

**TEXAS COMMISSION ON FIRE PROTECTION**  
**August 10, 2023, 9:00 a.m.**  
**1701 N. Congress Ave., William B. Travis Building, Room 1-104, Austin, Texas**

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

- 1. Call to order with invocation and pledge of allegiance.**
- 2. Roll call and excuse Commissioner absences.**
- 3. Commission meeting minutes of April 20, 2023.**
- 4. Recognition of Chief Ken Swindle for his service to TCFP.**
- 5. The Budget and Strategic Plan Subcommittee may meet on August 10, 2023, during the commission meeting and provide a report relating to any recommendations developed by the subcommittee relating to modifications to the agency's operating budget and strategic plan.**
- 6. Reports from fire service interest groups and agencies on matters relating to their specific organizational purposes, functions, activities, and objectives, including reports from TEEEX, the Texas Fire Chiefs Association, the Texas State Association of Fire Fighters, the State Firefighters and Fire Marshals' Association of Texas, the Texas Fire Marshal's Association, the Texas Association of Fire Educators, the Texas A&M Forest Service, the National Fire Protection Association, Texas State Association of Fire and Emergency Districts, the Center for Public Safety Excellence, the State Fire Marshal's Office, and the National Fallen Fire Fighters Foundation.**
- 7. Report from commission representative to the Homeland Security Council.**
- 8. Report from the Health and Wellness ad-hoc Committee.**
- 9. Subjects for future commission meeting agendas.**
- 10. Future meeting dates.**
- 11. Discussion and possible action on 37 Texas Administrative Code (TAC), Chapter 443, Certification Curriculum Manual.**
- 12. Discussion and possible action on 37 TAC, Chapter 421, Standards for Certification.**
- 13. Discussion and possible action on 37 TAC, Chapter 403, Criminal Convictions and Eligibility for Certification.**
- 14. Discussion and possible action on 37 TAC, Chapter 463, Advisory Committees.**

15. Discussion and possible action on 37 TAC, Chapter 439, Examinations for Certification, matrix 439.19.
16. Discussion and possible action on matters as referred from the Curriculum and Testing Committee:
  - A. New, 37 TAC, Chapter 469, Technical Rescue.
  - B. Discussion on the letter received regarding the Marine Fire Ad Hoc Committee.
17. Discussion and possible action on filling the current vacancy on the Firefighter Advisory Committee.
18. Review and possible action of the 2022 data collected regarding fire fighter injuries and the report to be submitted to the State Fire Marshal's Office for inclusion in its annual report.
19. Matters from the Agency Chief:
  - A. Update regarding agency duties and responsibilities.
  - B. Decision of the Agency Chief in contested cases and consent orders.
  - C. Status regarding division functions:
    1. Training Approval & Testing – test administered, training approvals, record reviews, and online training audits.
    2. Certification & Professional Development – training applications, IFSAC seals issued, certifications issued, training facilities, curriculum development, library resource requests.
    3. Compliance – biennial inspections, compliance officers training, issues involving regulated entities.
    4. Information Technology – public website design, FARM and FIDO improvements, CAPPs (Central Accounting Payroll/Personnel System), IT security policy, and service requests.
20. Personal matters regarding the appointment, employment, compensation, Evaluation, reassignment, and duties of the Agency Chief.
21. Adjourn meeting.

*Any invocation that may be offered before the official start of the commission meeting shall be a voluntary offering of a chaplain, to and for the benefit of the commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the commission and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the*

***invocation. Such a decision will not impact their right to participate actively in the business of the commission. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the commission Clerk.***

**1. Call to order with invocation and pledge of allegiance.**

**2. Roll call and excuse Commissioner absences.**

**3. Commission meeting minutes of April 20, 2023.**

## TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, J. P. Steelman, at 10:00 a.m., called the April 20, 2023, meeting of the Texas Commission on Fire Protection to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

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

Staff	Cliff Grant Amanda Khan Robert Reese	Holden Wenger Candace Barnett Grace Wilson	Sami Lepisto Ashley Barnett Rosalind Hunt, Assistant Attorney General	Rick Wallace Joyce Guinn
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Guests                      See Guest List attached.

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1. Invocation and Pledge of Allegiance                      The invocation was given by Commissioner Rusty Wilson and the Pledge of Allegiance was lead by Presiding Officer, J. P. Steelman.

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2. Roll call and excuse of Commissioner absences                      The roll was called, and a quorum was present.

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3. Adoption of Minutes                      A motion was made by Mike Jones and seconded by Rusty Wilson to approve the minutes of the January 26, 2023, commission meeting. The motion carried.

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4. Report from Budget and Strategic Plan Subcommittee                      No action necessary.

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5. Reports from Interest Groups                      A brief report was given by TEEEX, the Texas Fire Chief's Association, the Texas Fire Marshal's Association, Texas A&M Forest Service, the State Firefighters' and Fire Marshals' Association of Texas, the National Fire Protection Association, the Texas State Association of Fire and Emergency Districts, the Center for Public Safety Excellence, the Fire Marshal's Office, and the Texas Association of Fire Educators.

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6. Report from Homeland Security Council                      No report given.

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7. Report from Health & Wellness                      Chairman, Mala Sharma gave a brief report.

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8. Subjects for future meeting agendas 439, matrix correction.
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9. Future meeting Dates The Commission announced the August 9, 2023, workshop at 2:00 pm and the August 10, 2023, Commission Meeting at 10:00 am.
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10. Matters from Curriculum and Testing Committee A motion was made by Mike Jones and seconded by Paul Hamilton to adopt proposed changes to Investigator Curriculum Manual. The motion carried.
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11. Matters from Curriculum and Testing Committee A motion was made by Paul Hamilton and seconded by Rusty Wilson to adopt proposed changes to 37 Texas Administrative Code (TAC), Chapter 443, Certification Curriculum Manual. The motion carried.
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12. Matters from Fire Fighter Advisory Committee
- A) A motion was made by Paul Hamilton and seconded by Rusty Wilson to approve the rule review without changes to 37 TAC, Chapter 459, Fire and Safety Educator. The motion carried.
- B) A motion was made by David Coatney and seconded by Tim Smith to approve the rule review of 37 TAC, Chapter 461, Incident Commander, with suggested changes. The motion carried.
- C) A motion was made by Rusty Wilson and seconded by Mala Sharma to approve the rule review of 37 TAC, Chapter 491, Voluntary Regulation of State Agencies and State Agency Employees, without changes. The motion carried.
- D) A motion was made by Paul Hamilton and seconded by David Coatney to approve the rule review of 37 TAC, Chapter 493, Voluntary Regulation of Federal Agencies and State and Federal Fire Fighters, without changes. The motion carried.
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13. 463 Advisory Committee A motion was made by Mike Jones and seconded by Bob Morgan to accept proposed amendments to new 37 TAC, Chapter 463, Advisory Committees. The motion carried.
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14. Vacancy on The Fire Fighter Advisory Committee Chairman Steelman appointed a committee to serve as guidance to filling the vacancy. Rusty Wilson was appointed as Committee Chair. Mike Jones and Tim Smith will serve on the committee.
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15. 403 Advisory Committee No action was taken on 37 TAC, Chapter 403, Criminal Convictions and Eligibility for Certification.
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16. Fire Fighter Injury Report Grace Wilson gave an update on the 2022 data collected regarding the fire fighter injuries and the recommendations to be submitted to the State Fire Marshal's Office.



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17. Matters from Agency Chief
- A. Mike Wisko, Agency Chief, gave an update on agency duties and responsibilities.
  - B. Mr. Wisko reported that there were no contested cases.
  - C. Mr. Wisko reported the status of division functions.

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18. Executive Session
- No executive session was called.

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19. Adjournment
- A motion to adjourn was made by Michael Glynn and seconded by Bob Morgan. The motion carried.
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J. P. Steelman, Presiding Officer

**4. Recognition of Chief Ken Swindle for his service to TCFP.**

- 5. The Budget and Strategic Plan Subcommittee may meet on August 10, 2023, during the commission meeting and provide a report relating to any recommendations developed by the subcommittee relating to modifications to the agency's operating budget and strategic plan.**

Texas Commission on Fire Protection  
 FY2023 through End of Q3 Financial  
 Report

Appropriation	Appr Budget	Appr Transfer In	Est. Coll. Revenue	Revenue	Excess Revenue	Expenditures	Cash Reserves	Appr Cash Available
13008 Fire Safety Information	\$118,972.00					\$84,762.57	\$0.00	\$34,209.43
13014 Certify & Regulation (0001)	\$1,085,101.00		\$65,000.00	\$196,470.00	\$127,590.00	\$880,646.92	\$0.00	\$335,924.08
Certify & Regulation (0802)	\$25,000.00		\$25,000.00	\$23,787.15		\$22,632.17		
13800 Indirect Administration	\$652,415.00					\$637,474.35	\$0.00	\$14,940.65
<b>Totals</b>	<b>\$1,881,488.00</b>		<b>\$90,000.00</b>	<b>\$220,257.15</b>	<b>\$127,590.00</b>	<b>\$1,625,516.01</b>	<b>\$0.00</b>	<b>\$385,074.16</b>
23102 Benefit Replacement	\$1,500.00	\$1,500.00						\$1,500.00
90327 State Retirement	\$160,000.00	\$1,600,000.00				\$121,146.00	\$0.00	\$38,854.00
91142 OASI, State Match	\$135,000.00	\$135,000.00				\$97,779.34	\$0.00	\$37,220.66
97768 Online Processing Fees				\$68,494.37	\$68,494.37	\$68,236.09		\$258.28
99327 Group Insurance	\$265,000.00					\$182,861.89	\$0.00	\$159,705.88
99906 Unappropriated General Revenue				\$313,505.00				\$313,505.00



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

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

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

**9. Subjects for future commission meeting agendas.**



**10. Future meeting dates.**

**11. Discussion and possible action on 37 Texas Administrative Code (TAC), Chapter 443, Certification Curriculum Manual.**

**CHAPTER 443**  
**CERTIFICATION CURRICULUM MANUAL**

**§443.1. Approval by the Curriculum and Testing [~~Fire Fighter Advisory~~] Committee.**

(a) All proposals for new or revised curricula and training programs must be submitted to the Fire Fighter Advisory Committee for approval.

