

FIRE FIGHTER ADVISORY COMMITTEE**AGENDA****September 20, 2018, 10:00 A.M.****1701 N. Congress Ave., William B. Travis Building, Room 1-104, Austin, Texas**

The Fire Fighter Advisory Committee will convene in open session to deliberate and possibly take formal action on any of the following agenda items:

- 1. Roll call - 10:00 a.m.**
- 2. Adoption of June 21, 2018 Fire Fighter Advisory Committee meeting minutes.**
- 3. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 449, Head of a Fire Department.**
- 4. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 455, Minimum Standards for Wildland Fire Protection Certification.**
- 5. Discussion and possible action on recommendations to the injury reporting program.**
- 6. Discussion and possible action on possible changes to Inspector certification.**
- 7. Discussion and possible action on setting future meeting dates, locations and agenda items.**
- 8. Adjourn meeting.**

1. Roll call---10:00 a.m.

2. Adoption of the June 21, 2018 Fire Fighter Advisory Committee meeting minutes.

TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer Jim Reidy called the June 21, 2018 meeting of the Fire Fighter Advisory Committee to order at 10:00 a.m. at the William B. Travis Building, 1701 N. Congress Ave., Room 1-104, in Austin, Texas.

Member	Jim Reidy	Michael Wisko	Amado Cano, Jr.**	Ken Swindle	Keith Schmidt
Attendance	Jason Collier	Daniel DeYear	Daniel Buford	Daniel Anderson	
					absent entire meeting **absent part of meeting

Staff	Tim Rutland	Deborah Cowan	Andrew Lutostanski, Assistant Attorney General
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| 1. | Roll call | Secretary Daniel DeYear called roll and a quorum was present. |
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| 2. | Adoption of Minutes | A motion was made by Jason Collier and seconded by Ken Swindle to approve the minutes of the March 8, 2018, fire fighter advisory committee meeting as discussed. The motion carried. |
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| 3. | Report from Curriculum & Testing Committee | Grace Wilson, discussed the new Fire and Life Safety Educator II curriculum and also discussed the updates to the Fire and Life Safety Educator I curriculum. After discussion, a motion was made by Daniel DeYear and seconded by Daniel Buford to forward the curricula to the commission for approval. The motion carried. |
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| 4. | 37 TAC, Chapter 433 | A motion was made by Mike Wisko and seconded by Jason Collier to approve the amendments to 37 TAC, Chapter 433, Driver/Operator, §433.201 as proposed by the commission. The motion carried. |
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| 5. | 37 TAC, Chapter 435 Fire Fighter Safety | A motion was made by Mike Wisko and seconded by Daniel DeYear to recommend to the commission to amend current proposed rule changes to 37 TAC, Chapter 435, §435.1(3) as discussed. The motion carried. |
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| 6. | 37 TAC, Chapter 439 | A motion was made by Daniel DeYear and seconded by Amado Cano, Jr. to approve the amendments to 37 TAC, Chapter 439, Examinations For Certification, §439.7, §439.9, and §439.11 as proposed by the commission. The motion carried. |
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| 7. | 2017 Injury Report | <p>A motion was made by Jason Collier and seconded by Ken Swindle to accept the report and recommend to the commission that the current appointed ad hoc committee develop mandatory CE on trending injuries and illness.</p> <p>After further discussion, the motion was withdrawn.</p> <p>The committee recommends that the commission submit the report to the State Fire Marshal's Office with the recommendation that fire departments review the report and address the information with their personnel and encourage fire departments to report all cancer cases involving their fire protection personnel.</p> |
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8. Future meeting dates and agenda items The following meeting dates were previously set by the committee: September 20, 2018 and December 13, 2018. All meetings are scheduled to begin at 10:00 a.m.

Committee member Amano Cano, Jr. announced that after the next scheduled meeting on September 20, 2018 he will be resigning from the committee.

Chairman, Jim Reidy also announced that he will be resigning as Chairman of the committee effective upon adjournment but will remain a committee member.

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9. Election of Officers Mike Wisko, the current Vice Chairman will assume the Chairman position per Roberts Rules of Order.

Jason Collier nominated Daniel DeYear to become the Vice Chair and Ken Swindle seconded the nomination. The chair asked for any other nominations and hearing none Keith Schmidt made a motion that the nominee be approved by acclamation. The motion carried.

Jason Collier nominated Keith Schmidt to become Secretary and Ken Swindle seconded the nomination. The chair asked are there any further nominations and hearing none Daniel DeYear made a motion that the nominee be approved by acclamation. The motion carried.

