction
  - a. Automatic sprinkler systems
  - b. Standpipes
  - c. Fire alarm and detection systems
  - d. Automatic elevators
  - e. Fire command center
  - f. Restaurant kitchen systems
  - g. Gaseous extinguishing agents and systems
  - h. Smoke control systems
  - i. Portable fire extinguishers
2. Format of codes and standards
  - a. Code models

- b. Code types
  - c. Code references
3. Interrelationship of codes and standards
    - a. Nationally recognized codes and standards
    - b. Jurisdiction adopted codes and amendments
    - c. State statute, rules and regulations
  4. Procedures adopted by the organizations responsible for promulgating these documents
    - a. Model code groups
    - b. Nationally recognized standards
    - c. Local jurisdiction

**Requisite Skills:** The ability to conduct code-related research, apply codes and standards, and make decisions.

### **470-7.3**

#### **Plans Review**

This duty involves the review and approval of plans for life and fire issues including interior finish, occupancy type, height and area limitations, construction type, and general fire safety and the identification of the requirements for fire protection systems and permits, to ensure that the plans meet the intent of applicable codes and standards for fire and life safety, according to the following job requirements.

- 470-7.3.1** Identify the requirements for fire protection or a life safety system, given a set of plans, so that deficiencies are identified, documented, and reported in accordance with the policies and procedures of the jurisdiction.

#### **Requisite Knowledge:**

1. Applicable code requirements for life safety systems
  - a. Occupancy classification
  - b. Means of egress
  - c. Fire protection features
  - d. Building services
2. Interior finish
3. Third-party testing and evaluation

**Requisite Skills:** The ability to read basic floor plans or shop drawings and identify symbols used and apply codes and standards.

**470-7.3.2** Verify the occupancy classification, given a set of plans, specifications, and a description of a building and its intended use, so that the classification is made in accordance with the applicable codes and standards and the policies of the jurisdiction.

**Requisite Knowledge:**

1. How to calculate occupant loads for an occupancy and for building use
2. Code requirements **for** ~~presented by~~ various occupancies
3. Regulations for various occupancies
4. Operational features ~~presented by~~ **for** various occupancies
5. Fire hazards presented by various occupancies

**Requisite Skills:** The ability to calculate occupant loads, identify occupancy factors related to various occupancy types, and use measuring tools.

**470-7.3.3** Verify the construction type, given a set of plans, including the occupancy classification area, height, number of stories, and location, so that the building is in accordance with applicable codes and standards and deficiencies are identified, documented, and reported.

**Requisite Knowledge:**

1. Types of construction
2. ~~Fire-related~~ **Fire-rated** construction components
3. Typical building construction methods and materials
4. Code requirements related to construction types

**Requisite Skills:** The ability to read plans, determine construction types, and conduct code-related research.

**470-7.3.4** Verify the occupant load, given a set of plans, so that the maximum allowable occupant load is in accordance with applicable codes and standards.

**Requisite Knowledge:**

1. How to calculate occupant loads for an occupancy and for building use

2. Code requirements ~~presented by~~ **for** various occupancies
3. Regulations for various occupancies
4. Operational features ~~presented by~~ **for** various occupancies
5. Fire hazards presented by various occupancies

**Requisite Skills:** The ability to calculate occupant loads, identify occupancy factors related to various occupancy types, and use measuring tools.

**470-7.3.5** Verify that required egress is provided, given a set of plans and an occupant load, so that all required egress elements are provided and deficiencies are identified, documented, and reported in accordance with the policies of the jurisdiction.

**470-A.7.3.5** This individual should be able to calculate occupant loads and determine occupant egress capabilities and systems. He or she should be able to cite multiple references from various codes and standards that reflect an understanding of the topic.

**Requisite Knowledge:**

1. Applicable code requirements for means of egress elements
  - a. Components
  - b. Capacity
  - c. Number
  - d. Arrangement
  - e. Travel distance
  - f. Discharge
  - g. Illumination
  - h. Emergency lighting
  - i. Marking
  - j. Special provisions
2. Occupancy egress requirements
  - a. General
  - b. Specific
3. The relationship of fixed fire protection systems to egress requirements
  - a. Fire alarm
  - b. Fire suppression
  - c. Smoke control

d. Elevator controls

**Requisite Skills:** The ability to determine egress requirements based on occupant load and research codes.

**470-7.3.6** Evaluate code compliance for required fire flow and hydrant location and spacing, given a plan, codes and standards, and fire flow test results, so that hydrants are correctly located, required fire flow is determined, and deficiencies are identified, documented, and reported in accordance with the policies and procedures of the jurisdiction.