(b) The **Curriculum and Testing** [~~Fire Fighter Advisory~~] Committee may:

(1) submit proposals to a subcommittee formed of members of the **Curriculum and Testing** [~~Fire Fighter Advisory~~] Committee for study and review before approval; or

(2) submit proposals to an advisory committee formed of members of the fire service who are recommended by the **Curriculum and Testing** [~~Fire Fighter Advisory~~] Committee and appointed by the commission to report to the Fire Fighter Advisory Committee, for study and review before approval.

(c) All proposals approved by the **Curriculum and Testing** [~~Fire Fighter Advisory~~] Committee shall be placed on the next scheduled meeting agenda of the Texas Commission on Fire Protection.

*Source Note: The provisions of this §443.1 adopted to be effective November 1, 1998, 23 TexReg 10904; amended to be effective August 23, 2017, 42 TexReg 4141*

**§443.3. Approval by the Texas Commission on Fire Protection.**

(a) All proposals for new or revised curricula and training programs approved by the **Curriculum and Testing** [~~Fire Fighter Advisory~~] Committee must receive final approval by the Texas Commission on Fire Protection.

(b) Proposals not approved by the commission shall be sent back to the committee for further development. The commission shall indicate to the committee the reasons that the proposals were not approved.

*Source Note: The provisions of this §443.3 adopted to be effective November 1, 1998, 23 TexReg 10904; amended to be effective August 23, 2017, 42 TexReg 4141*

**§443.5. Effective Date of New or Revised Curricula and Training Programs Required by Law or Rule.**

(a) New curricula and training programs will become effective on January 1 of the year following final approval by the commission or on the date specified by the commission.

(b) Changes to curricula and training programs will become effective on January 1 of the year following final approval by the commission or on the date specified by the commission.

(c) Changes to curricula and training programs which involve reference materials will become effective on January 1 of the year following final approval by the commission or on the date specified by the commission, as recommended by the **Curriculum and Testing** [~~Fire Fighter~~

~~Advisory~~ Committee, depending on the impact the change will have on the curricula or training programs.

(d) Changes to curricula and training programs that involve a safety consideration as determined by the **Curriculum and Testing** ~~[Fire-Fighter-Advisory]~~ Committee shall become effective immediately following final approval by the commission.

*Source Note: The provisions of this §443.5 adopted to be effective November 1, 1998, 23 TexReg 10904; amended to be effective March 1, 1999, 24 TexReg 791; amended to be effective August 23, 2017, 42 TexReg 4141*

#### **§443.7. Effective Date of New or Revised Curricula and Training Programs Which Are Voluntary.**

(a) New curricula and training programs will become effective on the date recommended by the **Curriculum and Testing** ~~[Fire-Fighter-Advisory]~~ Committee and specified by the commission.

(b) Changes to curricula and training programs will become effective on the date recommended by the **Curriculum and Testing** ~~[Fire-Fighter-Advisory]~~ Committee and specified by the commission.

(c) Changes to curricula and training programs that involve a safety consideration as determined by the **Curriculum and Testing** ~~[Fire-Fighter-Advisory]~~ Committee shall become effective immediately following final approval by the commission.

*Source Note: The provisions of this §443.7 adopted to be effective November 1, 1998, 23 TexReg 10904; amended to be effective August 23, 2017, 42 TexReg 4141*

#### **§443.9. National Fire Protection Association Standard.**

(a) All curricula and training programs must, as a minimum, meet the standards, to include manipulative skills objectives and knowledge objectives, of the current NFPA standard pertaining to the discipline, if such a standard exists and is subject to subsection (c) of this section.

(b) New curricula and training programs presented to the **Curriculum and Testing** ~~[Fire-Fighter-Advisory]~~ Committee must, as a minimum, meet the standards of the current edition of the applicable NFPA standard for the discipline, if such a standard exists.

(c) If **an** ~~[a]~~ NFPA standard is adopted or an existing NFPA standard is revised, all curricula and training programs must meet the standards of the new or revised applicable NFPA standard within three years of the official adoption date of the applicable NFPA standard.

*Source Note: The provisions of this §443.9 adopted to be effective November 1, 1998, 23 TexReg 10904; amended to be effective February 17, 2004, 29 TexReg 1415; amended to be effective August 23, 2017, 42 TexReg 4141*

**12. Discussion and possible action on 37 TAC, Chapter 421, Standards for Certification.**

## CHAPTER 421

### STANDARDS FOR CERTIFICATION

#### **§421.1. Procedures for Meetings.**

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

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

### **§421.3. Minimum Standards Set by the Commission.**

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

(b) Functional position descriptions.

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **§421.5. Definitions.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(27) Instructor:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(A) city;

(B) county;

(C) school district;

(D) junior college district;

(E) levee improvement district;

(F) drainage district;

(G) irrigation district;

(H) water improvement district;

(I) water control and improvement district;

(J) water control and preservation district;

(K) freshwater supply district;

(L) navigation district;

(M) conservation and reclamation district;

(N) soil conservation district;

(O) communication district;

(P) public health district;

(Q) river authority;

(R) municipal utility district;

(S) transit authority;

(T) hospital district;

(U) emergency services district;

(V) rural fire prevention district; and

(W) any other governmental entity that:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **§421.9. Designation of Fire Protection Duties.**

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

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

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

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

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

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

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

#### **§421.11. Requirement To Be Certified Within One Year.**

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

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

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

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

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

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

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

#### **§421.13. Individual Certificate Holders.**

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

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

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

#### **§421.15. Extension of Training Period.**

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

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

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

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

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

#### **§421.17. Requirement to Maintain Certification.**

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

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

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

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

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

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



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

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

## CHAPTER 403

### CRIMINAL CONVICTIONS AND ELIGIBILITY FOR CERTIFICATION

#### §403.3. Scope.

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

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

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

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

(2) deny the application for a certificate;

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

(4) refuse to renew a certificate;

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

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

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

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

(2) deny the application for a certificate;

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

(4) refuse to renew a certificate;

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

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

#### §403.5. Access to Criminal History Record Information.

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

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

- (1) a court order;
- (2) with written consent of the person being investigated;
- (3) in a criminal proceeding; or
- (4) in a hearing conducted under the authority of the commission.

(c) Early review. **A regulated entity** [~~fire department~~] that employs a person regulated by the commission, a person seeking to apply for a beginning position with a regulated entity, a volunteer fire department, or an individual participating in the commission certification program may seek the early review under this chapter of the person's present fitness to be certified. Prior to completing the requirements for certification, the individual may request such a review in writing by following the required procedure. A decision by the commission based on an early review does not bind the commission if there is a change in circumstances. The following pertains to early reviews:

(1) The commission will complete its review and notify the requestor in writing concerning potential eligibility or ineligibility within **ninety** [90] days following receipt of all required and necessary information for the review.

(2) A notification by the commission regarding the results of an early review is not a guarantee of certification, admission to any training program, or employment with a local government.

(3) A fee assessed by the commission for conducting an early review will be in an amount sufficient to cover the cost to conduct the review process, as provided in §437.19 of this title (relating to Early Review Fees).

(4) An early review request will be considered incomplete until the requestor submits all required and necessary information. Early review requests that remain incomplete for 90 days following receipt of the initial request will expire. If the request expires and an early review is still desired, a new request and fee must be submitted.

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

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

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

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

separate offense.

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

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

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

**CHAPTER 463**  
**ADVISORY COMMITTEES,**  
**~~SUBCHAPTER A~~**  
**PRACTICE AND PROCEDURES**

**§463.1. OBJECTIVE.**

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

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

**§463.3. GENERAL**

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

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

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

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

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

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

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

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

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

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

#### **§463.5. ELIGIBILITY.**

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

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

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

#### **§463.7. TERMS.**

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

#### **§463.9. MEETINGS.**

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

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

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



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

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

#### **§463.11. LIMITATION OF POWERS.**

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

#### **§463.13. TESTIMONY.**

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

#### **§463.15. EXPULSION.**

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

#### **§463.17. Abolishment Date**

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

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

Figure: 37 TAC §439.19(b)

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

**16. Discussion and possible action on matters as referred from the Curriculum and Testing Committee:**

- A. New, 37 TAC, Chapter 469, Technical Rescue.**

CHAPTER 469

TECHNICAL RESCUE

SUBCHAPTER A

MINIMUM STANDARDS FOR ROPE RESCUE

§469.1. ROPE RESCUE AWARENESS LEVEL & OPERATIONS LEVEL CERTIFICATION.

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

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

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

- (1) hold certification as Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel; and
- (2) complete a commission-approved Rope Rescue Awareness Level & Operations Level program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Rope Rescue Awareness Level & Operations Level program must consist of one of the following:
  - (a) completion of an in-state Rope Rescue Awareness Level & Operations Level program meeting the requirements of the applicable NFPA standard and conducted by a commission-certified training provider that was submitted and approved through the commission's training prior approval system; or
  - (b) completion of an out-of-state educational institution of higher education, and/or military training program that has been submitted to the commission for evaluation and found to meet the requirements of the applicable NFPA standard.

§469.5. Examination Requirement.