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10. Adjournment A motion to adjourn was made by Keith Schmidt and seconded by Mike Wisko. The motion carried.

Jim Reidy
Presiding Officer

3. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 449, Head of a Fire Department.

CHAPTER 449

HEAD OF A FIRE DEPARTMENT

SUBCHAPTER A

MINIMUM STANDARDS FOR HEAD OF A SUPPRESSION FIRE DEPARTMENT

§449.1. Minimum Standards for the Head of a Suppression Fire Department.

- (a) An individual who becomes employed and is **appointed** [~~assigned~~] as the head of a suppression fire department must be certified by the commission as Head of a Suppression Fire Department, within one year of appointment.
- (b) **Prior to being appointed as the head of a suppression fire department, an individual must:** [~~An individual appointed head of a suppression fire department must be eligible to be certified at the time of the appointment or will become eligible to be certified within one year of the appointment and must submit an affidavit verifying eligibility status at the time of the appointment if not holding a commission certification.~~]
- (1) **hold a Texas Commission on Fire Protection certification as fire protection personnel in any discipline that has a commission approved curriculum that requires structural fire protection personnel certification. The individual must have five years of experience in a full-time fire suppression position or ten years in a part-time fire suppression position at the time of appointment, or attain the required years of experience within one year of the appointment; or**
- (2) **provide documentation of accreditation from the International Fire Service Accreditation Congress that is deemed equivalent to the commission's approved basic fire suppression curriculum, and provide documentation in the form of a sworn non-self-serving affidavit of five years of experience in a full-time fire suppression position in a jurisdiction other than Texas; or**
- (3) **provide documentation in the form of a sworn non-self-serving affidavit of ten years of experience as an employee of a local governmental entity in a full-time structural fire protection personnel position in a jurisdiction other than Texas; or**
- (4) **provide documentation in the form of a sworn non-self-serving affidavit of ten years of experience as an active volunteer fire fighter in one or more volunteer fire departments. The ten years of volunteer service must include documentation of attendance at 40% of the drills for each year and attendance of at least 25% of a department's emergencies in a calendar year while a member of a volunteer fire department or departments with ten or more active members that conducts a minimum of 48 hours of drills in a calendar year.**
- (c) Holding the Head of a Fire Suppression Fire Department certification does not qualify an individual for any other certification. An individual who seeks certification in another discipline must meet the requirements for that discipline.
- (d) Nothing contained in this chapter shall be construed to supersede Chapter 143, Local Government Code, in regard to appointment of a head of a suppression fire department.

- (e) Individuals certified as the Head of a Suppression Fire Department must meet the continuing education requirement as provided for in Chapter 441 of this title (relating to Continuing Education).
- (f) An individual certified as Head of a Suppression Fire Department under this subchapter may engage in fire fighting activities only as the head of a suppression fire department. These activities include incident command, direction of fire fighting activities or other emergency activities typically associated with fire fighting duties, i.e. rescue, confined space and hazardous materials response.

§449.3. Minimum Standards for Head of a Suppression Fire Department Certification.

~~[(a)]~~ Applicants for Head of a Suppression Fire Department Certification must complete the following requirements:

- (1) must be appointed as head of a fire department; and
 - (2) complete the Standards Review Assignment for Head of a Fire Department identified in the applicable chapter of the Certification Curriculum Manual; and
 - (3) meet with a Texas Commission on Fire Protection Compliance Section representative for review and approval of the Standards Review Assignment; and
 - (4) attend at least one Texas Commission on Fire Protection regularly scheduled commission meeting or one regularly scheduled fire fighter advisory committee meeting in the first year of appointment; and
 - (5) document completion of the National Incident Management System courses 100, 200, 300, 400, 700, and 800. ~~[-; and]~~
 - ~~[(6) hold a Texas Commission on Fire Protection certification as a fire protection personnel in any discipline that has a commission approved curriculum that requires structural fire protection personnel certification and five years experience in a full-time fire suppression position; or]~~
 - ~~[(7) an individual from another jurisdiction who possesses valid documentation of accreditation from the International Fire Service Accreditation Congress that is deemed equivalent to the commission's approved basic fire suppression curriculum and provide documentation in the form of a sworn non-self serving affidavit of five years experience in a full-time fire suppression position; or]~~
 - ~~[(8) provide documentation in the form of a non-self serving sworn affidavit of ten years experience as an employee of a local governmental entity in a full-time structural fire protection personnel position in a jurisdiction other than Texas; or]~~
 - ~~[(9) provide documentation in the form of a sworn non-self serving affidavit of ten years of experience as a certified structural part-time fire protection employee; or]~~
 - ~~[(10) provide documentation in the form of a sworn non-self serving affidavit of ten years experience as an active volunteer fire fighter in one or more volunteer fire departments that meet the requirements of subsection (b) of this section.]~~
- ~~[(b) The ten years of volunteer service referenced in subsection (a) paragraph (10) must include documentation of attendance at 40% of the drills for each year and attendance of at~~