**Requisite Knowledge:**

1. Standard civil engineering symbols
2. Types of water supply and distribution systems
3. Water distribution system test methods
4. Characteristics of public and private water supply systems,
5. Water meters, backflow prevention and other devices that can impact on fire flow
6. The effects of friction loss and elevation on water flow
7. Potential impact of state health regulations on fire flow
8. The applicable codes and standards related to fire flow in the jurisdiction

**Requisite Skills:** The ability to interpret fire flow test results, determine fire hydrant locations and spacing, and read fire flow graphs.

**470-7.3.7** Evaluate emergency vehicle access, given a plan, so that emergency access is provided in accordance with applicable codes and standards and all deficiencies are identified, documented, and reported in accordance with the policies of the jurisdiction.

**Requisite Knowledge:**

1. Operating requirements for fire department apparatus
  - a. Minimum inside/outside radii
  - b. Minimum width
  - c. Minimum vertical clearance
  - d. Weight

2. Planning and zoning requirements
3. Emergency access and accessibility requirements of applicable codes and standards
  - a. Acceptable surfaces
  - b. Specifications for dead end roads, turnarounds, cul-de-sacs and access gates
  - c. Markings

**Requisite Skills:** The ability to interpret and use plan scale.

**470-7.3.8** Recommend policies and procedures for the delivery of plan review services, given management objectives, so that plan reviews are conducted in accordance with the policies of the jurisdiction and due process of the law is followed.

**Requisite Knowledge:**

1. Policies and procedures of the jurisdiction related to plan review
2. Sources of detailed and technical information relating to fire protection and life safety
  - a. Nationally recognized codes and standards
  - b. Professional organizations
  - c. Trade organizations

**Requisite Skills:** The ability to identify construction methods and materials related to fire safety, read and interpret construction plans and specifications, communicate orally and in writing, educate, research, make decisions, recognize problems, and resolve conflicts.

**470-7.3.9** Participate in legal proceedings, given the findings of a plan review and consultation with legal counsel, so that testimony is accurate and the plan reviewer's demeanor is appropriate to the proceeding.

**470-A.7.3.9** The committee intends that this requirement encompass preparation, documentation, and presentation in a formal proceeding, such as a deposition, administrative hearing, or court proceeding.

**Requisite Knowledge:**

1. The legal requirements pertaining to evidence rules in the legal system
  - a. Vernon's Civil Statutes
  - b. Code of Criminal Procedure
  - c. Texas Rules of Evidence

2. The types of legal proceedings
  - a. Civil
  - b. Criminal
  - c. Administrative (e.g., Board of Appeals, sanctions, fire marshal order)
  - d. Statutory

**Requisite Skills:** Familiarity with courtroom demeanor, communication, and listening skills and the ability to differentiate facts from opinions.

- 470-7.3.10** Evaluate plans for the installation of fire protection and life safety systems, given a plan submittal, so that the fire protection systems, including pre-engineered systems, and equipment are reviewed and deficiencies are identified, documented, and reported in accordance with the policies and procedures of the jurisdiction.

**Requisite Knowledge:**

1. Applicable codes and standards for fire protection systems
2. Basic physical science as it relates to fire behavior and fire suppression
3. Basic system design criteria
4. Material listing requirements
5. Material specifications
6. Installation techniques
7. Acceptance inspection/testing of completed installations
8. Construction types and techniques
9. Classification of occupancies

**Requisite Skills:** The ability to review specifications, read plans, classify occupancies, and apply standards.

**CHAPTER 4  
BASIC FIRE INSPECTOR  
CURRICULUM OUTLINE**

(All three curricula are to be completed for Basic Fire Inspector certification)

<b>FIRE INSPECTOR I</b>		
SECTION	SUBJECT	RECOMMENDED HOURS
401-4.1	General	1
401-4.2	Administration	8
401-4.3	Field Inspection	81
401-4.4	Plans Review	0
<b>FIRE INSPECTOR II</b>		
SECTION	SUBJECT	RECOMMENDED HOURS
402-5.1	General	1
402-5.2	Administration	4
402-5.3	Field Inspection	57
402-5.4	Plans Review	8
<b>PLANS EXAMINER I</b>		
SECTION	SUBJECT	RECOMMENDED HOURS
470-7.1	General	1
470-7.2	Administration	6
470-7.3	Plans Review	29/33
<b>TOTAL RECOMMENDED HOURS</b>		<b>196</b>

The recommended hours includes time for skills evaluation and is based on 12 students. Hours needed depends on the actual number of students.

