

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



Texas Commission on Fire Protection

Agenda Item Summary

MEETING: Commission

DATE: 10/27/2016

Agenda Item #: 11B - #2

Agenda Title: New rule language for Driver Operator - Aerial

Action to be taken: Discussion with possible action for publication

Origin of Item: Staff

1. INTRODUCTION/PURPOSE

The new rule language identifies and defines requirements for Driver Operator-Aerial Apparatus, a new certification to be offered by the Commission. The revision also establishes a new Subchapter for Driver/Operator – Pumper, and Subchapter B for Driver/Operator – Aerial Apparatus.

2. DESCRIPTION/ JUSTIFICATION

Development of the new certification per the direction of the Commission board.

3. BUDGET IMPACT

Some positive impact may be anticipated from an increase in testing and certification application fee collection.

4. TIMELINE CONSIDERATIONS

For possible publication.

5. RECOMMENDATION

Recommend publication as submitted

6. REFERENCES

37 TAC, Chapter 433

CHAPTER 433

~~[MINIMUM STANDARDS FOR] DRIVER/OPERATOR [PUMPER]~~

SUBCHAPTER A

MINIMUM STANDARDS FOR DRIVER/OPERATOR-PUMPER

§433.1 Driver/Operator-Pumper Certification.

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

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

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

- (1) hold certification as Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel; and
- (2) possess valid documentation as a Driver/Operator-Pumper from either:
 - (A) the International Fire Service Accreditation Congress; or
 - (B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2009 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1(a)(2) of this title (relating to Requirements—General); or
- (3) complete a commission approved Driver/Operator-Pumper Curriculum and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved driver/operator-pumper program must consist of one of the following:
 - (A) complete a commission approved Driver/Operator-Pumper Curriculum as specified in Chapter 7 of the commission's Certification Curriculum Manual;
 - (B) complete an out-of-state training program that has been submitted to the commission for evaluation and found to be equivalent to or exceeds the commission approved Driver/Operator-Pumper Curriculum; or
 - (C) complete a military training program that has been submitted to the commission for evaluation and found to be equivalent to or exceeds the commission approved Driver/Operator-Pumper Curriculum.

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

§433.5 Examination Requirements.

- (a) Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive driver/operator-pumper certification.
- (b) Individuals will be permitted to take the Commission examination for driver/operator-pumper by documenting, as a minimum, completion of the NFPA 1001 Fire Fighter I training, and completing a Commission-approved driver/operator-pumper curriculum.

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

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

SUBCHAPTER B

MINIMUM STANDARDS FOR DRIVER/OPERATOR-AERIAL APPARATUS

§433.201 Driver/Operator-Aerial Apparatus Certification.

- (a) A Driver/Operator – Aerial Apparatus is defined as an individual who operates an aerial apparatus safely and in accordance with all state and local laws; safely and correctly maneuvers, positions, stabilizes, and operates an aerial apparatus and device; and effectively deploys and operates an elevated master stream from a water source. Other responsibilities include routine apparatus testing, maintenance, inspections, and servicing functions.
- (b) Individuals holding Driver/Operator - Pumper certification are eligible to take the commission examination for Driver Operator-Aerial Apparatus upon documentation to the commission that the individual has completed Driver Operator-Aerial Apparatus training that meets the minimum requirements of the National Fire Protection Association Standard 1002, Chapter 6 (2014 edition) or provide documentation of proficiency in the operation of an aerial apparatus in the form of a non self-serving affidavit from a department with an in service aerial apparatus. This section will expire on February 28, 2018.*

§433.203 Minimum Standards for Driver/Operator-Aerial Apparatus Certification.

- (a) In order to obtain Driver/Operator-Aerial Apparatus certification, the individual must:
- (1) hold certification as Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel; and
 - (2) possess valid documentation as a Driver/Operator-Aerial Apparatus from either:
 - (A) the International Fire Service Accreditation Congress; or
 - (B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2014 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1(a)(2) of this title (relating to Requirements—General); or
 - (3) complete a commission approved Driver/Operator-Aerial Apparatus training program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved driver/operator-aerial apparatus training program must consist of one of the following:
 - (A) completion of an in-state Driver/Operator-Aerial Apparatus program meeting the requirements of the applicable NFPA standard and

conducted by a commission certified training provider, that was submitted and approved through the commission's training prior approval system; or

(B) completion of an out-of-state training program that has been submitted to the commission for evaluation and found to meet the requirements of the applicable NFPA standard; or

(C) completion of a military training program that has been submitted to the commission for evaluation and found to meet the requirements of the applicable NFPA standard.

(b) Out-of-state or military training programs submitted to the commission for the purpose of determining equivalency will be considered equivalent if the training addresses all job performance requirements of the applicable NFPA standard.

§433.205 Examination Requirements.

(a) Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive Driver/Operator-Aerial Apparatus certification.

(b) Individuals will be permitted to take the commission examination for Driver/Operator-Aerial Apparatus by documenting, as a minimum, completion of the NFPA 1001 Fire Fighter I training, and completing a commission-approved Driver/Operator-Aerial Apparatus training program.