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

**§469.7. Reserved. (IFSAC)**

**CHAPTER 469**

**TECHNICAL RESCUE**

**SUBCHAPTER B**

**MINIMUM STANDARDS FOR ROPE RESCUE**

**§469.201. Rope Rescue Technician Level**

- (a) **An individual who has met the requirements of chapter 5.3 of NFPA 1006, Standard for Technical Rescue Personnel Professional Qualifications and has the knowledge, skills, and ability to perform Rope Rescue at the Technician Level.**
- (b) **All individuals holding a Rope Rescue Technician Level certification shall be required to comply with the continuing education requirements in Chapter 441 of this title (relating to Continuing Education).**
- (c) **Special temporary provision. Individuals are eligible to take the commission combined examination for Rope Rescue Awareness Level/Operations Level and Technician Level by:**

**§469.203. Minimum Standards for Rope Rescue Technician Level Certification**

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

- (1) **Option 1-- hold certification as Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel; and**
  - (a) **hold a Rope Rescue Awareness Level and Operations Level certification through the commission; and**
  - (b) **complete a commission-approved Rope Rescue Technician Level program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Rope Rescue Technician Level program must consist of one of the following:**
    - (1) **completion of an in-state Rope Rescue Technician Level program meeting the requirements of the applicable NFPA standard and conducted by a commission-certified training provider that was submitted and approved through the commission's training prior approval system; or**
    - (2) **completion of an out-of-state educational institution of higher education, and/or military training program that has been submitted to the commission for evaluation and found to meet the requirements of the applicable NFPA standard.**
- (2) **Option 2-- hold certification as Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel; and**
  - (a) **complete a commission approved Rope Rescue Awareness Level & Operations Level program. An approved Rope Rescue Awareness Level & Operations Level program must consist of one of the following:**
    - (1) **completion of an in-state Rope Rescue Awareness Level & Operations Level program meeting the requirements of the applicable NFPA standard and conducted by a commission certified training provider that was submitted and approved through the commission's training prior approval system; or**

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

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

(1) completion of an in-state Rope Rescue Technician Level program meeting the requirements of the applicable NFPA standard and conducted by a commission certified training provider that was submitted and approved through the commission's training prior approval system; or

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

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

**§469.205. Examination Requirement.**

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

**§469.207. Reserved. (IFSAC)**



**16. Discussion and possible action on matters as referred from the Curriculum and Testing Committee:**

**B. Discussion on the letter received regarding the Marine Fire Ad Hoc Committee.**

**From:** William Buck <[wbuck@porthouston.gov](mailto:wbuck@porthouston.gov)>  
**Sent:** Tuesday, May 16, 2023 10:47 AM  
**To:** Mike Wisko <[Michael.Wisko@tcfp.texas.gov](mailto:Michael.Wisko@tcfp.texas.gov)>  
**Subject:** TCFP Marine Committee

Chief,

I would like to request that we get the TCFP marine fire committee back on track. I understand that changes to NFPA are occurring, but if we can have a committee put everything together, we can change the reference as they change. I also believe that we need a new chair for the committee. No disrespect to Chief Havens, but he seems to have a lot on his plate and not able to keep the committee on track. Can you please advise? We would like to add members from HFD and Galveston to the committee also. James Pitts would be the Port of Houston representative for the committee. Thanks for your consideration in the matter.

William Buck

Fire Chief

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**17. Discussion and possible action on filling the current vacancy on the Firefighter Advisory Committee.**

**18. Review and possible action of the 2022 data collected regarding fire fighter injuries and the report to be submitted to the State Fire Marshal's Office for inclusion in its annual report.**

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# 2022 INJURY REPORT

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An Annual Summary of Fire Fighter Injuries, Exposures, and Cancer Diagnoses Reported to the Texas Commission on Fire Protection in Calendar Year 2022

By  
Grace Wilson  
of the  
Texas Commission on Fire Protection

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# Mission

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

## Why we are collecting injury data

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

## Information the commission collects

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

## How this will help the fire service

- Identify common injuries and exposures
- Identify trends in injuries and exposures
- Identify needed training
- Evaluate and find improvements in procedures

## Executive Summary

The information in this report is collected by the Texas Commission on Fire Protection (TCFP) via an on-line injury reporting application. At the time of this writing, the TCFP regulated 38,150 individuals and 795 entities. This report is a comprehensive analysis of injuries and exposures to Texas fire fighters. These injuries and exposures were reported to the TCFP in 2022 by fire departments throughout the state, and this report contains charts and graphs depicting the results of the information that was collected. The report also compares Texas fire fighter injury statistics with national statistics that were gathered by the National Fire Protection Association (NFPA) in 2021.

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

The commission originally built the data systems necessary to gather this information in 2010. In 2017 the data systems were migrated from a Microsoft Access database structure to a new system which was developed in-house and designed specifically to meet the information resource needs of the TCFP. Fine-tuning of this newer system is ongoing as we receive feedback from stakeholders. The reporting process is accomplished online via TCFP's FIDO system. Fire departments regulated by the commission have been notified of the requirement to report. Several volunteer departments, which are not regulated by the commission, are also participating voluntarily.

This report concludes with recommendations from the commission to help reduce the number of fire fighter injuries in Texas and to improve the injury reporting program.



# Abstract

This report contains data submitted by regulated and non-regulated entities.

## Grand Totals – 2022

Total number of incidents (injury reports) submitted: 7,496

Total number of individuals who sustained an injury or exposure: 7,253\* (A)

Total number of injuries reported: 3,426 (B)

Total number of exposures reported: 4,151 (C)

*\*Note that an individual could have more than one injury or could have an injury and an exposure. This explains why the total number of individuals who sustained an injury is less than the total number of injuries + total number of exposures. (A < B + C)*

**It's important to remember that one incident report can have multiple individuals involved, and each of those individuals can have one or more injuries.** For example:

Joe and Bob were burned in a fire while on duty. This resulted in:

- One incident (one injury report), with
- Two individuals who...
- Sustained three injuries
  - Joe was burned on the hand and arm (two injuries)
  - Bob was burned on the leg (one injury)

## The "Bird's Eye View"

**Reporting Rate 77%.** 609 of the 795 regulated departments used TCFP's injury reporting system in 2022.

Top 5 activities that resulted in injuries or exposures:

1. **EMS** = 2,528 injured individuals (35% of the total reported injuries/exposures)
2. **Station Duties** = 2,449 (34% of the total)
3. **Fire Suppression** = 846 (12% of the total)
4. **Skills Training** = 491 (7% of the total)
5. **Wellness/Fitness** = 422 (6% of the total)

# State of Texas vs. NFPA

## Comparison between the State of Texas (2021) and National Fire Protection Association (NFPA) U.S. Firefighter Injuries (2021)

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

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

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

**Please keep in mind that the comparisons between Texas and the NFPA are using numbers from 2021**, and not 2022 data as in the remainder of this report. NFPA’s 2022 injury data will not be published and available until 2024.

### Comparing Texas 2021 and NFPA 2021

**Table 1: Comparison of Texas 2021 and NFPA 2021**

Category	Texas 2021		NFPA 2021	
	Count	Percent	Count	Percent
Fireground	742	12%	19,200	32%
Non-Fire	2,947	46%	13,325	22%
Other On-Duty	2,095	33%	14,850	25%
Training	423	7%	8,125	13%
Responding and Returning	223	3%	4,950	8%
<b>Total</b>	<b>6,430</b>	<b>100%</b>	<b>60,450</b>	<b>100%</b>

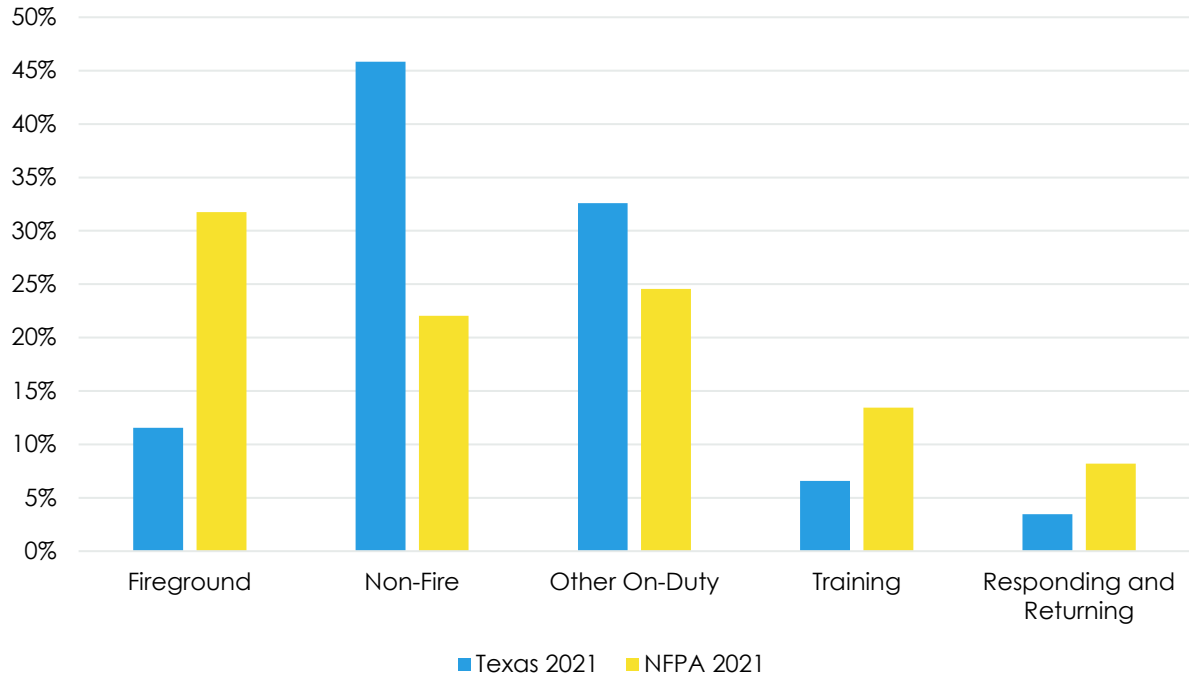
### Fatalities in 2021

**NFPA:** 135 on-duty firefighter fatalities (70 non-COVID deaths, 65 from COVID)

**Texas:** 3 reported fatalities (2 from COVID, 1 colon cancer)

NFPA data is from the [United States Firefighter Injuries in 2021](#) report, copyright 2022, National Fire Protection Association, Quincy, MA.