## REFERENCE LIST FOR THE BASIC FIRE INSPECTOR CURRICULUM

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

*Emergency Response Guidebook*, (Current edition). U.S. Department of Transportation

*Fire Inspection and Code Enforcement* (7<sup>th</sup> ed.) (2009). Stillwater, OK: Fire Protection Publications. International Fire Service Training Association.

Local Codes and Standards.

*NFPA 1031: Standard for Professional Qualifications for Fire Inspector and Plan Examiner* (~~2008~~ **2014** ed.). Quincy, MA: National Fire Protection Association. NFPA Publications.

*NFPA 472: Standard for Competence of Responders to Hazardous Materials/Weapons of Mass Destruction Incidents* (~~2008~~ **2013** ed.) Quincy, MA: National Fire Protection Association. NFPA Publications.

*Plans Examiner for Fire and Emergency Services* (1<sup>st</sup> ed.) (2005). Stillwater, OK: Fire Protection Publications. International Fire Service Training Association.

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

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

- E. Discussion and possible action on development of new curricula and possible new certifications.**

## **Voluntary Certification Proposal Curriculum and Testing Committee**

The Curriculum and Testing Committee met Nov. 12-13, 2015 to discuss future certifications from the Texas Commission on Fire Protection. Offering new certifications is a complex task requiring extensive work.

The Curriculum and testing Committee is proposing a change to the process in which certifications are developed and maintained by the TCFP. The certifications are currently divided into two major groups – mandatory and voluntary. Mandatory certifications are required by employees prior to assignment in the following disciplines: Basic Structure Firefighter, ARFF, Marine, Inspector, Investigator, Instructor, and Head of Department. These certifications (except Marine) will continue to have a TCFP curriculum published in the Curriculum Manual, and will be maintained with each in the corresponding NFPA professional qualifications standard.

The Marine Firefighter certification will no longer exist. The current Marine requirement applies to a very small section of the Texas fire service. Personnel assigned to fire boats must meet U.S. Coast Guard Requirements which are more applicable to their role as Marine firefighters.

The remaining certifications offered by the TCFP are considered voluntary. The potential for voluntary certifications far outnumbers the mandatory certifications and would present a huge workload for curriculum development and maintenance. These certifications are very popular indicating a high level of professionalism within the Texas fire service.

To meet the demand for voluntary certifications, the Curriculum and Testing Committee recommends discontinuation of publishing a curriculum in the TCFP Curriculum Manual for voluntary certifications. Current published curriculum will remain until the next NFPA professional qualification revision cycle. For voluntary certifications, the curriculum manual will include the recommended references, course hours, skill sheets, and any other information pertinent (ex: special instructions) to the certification. The Curriculum and Testing Committee will select and approve recommended references (ie: textbook) based on a publishers ability to provide the TCFP with a secure test bank available only to the agency, and correlated to the applicable NFPA professional qualification standard meeting IFSAC guidelines. Training providers will continue to submit Training Prior Approvals, and will note which reference materials are being used in the course delivery whenever there is more than one recommended text.

Requests for new voluntary certifications will be reviewed using the following guidelines:

1. Textbook availability
2. Quality of text content
  - a. NFPA professional qualification correlation
  - b. Accepted practice
3. Publisher to provide secure test bank exclusively to the TCFP with edit and usage rights
4. Statement of need from a recognized professional organization

Based on feedback from a survey conducted by the TCFP regarding additional voluntary certifications, the Curriculum and Testing Committee recommends the development of the following voluntary certifications in the near future:

1. Driver Operator – Aerial Fire Apparatus (NFPA 1002)
2. Fire and Life Safety Educator I, II

**12. Discussion and possible action regarding current NFPA 1851 requirements for SCBA facepieces.**

## OFFICE OF THE FIRE CHIEF



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December 23, 2015

Pat Ekiss, Commissioner

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

RE: *TAC Title 37 Part 13 TCFP; Chapter 435 Firefighter Safety, Rule §435.5 SCBA*

Dear Commissioner Ekiss and Executive Director Rutland:

As with most regulated departments, the McKinney Fire Department will soon complete transition to the updated 2013 NFPA 1981 Standard on Open-Circuit Self-Contained Breathing Apparatus for Firefighters. To meet the new standard, the material for the seal on the SCBA facepiece was changed from previous models. Though I am not aware of numbers, I understand there were several firefighters with allergies to compounds used in previous versions of the facepiece seal. A synthetic silicon based alternative was available.