~~least 25% of a department's emergencies in a calendar year while a member of a volunteer fire department or departments with ten or more active members that conducts a minimum of 48 hours of drills in a calendar year.]~~

CHAPTER 449

HEAD OF A FIRE DEPARTMENT

SUBCHAPTER B

MINIMUM STANDARDS FOR HEAD OF A PREVENTION ONLY FIRE DEPARTMENT

§449.201. Minimum Standards for the Head of a Prevention Only Fire Department.

- (a) An individual who becomes employed and is **appointed** ~~[assigned]~~ as the head of a prevention only fire department must be certified by the commission as Head of a Prevention Only Fire Department, within one year of appointment.
- (b) **Prior to being appointed as the head of a prevention only fire department, an individual must:** ~~[An individual appointed head of a prevention only fire department must be eligible to be certified at the time of the appointment or will become eligible to be certified within one year of the appointment and must submit an affidavit verifying eligibility status at the time of the appointment if not holding a commission certification.]~~
- (1) hold a Texas Commission on Fire Protection certification as a fire inspector, fire investigator, or arson investigator. The individual must have five years of experience in a full-time fire prevention position or ten years in a part-time fire prevention position at the time of appointment, or attain the required years of experience within one year of the appointment; or**
- (2) possess valid documentation of accreditation from the International Fire Service Accreditation Congress that is deemed equivalent to the commission's approved basic arson investigator, fire investigator or fire inspector curriculum and provide documentation in the form of a sworn non-self-serving affidavit of five years of experience in a full-time fire prevention position in a jurisdiction other than Texas; or**
- (3) provide documentation in the form of a sworn non-self-serving affidavit of ten years of experience as an employee of a local governmental entity in a full-time fire inspector, fire investigator, or arson investigator position in a jurisdiction other than Texas; or**
- (4) provide documentation in the form of a sworn non-self-serving affidavit of ten years of experience as a certified fire investigator, fire inspector or arson investigator as a part-time fire prevention employee; or**
- (5) provide documentation in the form of a sworn non-self-serving affidavit of ten years of fire prevention experience as an active volunteer fire inspector, fire investigator, or arson investigator.**
- (c) Holding the Head of a Prevention Only Fire Department certification does not qualify an individual for any other certification. An individual who seeks certification in another discipline must meet the requirements for that discipline.
- (d) Nothing contained in this chapter shall be construed to supersede Chapter 143, Local Government Code, **regarding** ~~[in regard to]~~ appointment **as the** ~~[of a]~~ head of a prevention only fire department.

- (e) Individuals certified as the Head of a Prevention Only Fire Department must meet the continuing education requirement as provided for in Chapter 441 of this title (relating to Continuing Education).

§449.203. Minimum Standards for Head of a Prevention Only Fire Department Certification.

Applicants for Head of a Prevention Only Fire Department Certification must complete the following requirements:

- (1) must be appointed as head of a prevention only fire department; and
- (2) complete the Standards Review Assignment for Head of a Fire Department identified in the applicable chapter of the Certification Curriculum Manual; and
- (3) meet with a Texas Commission on Fire Protection Compliance Section representative for review and approval of the Standards Review Assignment; and
- (4) attend at least one Texas Commission on Fire Protection regularly scheduled commission meeting or one regularly scheduled fire fighter advisory committee meeting in the first year of appointment; and
- (5) **document** ~~[documentation of]~~ completion of National Incident Management System **courses** 100, 200, 300, 400, 700 and 800. ~~]; and]~~
- ~~[(6) hold a Texas Commission on Fire Protection certification as a fire inspector, fire investigator, or arson investigator and have five years experience in a full-time fire prevention position; or]~~
- ~~[(7) an individual from another jurisdiction who possesses valid documentation of accreditation from the International Fire Service Accreditation Congress that is deemed equivalent to the commission's approved basic arson investigator, fire investigator or fire inspector curriculum and provide documentation in the form of a sworn non-self serving affidavit of five years experience in a full-time fire prevention position; or]~~
- ~~[(8) provide documentation in the form of a sworn non-self serving affidavit of ten years experience as an employee of a local governmental entity in a full-time fire inspector, fire investigator, or arson investigator position in a jurisdiction other than Texas; or]~~
- ~~[(9) provide documentation in the form of a sworn non-self serving affidavit of ten years experience as a certified fire investigator, fire inspector or arson investigator as a part-time fire prevention employee; or]~~
- ~~[(10) provide documentation in the form of a sworn non-self serving affidavit of ten years fire prevention experience as an active volunteer fire inspector, fire investigator, or arson investigator.]~~