**Figure 1: Injuries by Activity, percentages**  
(Comparing Texas 2021 and NFPA 2021)

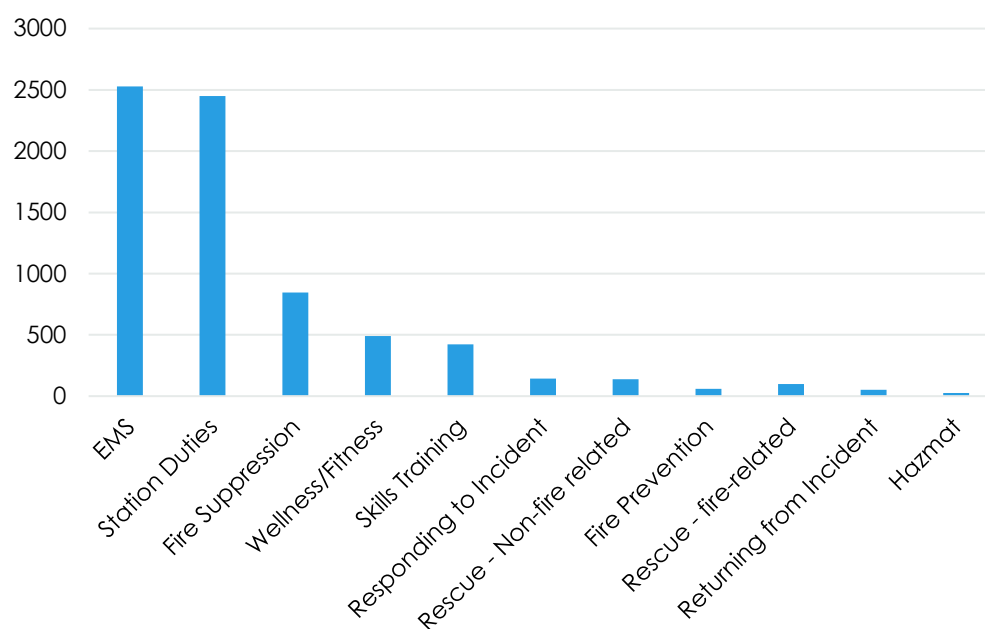


## Fire Protection Personnel Injuries

**Table 2: Total Injured or Exposed Individuals by Activity and Severity, 2022**

Activity	Minor	Serious	Fatal	Total	2021	2020
EMS	1,461	1,067	0	2,528	2,852	3,192
Station Duties	1,132	1,316	1	2,449	1,594	1,454
Fire Suppression	653	192	1	846	691	525
Skills Training	362	129	0	491	423	429
Wellness/Fitness	293	129	0	422	450	422
Rescue - nonfire	110	32	0	142	116	118
Responding to incident	97	40	0	137	158	91
Fire prevention	39	61	0	100	51	76
Rescue - fire-related	55	5	0	60	51	29
Returning from Incident	31	21	0	52	65	41
Hazmat	22	4	0	26	44	29
<b>Total</b>	<b>4,255</b>	<b>2,996</b>	<b>2</b>	<b>7,253</b>	<b>6,495</b>	<b>6,406</b>

**Figure 2: Total Injured or Exposed Individuals by Activity, 2022**



## Injuries/Exposures by Activity

EMS activities resulted in the highest number of minor injuries in 2022 (see Table 3), which is consistent with the previous five years. The effects of the COVID-19 pandemic can be seen starting in 2020.

**Definitions**

**Minor** = An injury/exposure that does not result in the employee missing a full duty period.

**Serious** = An injury/exposure that results in the employee missing one or more full duty periods.

**Fatal** = The injured/exposed individual did not survive.

**Table 3: Minor Injury/Exposure Activities, 2018 – 2022**

Activity	2018		2019		2020		2021		2022	
	Count	%	Count	%	Count	%	Count	%	Count	%
EMS	843	29%	776	26%	2,529	56%	2,095	47%	1,461	34%
Station Duties	437	15%	591	20%	722	16%	828	19%	1,132	27%
Fire Suppression	607	21%	616	21%	397	9%	537	12%	653	15%
Skills Training	277	10%	330	11%	304	7%	303	7%	362	9%
Wellness/Fitness	286	10%	290	10%	306	7%	311	7%	293	7%
Rescue - Non-Fire	157	5%	140	5%	89	2%	94	2%	110	3%
Responding to Incident	99	3%	114	4%	68	2%	123	3%	97	2%
Rescue - Fire Related	39	1%	37	1%	26	1%	41	1%	55	1%
Fire Prevention	69	2%	46	2%	49	1%	40	1%	39	1%
Returning from Incident	57	2%	39	1%	28	1%	41	1%	31	1%
Hazmat	27	1%	24	1%	22	0%	41	1%	22	1%
<b>Total</b>	<b>2,871</b>	<b>100%</b>	<b>2,979</b>	<b>100%</b>	<b>4,518</b>	<b>100%</b>	<b>4,413</b>	<b>100%</b>	<b>4,255</b>	<b>100%</b>

(Numbers in red above = lowest number of injuries for the five-year period.)

**Table 4: Serious Injury/Exposure Activities, 2018 – 2022**

Activity	2018		2019		2020		2021		2022	
	Count	%	Count	%	Count	%	Count	%	Count	%
Station Duties	201	20%	147	19%	731	39%	766	38%	1,316	44%
EMS	184	19%	146	19%	660	35%	755	37%	1,067	36%
Fire Suppression	191	19%	145	19%	127	7%	153	8%	192	6%
Wellness/Fitness	131	13%	117	15%	116	6%	139	7%	129	4%
Skills Training	123	13%	139	18%	125	7%	120	6%	129	4%
Fire Prevention	21	2%	14	2%	27	1%	11	1%	61	2%
Responding to Incident	64	7%	28	4%	23	1%	35	2%	40	1%
Rescue - Non-Fire	26	3%	17	2%	29	2%	22	1%	32	1%
Returning from Incident	34	3%	14	2%	13	1%	24	1%	21	1%
Rescue - Fire Related	1	0%	2	0%	3	0%	10	0%	5	0%
Hazmat	5	1%	4	1%	7	0%	3	0%	4	0%
<b>Total</b>	<b>981</b>	<b>100%</b>	<b>773</b>	<b>100%</b>	<b>1,861</b>	<b>100%</b>	<b>2,038</b>	<b>100%</b>	<b>2,996</b>	<b>100%</b>

(Numbers in red above = lowest number of injuries for the five year period.)

### Fatalities

The commission's 2022 injury report includes two fatalities (one from cancer, one from COVID-19). Fatalities noted in this report include only those reported to the Texas Commission on Fire Protection (TCFP) by the entities it regulates.

The State Fire Marshal's Office conducted four Texas fire fighter fatality incident investigations in 2022. Comprehensive information about the investigations may be found on their website at the following web address:

<https://www.tdi.texas.gov/fire/fmloddannuals.html>

**Table 5: Number of Individuals Who Sustained Fatal Injuries/Exposures, 2022**

Activity	Count	Percent
Station Duties	1	50%
Fire Suppression	1	50%
<b>Total</b>	<b>2</b>	<b>100%</b>

## Emergency vs. Non-Emergency Injuries

**Table 6: Number of Injured Individuals by Emergency Activity and Severity, 2022**

<b>Activity</b>	<b>Minor</b>	<b>Serious</b>	<b>Fatal</b>	<b>Total</b>
EMS	1,461	1,067	0	2,528
Fire Suppression	653	192	1	846
Rescue - Non-fire related	110	32	0	142
Responding to Incident	97	40	0	137
Returning from Incident	31	21	0	52
Hazmat	22	4	0	26
Rescue - Fire related	55	5	0	60
<b>Total</b>	<b>2,429</b>	<b>1,361</b>	<b>1</b>	<b>3,791</b>

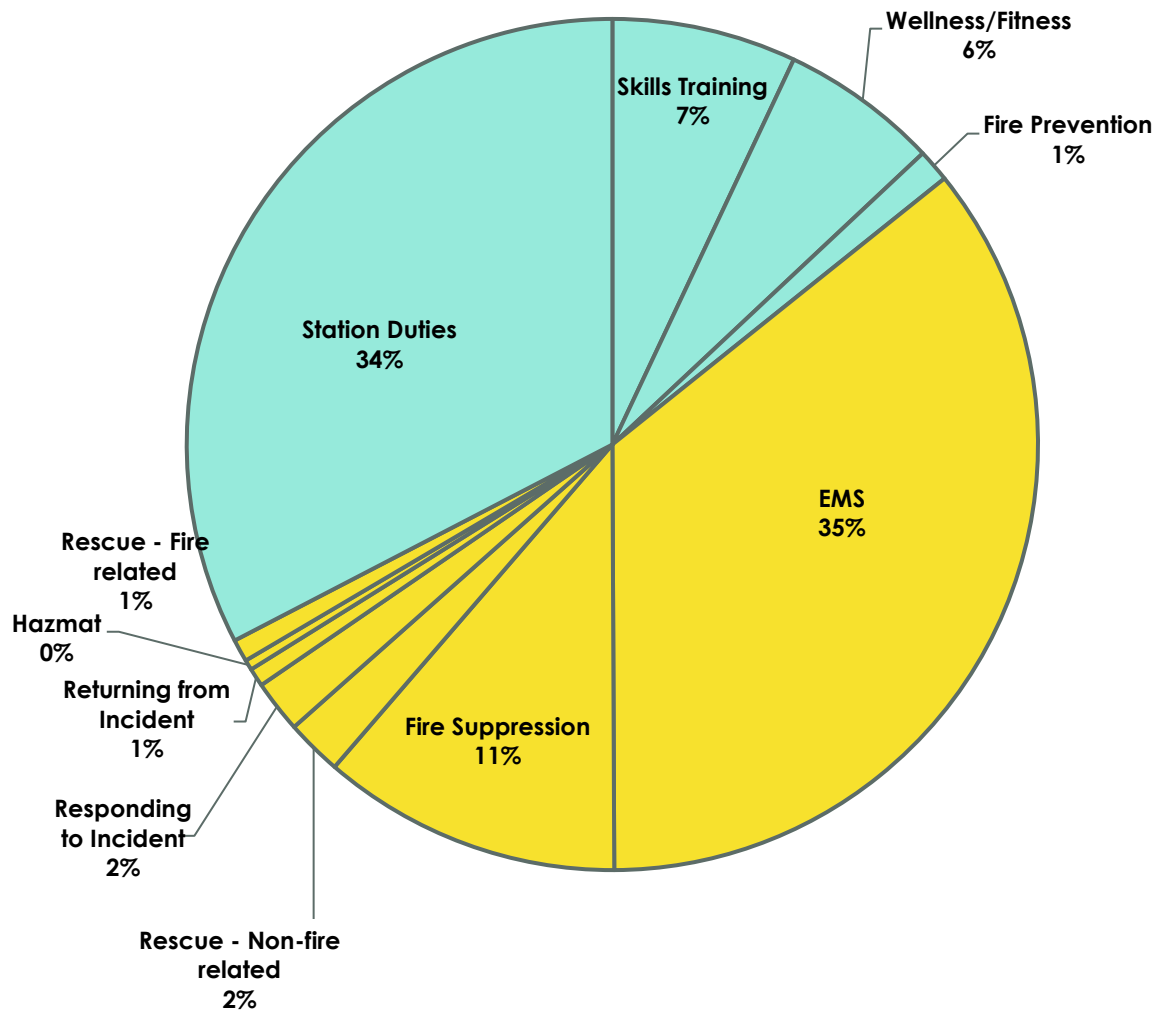
**Table 7: Number of Injured Individuals by Non-Emergency Activity and Severity, 2022**