Such alternatives no longer exist.

There is one firefighter in my Department with a confirmed allergy to the new material found in the SCBA facepiece seal. I contacted various experts and the SCBA manufacturer, and as of this writing no alternative is available.

No doubt other firefighters are facing similar challenges. As this has the potential to dramatically affect the future of firefighters with like allergies, I am requesting this issue be placed on the January 14, 2016 agenda for the Texas Commission on Fire Protection regular meeting.

In addition, I respectfully request the Commission consider a variance to this requirement and allow the McKinney firefighter to continue with the synthetic mask provided previously until such a time as an alternative material is available or the synthetic mask no longer complies with the previously dated standard.

Best regards,

Danny Kistner  
Fire Chief

**13. Discussion and possible action on matters from the Executive Director.**

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

**13. Discussion and possible action on matters from the Executive Director.**

**B. Status of division functions.**

## Certification, Renewal and Curriculum 1st Quarter Report, FY 2016

### Certification/Renewal

- 2451 certificates issued
- 1075 IFSAC seals issued
- 269 training facilities holding 1527 active certifications
- 30,219 certificate holders renewed
- 30,813 active certificate holders
- 5 certified training facilities renewed

### Other Activities:

- Completed the individual and department renewal process. The number of regulated entities who have not renewed at this time is at all-time low of 6 entities for this time of the year. This can be attributed to knowledgeable certification staff and the agency's FIDO system which allows departments to generate their invoices and renew with a credit card.
- Prepared and notified all certified training facilities of their upcoming renewal expiration date and the requirements
- Hired David Anderson to work with Grace in curriculum.

### Quarterly Report – Curriculum Development September 2015 – November 2015

#### Meetings

9/9 – 9/10 Inspector ad hoc committee  
 9/23 Firefighter Advisory committee  
 9/24 – 9/26 IFSAC Fall Meeting  
 9/30 Inspector ad hoc committee (on-line meeting)  
 10/29 Commission Meeting  
 11/12 – 11/13 Curriculum & Testing committee

#### Meetings Detail

- **Inspector ad hoc committee** – The committee did a final review of the curriculum documents they created, then began working on reviewing skills and creating new test banks.
- **IFSAC Fall Meeting** – The fall meeting was held in Seattle. Attended various small committee meetings throughout the three days, plus all of the bigger assembly meetings. It was my first meeting as a member of the ethics committee. But since there had been no ethics violations, there is nothing to report.
- **Curriculum & Testing committee** –
  - Reviewed and approved the curriculum documents for Inspector I, II and Plans Examiner.
  - Met with a couple of representatives from Jones and Bartlett publishers who showcased their new certification test banks.

- Discussed how the new ISO curriculum should be handled. Four members of the C&T committee will be updating the curriculum over the next 6-12 months and creating a new test bank that can be used for on-line testing.
- Reviewed new Instructor I test questions.

#### IFSAC Administrative Reviews

The appropriate documentation and fees were mailed to IFSAC on October 15<sup>th</sup> for the administrative review of Fire Officer III and Fire Officer IV. An administrative review is the process for getting additional certification “levels” IFSAC accredited. We expect to receive approval of Officer III and IV within three to six months.

#### New Employee: David Alexander

On November 2<sup>nd</sup>, a new curriculum specialist began working with me. During the month of November, David was trained in how to create monthly certification exams, and how to research test questions for validity. He also attended the Curriculum and Testing committee meeting. David continues to learn about firefighting and the work we do here at the TCFP.

#### Test Development and Test Bank Maintenance

- Created 146 monthly certification exams.
- Continued regular review of test questions as required.
- Currently working on creating (with the help of committees) the following new test banks for on-line testing:
  - Instructor I & II
  - Inspector I & II
  - Plans Examiner
  - All Hazmat disciplines
  - ARFF

## Commission Quarterly Report

### Training Approval and Testing Section

- **Test Administration, Training Approvals, Record Reviews, and Training and Skill Testing Audits Statistics – 1st Quarter, FY 2016**
  - Test Administration – 1799 exams were administrated during this quarter with an average grade of 80.86% and a pass rate of 91.22%.
  - Training Approvals – Total of 406 training approvals were submitted during this quarter in the commission's Training Facility Management System.
  - Record Reviews – One hundred eight (108) record reviews for equivalency were conducted (55 Out of State/College Route; 29 SFFMA; 17 Wildland (16 Basic/1 Intermediate); 5 Texas Teachers Certificates); and 445 test packets were distributed in the 1st quarter. Two hundred thirty-two (232) Qual #s were issued in the Training Facility Management System.
  - Training and Skill Testing Audits –
    - Fifteen (15) onsite training, record, and skill audits were conducted during this quarter. No deficiencies were found. \*\*Large department inspections impacted the number of onsite audits.
    - Twenty-two (22) online training audits were conducted with no deficiencies identified. Training providers appear to be following commission rules and requirements.
  