<b>Activity</b>	<b>Minor</b>	<b>Serious</b>	<b>Fatal</b>	<b>Total</b>
Station Duties	1,132	1,316	1	2,449
Skills Training	362	129	0	491
Wellness/Fitness	293	129	0	422
Fire Prevention	39	61	0	100
<b>Total</b>	<b>1,826</b>	<b>1,635</b>	<b>1</b>	<b>3,462</b>

Figure 3: Percentages of Injured Individuals in Emergency and Non-Emergency Activities, 2022

Emergency Activities = 53%

Non-emergency Activity Activities = 47%



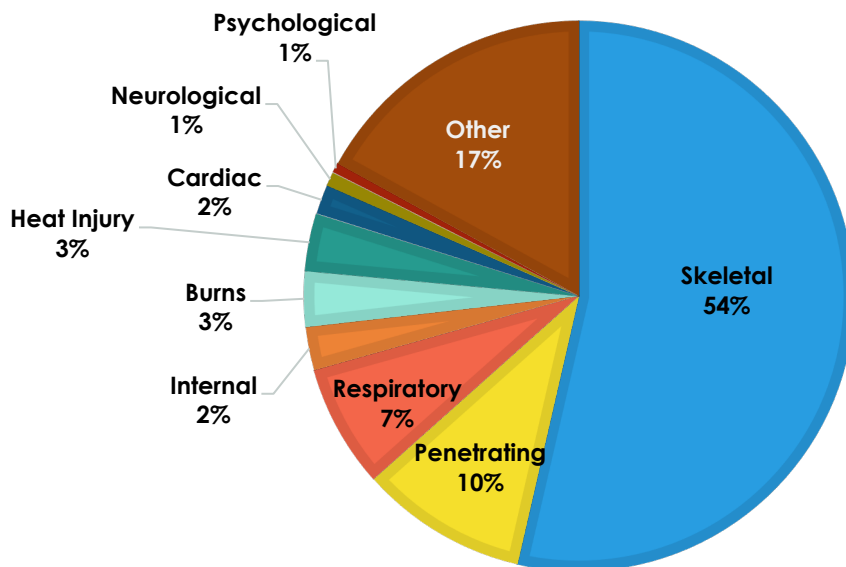


# Types of Injuries

**Table 8: Types of Injuries, 2022**

Type of Injury	2022	
	Count	Percent
Skeletal	1,834	54%
Penetrating	333	10%
Respiratory	239	7%
Heat Injury	114	3%
Burns	112	3%
Internal	94	3%
Cardiac	58	2%
Neurological	27	1%
Psychological	21	1%
Other	580	17%
<b>Total</b>	<b>3,412</b>	<b>100%</b>

**Figure 4: Types of Injuries, 2022**

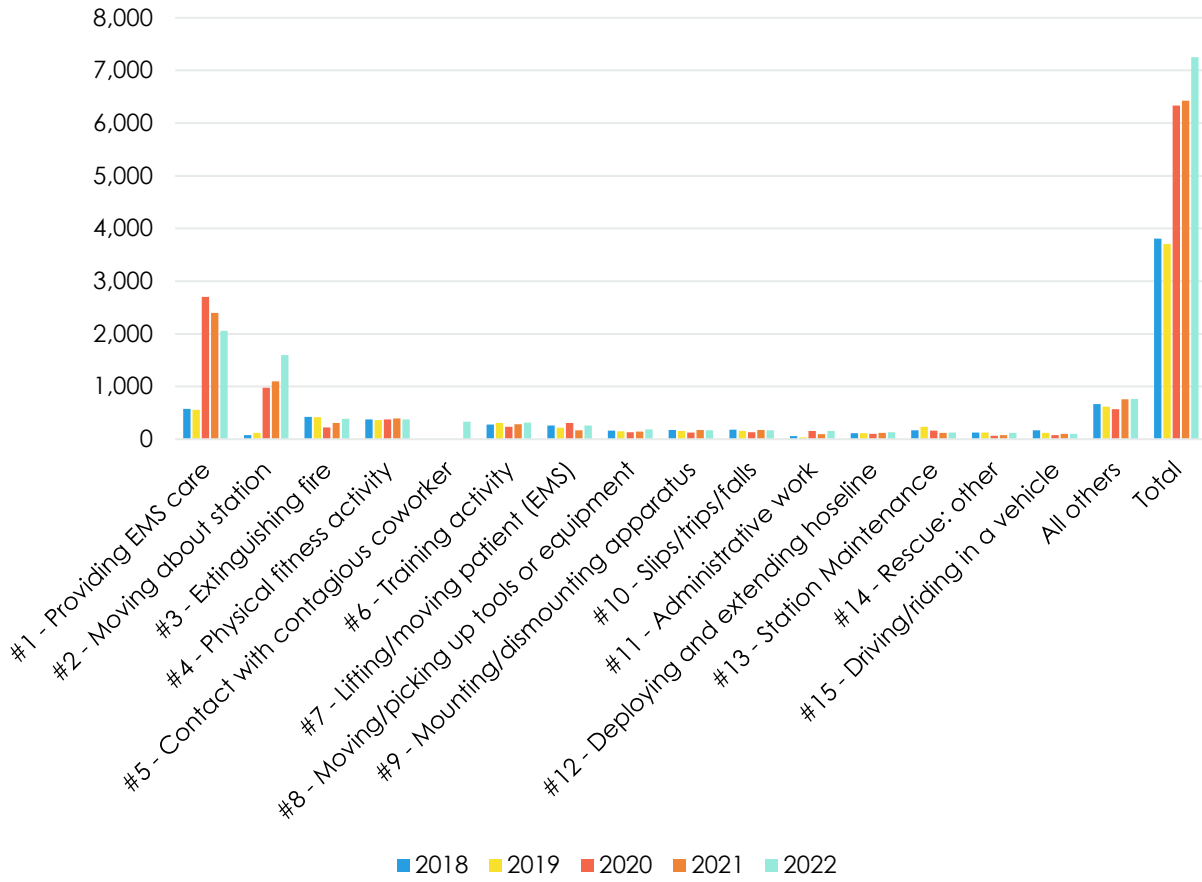


## Task at Time of Injury

**Table 9: Top 15 Tasks at Time of Injury, 2018 – 2022 (ordered by 2022, descending)**

<b>Task</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
#1 - Providing EMS care	575	556	2,704	2,398	2,057
#2 - Moving about station	77	122	975	1,100	1,599
#3 - Extinguishing fire	423	416	222	306	389
#4 - Physical fitness activity	376	364	376	394	378
#5 - Contact with contagious coworker	n/a	n/a	n/a	n/a	332
#6 - Training activity	281	309	236	284	312
#7 - Lifting/moving patient (EMS)	259	220	307	168	260
#8 - Moving/picking up tools or equipment	163	153	130	142	187
#9 - Mounting/dismounting apparatus	173	159	125	175	168
#10 - Slips/trips/falls	181	154	132	177	168
#11 - Administrative work	61	37	156	98	156
#12 - Deploying and extending hoseline	113	117	100	119	133
#13 - Station Maintenance	166	235	161	123	124
#14 - Rescue: other	126	126	64	79	123
#15 - Driving/riding in a vehicle	166	119	77	100	101
All others	665	617	570	760	766
<b>Total</b>	<b>3,805</b>	<b>3,704</b>	<b>6,335</b>	<b>6,423</b>	<b>7,253</b>

**Figure 5: Top 15 Tasks at Time of Injury, 2018 – 2022**



## Injuries by Body Part

**Table 10: Injuries by Body Part Type, 2018 – 2022**

Injured Body Part	2018	2019	2020	2021	2022
Upper Extremities	864	795	700	812	859
Lower Extremities	810	684	616	724	787
Back	490	466	445	492	511
Multiple Parts	318	255	281	284	389
Internal	105	125	144	402	337
Head	300	327	197	248	323
Chest	104	108	107	124	146
Neck	64	56	33	38	50
Hip	23	33	29	35	24
<b>Total</b>	<b>3,078</b>	<b>2,849</b>	<b>2,552</b>	<b>3,159</b>	<b>3,426</b>

**Table 11: Injuries by Body Part Sub-Type, 2018 – 2022**

Body Part by Sub-Type	2018	2019	2020	2021	2022
Back: Back	198	194	191	191	214
Back: Buttocks	1	3	2	2	1
Back: Lower Back	282	258	248	287	284
Back: Neck	4	4	1	8	5
Back: Spine	5	7	3	4	7
Chest: Abdomen	5	4	2	3	3
Chest: Abdominal Area	10	4	9	5	9
Chest: Chest	89	100	96	116	134
Head: Brain	n/a	n/a	n/a	7	24
Head: Cheek	5	7	4	7	7
Head: Chin	7	1	4	2	3
Head: Ear	77	117	50	52	50
Head: Eye	64	60	44	50	58
Head: Face	111	112	78	57	32
Head: Forehead	n/a	n/a	n/a	3	31

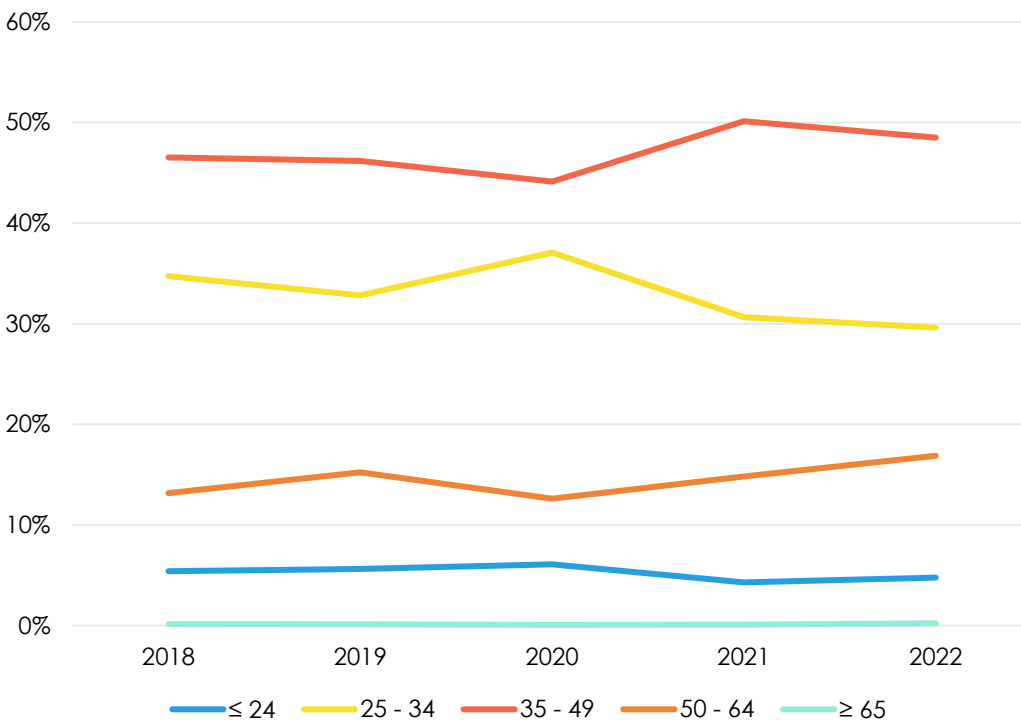
Head: Jaw	1	6	2	2	0
Head: Mouth	15	16	10	8	7
Head: Nose	20	8	3	9	60
Head: Skull	n/a	n/a	2	51	51
Hip: Groin	9	14	9	12	6
Hip: Hip	13	18	18	23	16
Hip: Pelvis	1	1	2	0	2
Internal: Genito-urinary	4	11	4	1	2
Internal: Heart	5	7	4	6	16
Internal: Internal	66	71	74	264	156
Internal: Intestinal tract	5	4	3	2	1
Internal: Lungs	9	11	51	114	150
Internal: Stomach	15	20	8	14	12
Internal: Trachea	1	1	0	1	0
Lower Extremities: Ankle	206	163	135	171	162
Lower Extremities: Foot	93	88	78	78	95
Lower Extremities: Knee	347	273	252	316	357
Lower Extremities: Lower leg	111	97	95	104	59
Lower Extremities: Toes	15	22	13	14	17
Lower Extremities: Upper Leg	38	41	43	41	67
Multiple Parts: Lower Body	26	19	20	15	16
Multiple Parts: Unknown	26	11	27	22	39
Multiple Parts: Upper Body	74	76	65	74	65
Multiple Parts: Whole Body	192	149	169	173	269
Neck: Neck	59	49	30	37	49
Neck: Throat	5	7	3	1	1
Upper Extremities: Elbow	68	44	34	44	63
Upper Extremities: Hands	361	326	319	315	356
Upper Extremities: Lower Arm	10	59	55	55	49
Upper Extremities: Shoulder	234	235	170	270	245
Upper Extremities: Upper Arm	112	72	45	68	94
Upper Extremities: Wrist	79	59	77	60	52
<b>Total</b>	<b>3,078</b>	<b>2,849</b>	<b>2,552</b>	<b>3,159</b>	<b>3,396</b>

## Individuals by Age Group

*Table 12: Individuals by Age Group, 2018 – 2022*

Age Group	2018		2019		2020		2021		2022	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent
≤ 24	210	5.41%	210	5.65%	389	6.10%	279	4.31%	329	4.54%
25 - 34	1,348	34.73%	1,220	32.82%	2,365	37.07%	1,986	30.65%	2,141	29.52%
35 - 49	1,806	46.53%	1,716	46.17%	2,815	44.13%	3,248	50.12%	3,548	48.92%
50 - 64	511	13.17%	566	15.23%	805	12.62%	961	14.83%	1,216	16.77%
≥ 65	6	0.15%	5	0.13%	5	0.08%	6	0.09%	19	0.26%
<b>Totals</b>	<b>3,881</b>	<b>100.00%</b>	<b>3,717</b>	<b>100.00%</b>	<b>6,379</b>	<b>100.00%</b>	<b>6,480</b>	<b>100.00%</b>	<b>7,253</b>	<b>100.00%</b>

*Figure 6: Individuals by Age Group, percentages, 2018 – 2022*



## Activities Resulting in Lost Time

**Table 13: Activities Individuals Were Doing that Resulted in Lost Time, 2022, Totals**

Activity	Count	Days Missed	
		Average	Sum
EMS	1012	11	12,138
Station Duties	953	13	12,912
Fire suppression	141	36	5,186
Wellness/fitness	100	39	3,996
Skills training	94	40	3,797
Fire prevention	52	13	682
Responding to incident	32	29	958
Rescue - nonfire-related	21	27	576
Returning from incident	19	39	754
Rescue - fire-related	5	33	166
Hazmat	3	14	43
<b>Total</b>	<b>2,432</b>	<b>27</b>	<b>41,208</b>

**Table 14: Activities Individuals Were Doing that Resulted in Lost Time, 2022 Between 1 and 30 Days**

Activity	Count	Days Missed	
		Average	Sum
EMS	979	9	9,197
Station Duties	921	10	9,285
Fire suppression	106	10	1,070
Skills training	65	8	574
Wellness/fitness	64	11	732
Fire prevention	49	9	448
Responding to incident	25	10	267
Rescue - nonfire-related	18	8	158
Returning from incident	13	13	170
Rescue - fire-related	4	17	69
Hazmat	3	14	43
<b>Total</b>	<b>2,247</b>	<b>11</b>	<b>22,013</b>

**Table 15: Activities Individuals Were Doing that Resulted in Lost Time, 2022  
Between 31 and 90 Days**

Activity	Count	Days Missed	
		Average	Sum
EMS	24	51	1,240
Wellness/Fitness	23	56	1,299
Station Duties	19	44	841
Fire Suppression	19	55	1,062
Skills Training	15	57	855
Responding to incident	4	45	182
Returning from incident	4	40	161
Fire Prevention	2	61	123
Rescue - nonfire-related	1	53	53
<b>Total</b>	<b>111</b>	<b>51</b>	<b>5,816</b>

**Table 16: Activities Individuals Were Doing that Resulted in Lost Time, 2022  
91+ Days**

Activity	Count	Days Missed	
		Average	Sum
Fire Suppression	16	190	3,054
Skills Training	14	169	2,368
Station Duties	13	214	2,786
Wellness/Fitness	13	151	1,965
EMS	9	189	1,701
Responding to incident	3	169	509
Rescue - nonfire-related	2	182	365
Fire Prevention	1	111	111
Rescue - fire-related	1	97	97
<b>Total</b>	<b>42</b>	<b>159</b>	<b>7,534</b>

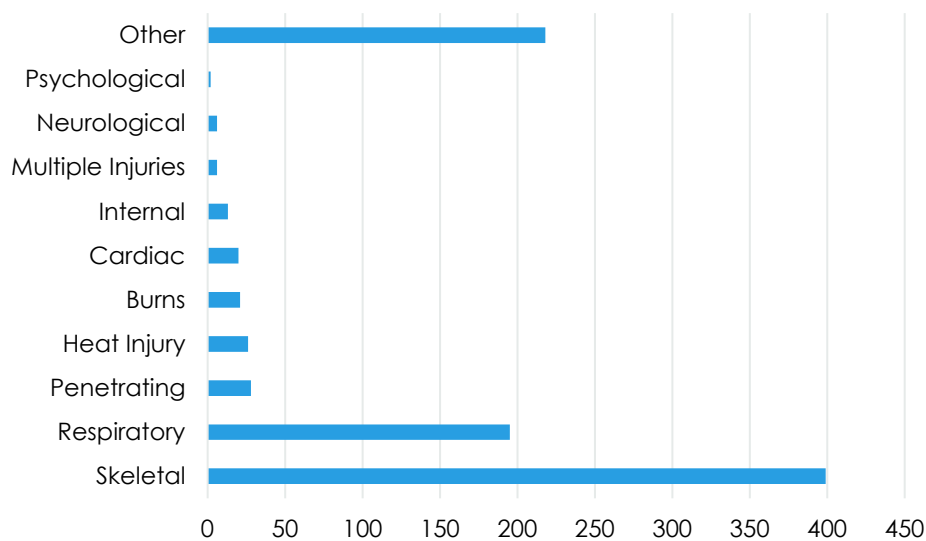


## Types of Injuries with Lost Time

**Table 17: Types of Injuries Resulting in Lost Time, 2022**

Type of Injury	Count
Skeletal	399
Respiratory	195
Penetrating	28
Internal	13
Burns	21
Cardiac	20
Heat Injury	26
Multiple Injuries	6
Psychological	2
Neurological	6
Other	218
<b>Total</b>	<b>934</b>

**Figure 7: Types of Injuries Resulting in Lost Time, 2022**



## Burn Injuries

**Table 18: All Burns, 2018 – 2022**

All Burns - Types	2018	2019	2020	2021	2022
Heat/Fire (thermal)	108	72	80	66	83
Scald or Steam	12	10	11	12	19
Chemical	6	6	2	3	6
Electrical	1	2	3	4	4
<b>Totals</b>	<b>127</b>	<b>90</b>	<b>96</b>	<b>85</b>	<b>112</b>

**Table 19: Burns by Body Part Sub-Type, 2018 – 2022**

Body Part Sub-Type	2018	2019	2020	2021	2022
Back: Back	1	0	0	2	2
Back: Buttocks	0	0	0	0	n/a
Back: Lower Back	0	0	0	0	0
Back: Neck	0	0	0	0	0
Back: Spine	0	0	0	0	0
Chest: Abdomen	0	2	0	0	0
Chest: Abdominal Area	0	0	0	0	0
Chest: Chest	2	0	0	0	3
Head: Brain	n/a	n/a	n/a	0	0
Head: Cheek	2	1	1	1	4
Head: Chin	2	1	3	0	1
Head: Ear	17	17	12	13	9
Head: Eye	4	5	3	2	0
Head: Face	9	7	8	2	6
Head: Forehead	n/a	n/a	n/a	1	2
Head: Jaw	0	0	0	0	n/a
Head: Mouth	0	1	0	0	0
Head: Nose	1	0	0	1	0
Head: Skull	n/a	n/a	0	0	1