- **Activities for the Next Quarter**
  - Continue to work with IT staff on the online test scheduling procedures, payment processes, and web-based testing project. The online application and payment process is moving forward and beta testing will begin soon.
  - 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 First Quarter FY 2016**

- September: The Compliance Manager attended in substitution for the Executive Director the State Fire Marshal Office Discussion Series in Corpus Christi. TCFP participated in a panel discussion with other state agencies. The compliance manager updated the attendees on TCFP activities.
- September: The Region 6 & 7 Compliance Officers jointly completed follow up audits of examinations and skills of a training organization operating in the Region 6 area that is on probationary status to ensure the training agency is in compliance with TCFP rules and to ensure the agency is meeting the requirements stipulated in the agreements between TCFP staff and the agency on probation.
- September: Region 7 Compliance Officer initiated an investigation into a complaint filed on a training coordinator who is alleged to have violated TCFP rules requirements as pertains to a training class for high school students offered by a junior college in the area of region 7. The investigation is ongoing through this reporting period and is expected to be concluded in the next reporting period.
- September: The Compliance Manager provided review and comments to the State Fire Marshal LODD Investigator on an investigation report related to a Brownsville Fire Fighter LODD investigation.
- October: The Team of Compliance Officers with the assistance from TCFP staff members Lisa Gonzalez and Jonathan Weidemann successfully completed the Houston Fire Department biennial compliance inspection.
- October: The Compliance Manager attended the inaugural State Fire Marshal's Office and Texas Fire Chief's Association Line of Duty Death Conference in Hurst, Texas.
- November: Project Olympus (Codename for FARM programing) Update. During this reporting period the Compliance Manager has worked closely with Programmer Derrell Beasley and the Compliance Officers, including in person office meetings with some of field compliance officers as well as GoToMeetings to assist with the transition programming for the new FARM system to be used by the Compliance program.

## **Information Technology Section Report**

### **1<sup>st</sup> Quarter, FY 2016**

- TCFP Websites and Web Applications Uptime 99.999
- Implemented MS Office 365 as part of modernization of IT
- Conducted MS Office 365 features awareness training
- Resolved 37 Service Request (Tickets)
  - Internal users: 17 (may have indirectly addressed external issues.)
  - External users: 20
- Completed coding for Authorization and Authentication for FIDO
- Completed new FIDO and FARM Databases as part of TCFP IT systems/resources modernization plan (FIONA Project)
- Redesigned UI for ease of use, usability, and created use cases
- Conducted/partook in IT Training
  - Developers training
  - IRM training
  - Security Training
  - TPE User meeting
- Complete IRDR and DIR Bulk purchase survey
- Completed revenue and invoice integration analysis
- Completed Injury reporting database development
- Completed File integration and new electronic File systems design
- Conducting codebase transfer from development (local machine) to test server
- Preparing for functional testing for launch of new FIDO and FARM
- Implementing data ETL procedure from old database to new database

## FY 2016 Injury Reporting Program

	1Q	2Q	3Q	4Q	Totals
Reported Injuries	854				
Burns	19				
SOP-related*	10				
Environmental-related	24				

\*Injuries involving SOP violations

## FY 2016 Library Program

	1Q	2Q	3Q	4Q	Totals
<i>Items loaned</i>					
AV items	49				
Print items	12				
<i>Research and reference requests</i>					
Internal	5				
External	34				
New library borrowers (new users)	8				
Responses to borrower follow-up surveys	2				
<i>Items cataloged</i>					
AV items	8				
Print items	24				
Desk copy items ordered and processed	5				
<i>Publications/postings</i>					
Library newsletter	1				

## FY 2016 Other Public Information and Outreach Activities

	1Q	2Q	3Q	4Q	Totals
Fire department job postings	146				
Number of departments requesting postings	140				
Website home page articles	4				
Facebook posts	17				
Twitter "tweets"	37				
Open records requests	5				

- 14. 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.**

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

**16. Adjourn meeting.**