Hip: Groin	0	0	0	0	0
Hip: Hip	0	0	0	1	0
Hip: Pelvis	0	0	0	n/a	0
Internal: Genito-urinary	0	0	0	0	0
Internal: Heart	0	0	0	0	0
Internal: Internal	0	0	0	0	0
Internal: Intestinal tract	0	0	0	0	0
Internal: Lungs	0	0	0	0	0
Internal: Stomach	0	0	0	0	0
Internal: Trachea	0	0	n/a	0	n/a
Lower Extremities: Ankle	0	0	1	1	1
Lower Extremities: Foot	6	3	4	3	4
Lower Extremities: Knee	0	1	1	0	0
Lower Extremities: Lower Leg	8	3	1	3	5
Lower Extremities: Toes	0	1	0	0	0
Lower Extremities: Upper Leg	0	0	1	0	1
Multiple Parts: Lower Body	0	0	0	0	1
Multiple Parts: Unknown	0	0	0	0	1
Multiple Parts: Upper Body	10	6	11	7	7
Multiple Parts: Whole Body	5	4	0	3	4
Neck: Neck	2	2	2	2	5
Neck: Throat	0	0	0	0	0
Upper Extremities: Elbow	0	0	1	2	2
Upper Extremities: Hands	30	16	20	24	21
Upper Extremities: Lower Arm	0	5	14	8	10
Upper Extremities: Shoulder	9	1	4	3	12
Upper Extremities: Upper Arm	11	3	0	3	8
Upper Extremities: Wrist	8	11	9	3	2
<b>Totals</b>	<b>127</b>	<b>90</b>	<b>96</b>	<b>85</b>	<b>112</b>

## Exposures

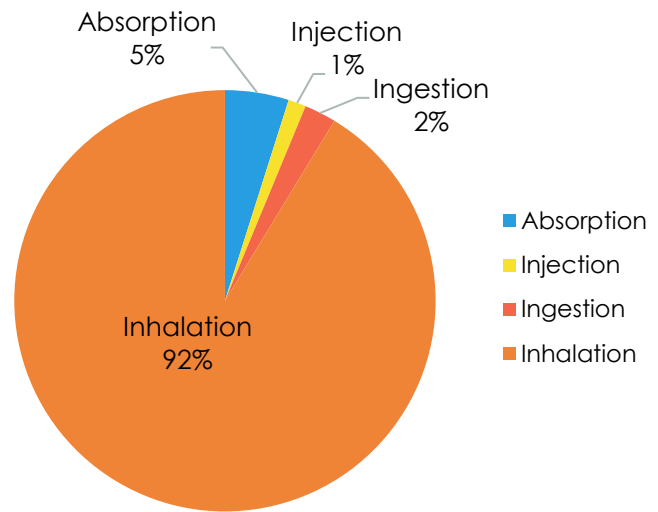
**Table 20: Exposures by Sub-type, 2018 – 2022**

<b>Exposure + Sub-Type</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
Chemical: Ammonia	1	3	0	6	0
Chemical: Battery Acid	n/a	4	0	2	1
Chemical: Benzene	2	15	1	1	0
Chemical: Bleach	1	11	0	2	0
Chemical: Not listed	151	160	70	40	25
Chemical: Unidentified	73	55	27	34	42
Physical: Animal venom	6	17	5	7	3
Physical: Meningitis	38	40	33	3	3
Physical: Not listed	138	201	42	27	35
Physical: Plant toxin	27	14	12	24	22
Physical: Radiation	n/a	4	1	0	0
Physical: Unidentified	87	66	13	17	24
Physical: UV Light	n/a	2	1	0	1
Respiratory: Blood	69	73	78	54	48
Respiratory: COVID 19	n/a	1	1,715	2,878	3,466
Respiratory: Influenza	4	19	7	2	2
Respiratory: Not listed	108	118	56	8	9
Respiratory: Saliva	24	22	28	15	23
Respiratory: Tuberculosis	98	76	31	16	29
Respiratory: Unidentified	50	37	6	19	13
Respiratory: Vomit	7	8	13	4	4
Other: Asbestos	n/a	3	1	109	30
Other: Carbon Monoxide	n/a	1	6	2	11
Other: Carcinogenic Substances	n/a	1	13	15	21
Other: Contaminated Water/Sewage	n/a	4	11	8	21
Other: Chlorine	n/a	n/a	n/a	6	3
Other: Heavy Metals	n/a	0	1	0	1
Other: Mold	n/a	0	9	4	29
Other: Smoke/Products of Combustion	n/a	5	19	37	81
Other: Virus	n/a	3	1,878	266	203
<b>Total</b>	<b>884</b>	<b>963</b>	<b>4,077</b>	<b>3,606</b>	<b>4,150</b>

**Table 21: Exposure by Route, 2022**

Route	Count
Inhalation	3,808
Absorption	191
Injection/Puncture	60
Ingestion	92
<b>Total</b>	<b>4,151</b>

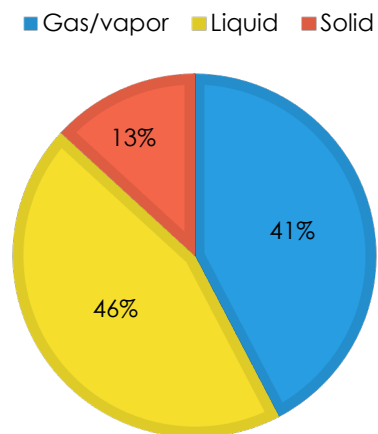
**Figure 8: Exposure by Route, 2022, percentages**



**Table 22: Exposure by Substance, 2022**

Substance	Count
Liquid	1,952
Gas/vapor	1,656
Solid	543
<b>Total</b>	<b>4,151</b>

**Figure 9: Exposure by Substance, 2022, percentages**



## Cancer

In June of 2019, the Governor of Texas signed Senate Bill 2551 (SB 2551) which expanded the scope of the law in which firefighters and EMTs who suffer from cancer are presumed to have developed the condition during the course and scope of their employment. The types of cancer this law addresses include:

- cancers that originate at the stomach, colon, rectum, skin, prostate, testis or brain
- non-Hodgkin's lymphoma
- multiple myeloma
- malignant melanoma
- renal cell carcinoma

TCFP received **70** reports of cancer diagnoses from fire departments in 2022:

**Skin** – 17 reports

(Males, ages 40, 40, 43, 44, 45, 47, 49, 49, 50, 51, 52, 54, 54, 55, 59, 61)

(Female – 49)

**Prostate** – 8

(Males – 49, 49, 53, 54, 57, 58, 62, 64)

**Blood** – 6

(Males – 39, 43, 44, 47, 47, 48)

**Colon** – 5

(Males – 47, 51, 53, 61)

(Female – 52)

**Kidney** – 4

(Males – 54, 60, 68)

(Female – 34)

**Testicular** – 4

(Males – 26, 31, 31, 33)

**Thyroid** – 3  
(Males – 34, 38, 38)

**Adenoid** – 1  
(Male – 57)

**Bladder** – 1  
(Male – 51)

**Brain** – 1  
(Male – 62)

**Breast** – 1  
(Female – 52)

**Bone** – 1  
(Male – 34)

**Lung** – 1  
(Male – 47)

**Pancreas** – 1  
(Male – 41)

**Rectal** – 1  
(Male – 47)

**Stomach** – 1  
(Male – 49)

**Unidentified** – 14  
(Males – 29, 31, 36, 41, 41, 41, 41, 47, 52, 53, 55, 56, 61, 68)

### **A Reminder for Fire Departments**

Any injuries to fire protection personnel that are reported to the Texas Worker's Compensation Commission must be reported to the Texas Commission on Fire Protection. This includes cancer diagnoses.

**The commission strongly encourages fire departments to report cancer diagnoses;** the commission recognizes that the number of job-related cancers reported during this time-period represents only a fraction of the cases that Texas fire departments are currently managing. There is a growing awareness of the impact that cancer is having on fire protection personnel nationwide, and the commission urges departments to use this reporting tool to help contribute to the education and awareness of the issue in Texas.

## SOP Issues; PPE and PASS Failures

In 2022 there were 17 injuries attributed to failures of fire protection personnel to follow their departments' standard operating procedures (SOPs). All but a few were instances where the individuals were not wearing their provided PPE/SCBA gear in an environment or situation in which they should have been wearing it.

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

**Table 23: Injuries Attributed to SOP Issues, 2022**

Activity	Minor	Serious	Total	Previous years' totals			
				2021	2020	2019	2018
EMS	1	0	1	1	18	11	9
Fire Suppression	4	3	7	8	10	10	19
Skills Training	3	0	3	2	5	1	2
Fire related rescue	1	0	1	0	0	2	0
Station Duties	3	1	4	1	2	6	1
Nonfire related rescue	1	0	1	0	0	4	0
<b>Totals</b>	<b>13</b>	<b>4</b>	<b>17</b>	<b>12</b>	<b>35</b>	<b>34</b>	<b>31</b>

**Table 24: Injuries Attributed to PPE and PASS Failures, 2022**

Activity	Minor	Serious	Fatal	Total	Previous years' totals			
					2021	2020	2019	2018
Fire Suppression	6	1	0	7	4	7	2	8
Skills Training	1	0	0	1	1	1	2	2
<b>Totals</b>	<b>7</b>	<b>1</b>	<b>0</b>	<b>8</b>	<b>5</b>	<b>8</b>	<b>4</b>	<b>10</b>



## Recommendations

The commission would like to thank Texas fire departments for their ongoing participation in reporting fire protection personnel injuries. This report would not be possible without their efforts.

Based on their review of the data contained within this report, the commission offers the following recommendations and reminders for the Texas Fire Service:

1. NFPA 1851: Standard on Selection, Care, and Maintenance of Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting is required by state law.
2. Review the following updated legislation:
  - TX Gov't Code 607 (benefits relating to certain diseases and illnesses)
  - HB 2073, Legislative Session 87R (quarantine leave)
  - HB 2143, Legislative Session 86R (workers comp & PTSD)
  - SB 22, Legislative Session 87R (presumptive claims for benefits)
3. Continually review and practice roadway safety and traffic incident management practices.
4. Review all of your department's SOPs with a focus on injury prevention.

*These are the recommendations from 2021.   
The commission needs to offer new recommendations  
for this report.*

## Commission-Adopted Standards

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

### Texas Government Code

[§419.040, Protective Clothing](#)

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

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

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

[§419.044, Incident Management System](#)

[§419.045, Personnel Accountability System](#)

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

[§419.047, Commission Enforcement](#)

### Texas Administrative Code

[CHAPTER 425 FIRE SERVICE INSTRUCTORS](#)

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

[CHAPTER 435 FIRE FIGHTER SAFETY](#)

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

[§435.23 Fire Fighter Injuries](#)

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

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

CHAPTER 451 FIRE OFFICER

CHAPTER 457 INCIDENT SAFETY OFFICER CERTIFICATION

Commission's web page

NFPA Standards adopted by the commission

**19. Matters from the Agency Chief:**

**A. Update regarding agency duties and responsibilities.**

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

**C. Status regarding division functions:**

- 1. Training Approval & Testing – test administered, training approvals, record reviews, and online training audits.**
- 2. Certification & Professional Development – training applications, IFSAC seals issued, certifications issued, training facilities, curriculum development, library resource requests.**
- 3. Compliance – biennial inspections, compliance officers training, issues involving regulated entities.**
- 4. Information Technology – public website design, FARM and FIDO improvements, CAPPS (Central Accounting Payroll/Personnel System), IT security policy, and service requests.**

## Commission Quarterly Report

### Training Approval and Testing Section

- **Test Administration, Training Approvals, Record Reviews, and Training Audits Statistics – 3rd Quarter, FY 2023**
  - **Test Administration** – **8231** exams were administered during this quarter with a pass rate of **82.72%**.
  - **Training Approvals** – Total of **1139** training approvals were submitted with start dates during this quarter in the commission’s Training Facility Management System.
  - **Record Reviews** – One hundred seventy-three (**173**) record reviews for equivalency were conducted (**43 SFFMA/130 out of state, education, and Wildland**). One hundred twenty-one (**121**) out of state, education and Wildland reviews were approved, two (**2**) were denied and seven (**7**) are pending for additional information. Two hundred seventy-one (**271 – includes expired certifications and expired test scores**) Qual numbers were issued in the Training Facility Management System.
  - **Training and Skill Testing Audits** – Seventeen (**17**) online training audits were conducted during the 3rd quarter. Two (**2**) had no deficiencies noted. Two (**2**) were referred to compliance due to violations that were corrected with education. Thirteen (**13**) had minor deficiencies such as no syllabus attached, no Instructor contact, no course schedule, no textbook information, or no skills examiners. All issues were resolved in one or two days.
  - **Online Testing Centers Added:**
    - Texas A&M – Commerce**
    - Collin Co. Community College – McKinney**
    - Collin Co. Community College – Wylie**
    - Laredo College**
    - University of Houston**

**Activities for the Next Quarter:**

**Proceed with onboarding 6 additional testing centers.**

**Conduct temporary provision testing for the new Fire Marshal certification.**

**\*\*Written and Online Exams between March 1<sup>st</sup> – May 31<sup>st</sup>:**

**Online Exams: 3279**

**Written Exams: 1898**

**\*\*Written and Online Exams between May 1<sup>st</sup> – May 31<sup>st</sup> (Heavy testing month)**

**Online Exams: 1232**

**Written Exams: 946**

2023 2nd Quarter: Certification & Professional Development  
March 1, 2023- May 30, 2023

	Q1	Q2	Q3	Q4
<b><u>Certification/Renewal:</u></b>				
Professional Development Training Applications			2509	
<b><u>Issued:</u></b> IFSAC Seals			2199	
TCFP Certifications			4541	
Criminal History			852	
Medical documents:			1252	
Confirmation of Commissions (Peace Officer)			46	
Service time applications			124	
<b><u>Renewals:</u></b> Department Personnel			15	
Certified Training Facilities			27	
Individual Certified Holders			101	
Registered Seals: IFSAC			551	
TEEX Proboard			401	
Total number of Training Facilities			391	

**Quarterly Report – Curriculum Development**

March 2023 – May 2023

**3<sup>rd</sup> Quarter Meeting Dates:**

Commission Meeting

- April 20

Fire Fighter Advisory Committee

- No agenda items

Curriculum and Testing Committee

- March 10 – Zoom
- March 24 – Zoom
- March 31 – Zoom
- April 4 – Zoom
- April 18-19 - TCFP

Fire Marshal Ad Hoc Committee

- March 13 – Zoom
- May 19 – Zoom

Fire and Life Safety Educator Committee

- April 25-26

#### HazMat Committee

- March 28 – Zoom

#### Inspector Ad-Hoc Committee

- April 26-27

#### Rope Technical Rescue Committee

- March 29-30

#### IFSAC Conference

- April 11-14

#### IT/ Curriculum / Testing

May 24 – Fire Marshal Dry Run Testing of System

#### **Meetings: Detail**

- **Texas Commission on Fire Protection – April 20, 2023 9:00 a.m.**
  - Investigator Reference updated
- **Fire Fighter Advisory Committee**
  - No agenda items
- **Curriculum and Testing Committee**
  - March 10 – Zoom
    - Fire Marshal test question review
  - March 24 – Zoom
    - Fire Marshal test question review
  - March 31 – Zoom
    - Fire Marshal test question review
  - April 4 – Zoom
    - Fire Marshal test question review
  - April 18-19 –
    - Rope Texas Administrative Code 469
- **Fire Marshal Ad Hoc Committee –**
  - March 13 – Zoom
    - Test Question Review
  - May 19 – Zoom
    - Test Question Review
- **Hazmat Ad Hoc Committee**
  - March 28
    - Test Question Review
- **Rope Rescue Ad Hoc Committee**
  - **March 29-30**
    - Curriculum Manuals
    - Skills Manuals

- Texas Administrative Code
  - Test question review
- **IFSAC Conference**
  - April 11-14
    - Attended training to become IFSAC Auditor

### **FARM Updates**

- Investigator Questions Edition Dates Reviewed
- Fire Marshal Correlation Sheet Created in FARM
- Fire Marshal Test Bank Entered
- Fire Marshal Test Bank Correlated
- Rope Rescue Awareness & Operations Level Correlation Sheet Created in FARM
- Rope Rescue Technician Level Correlation Sheet Created in FARM

### **Test Question Feedback Review**

- Feedback Scheduled Review-
  - Reviewed Mar. 2
  - Reviewed Mar. 16
  - Reviewed Mar. 30
  - Reviewed Apr. 6
  - Reviewed Apr. 20
  - Reviewed May 5
  - Reviewed May 19

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

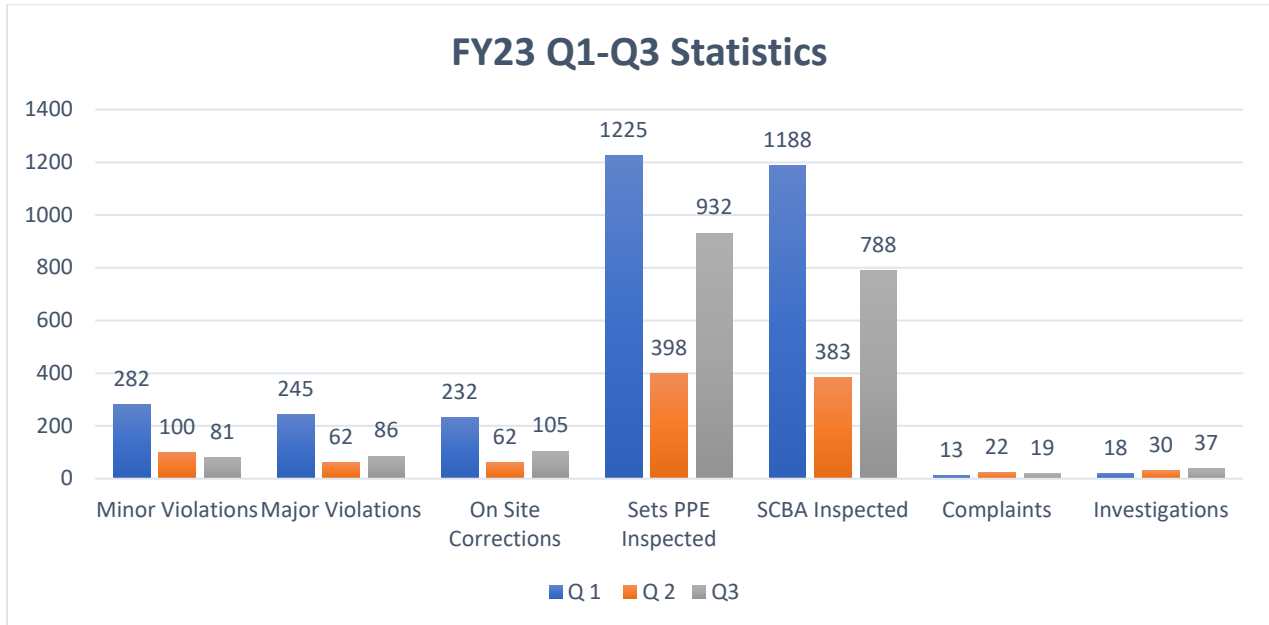
### **Test Development and Test Bank Maintenance**

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



# Commission Quarterly Report Compliance Division

Compliance Inspection Activity statistics:



TCFP update at TFCA conference

6 regional meetings

Worked with testing to establish more on-line testing centers

Internal training

2 Compliance Officers attended training at WL Gore

Working with PPE/SCBA manufacturers to set up quarterly training

2 "Big" 7 inspections

1 request for a complete department review

Inspection files forwarded to compliance chief for further action: 7

Injury/Complaint investigations continue on an upward trajectory

**IT Division report for 3<sup>rd</sup> quarter:**

- TCFP Websites and Web Applications Uptime 99.9%
- Databases
  - Servers optimized
- FARM/ FIDO
  - Bug Fixes
  - Enhancements
  - Added injury incident tool page
- Public Website
  - Updated Commissioners' webpage
  - Redesigned and Updated FFAC and Curriculum Committees Webpages
  - Created Health & Wellness Committee Webpage
- Addressed 366 Service Requests (Tickets)

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

**21. Adjourn meeting.**