4. Discussion and possible action regarding proposed amendments to 37 TAC, Chapter 455 Minimum Standards for Wildland Fire Protection Certification.

CHAPTER 455**MINIMUM STANDARDS FOR WILDLAND FIRE PROTECTION CERTIFICATION****§455.1. Minimum Standards for Wildland Fire Protection Personnel.**

- (a) A wildland fire fighter is defined as an individual whose assigned function is suppression of fires in the wildland or wildland-urban interface setting.
- (b) Individuals holding Wildland Fire Protection certification shall be required to comply with the continuing education requirements in Chapter 441 of this title (relating to Continuing Education).
- (c) All Wildland Fire Protection certifications issued by the commission and referenced in this chapter are voluntary.

§455.3. Minimum Standards for Basic Wildland Fire Protection Certification.

In order to be certified as Basic Wildland Fire Protection personnel, an individual must:

- (1) possess valid documentation of accreditation from the International Fire Service Accreditation Congress as Wildland Fire Fighter Level I; or
- (2) complete a commission approved Basic Wildland Fire Protection program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Basic Wildland Fire Protection training program shall consist of one of the following:
 - (A) completion of the commission approved Basic Wildland Fire Fighter training program, as specified in the applicable chapter of the commission's Certification Curriculum Manual; or
 - (B) completion of the following National Wildfire Coordinating Group (NWCG) courses:
 - (i) S-130: Firefighter Training;
 - (ii) S-190: Introduction to Wildland Fire Behavior;
 - (iii) L-180: Human Factors on the Fireline; and
 - (iv) I-100: Introduction to the Incident Command System, or an equivalent basic incident command system course such as NIMS IS-100

§455.5. Minimum Standards for Intermediate Wildland Fire Protection Certification.

In order to be certified as Intermediate Wildland Fire Protection personnel, an individual must:

- (1) hold Basic Wildland Fire Protection certification issued by the commission; and
- (2) complete the associated position task book as adopted by the National Wildfire Coordinating Group (NWCG) 310-1. Proof of completion of the position task book must be from the Texas Intrastate Fire Mutual Aid System (TIFMAS) (e.g. task book approval form or TIFMAS card); and

- (3) individual who hold Structure Fire Protection certification issued by the commission must complete a commission approved Intermediate Wildland Fire Protection program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Intermediate Wildland Fire Protection training program shall consist of one of the following:
- (A) completion of the commission approved Intermediate Wildland Fire Fighter Curriculum, as specified in the applicable chapter of the commission's Certification Curriculum Manual; or
 - (B) completion of the NWCG course G-131: Wildland Training (FFT1) for Structural Fire Fighters; or
 - (C) completion of the NWCG courses S-131 and S-133 **prior to October 2016, or only S-131 after October 2016**; or
- (4) individuals who hold a State Firemen's and Fire Marshals' Association Advanced Accredited certification issued prior to January 1, 2012, or a State Firemen's and Fire Marshals' Association Firefighter II certification issued on or after January 1, 2012, must complete a commission approved Intermediate Wildland Fire Protection program and successfully pass the commission examination which includes both Basic Structure Fire Protection and Intermediate Wildland Fire Protection, as specified in Chapter 439 of this title. An approved Intermediate Wildland Fire Protection training program shall consist of one of the following:
- (A) completion of the commission approved Intermediate Wildland Fire Fighter Curriculum, as specified in the applicable chapter of the commission's Certification Curriculum Manual; or
 - (B) completion of the NWCG course G-131: Wildland Training (FFT1) for Structural Fire Fighters; or
 - (C) completion of the NWCG courses S-131 and S-133 **prior to October 2016, or only S-131 after October 2016**.

§455.7. Examination Requirements.

- (a) Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive Wildland Fire Protection Certification.
- (b) Persons seeking a commission certification referenced in this chapter who do not currently hold a certification issued by the commission must meet all requirements regarding application for initial certification.

5. Discussion and possible action recommendations to the injury reporting program.

6. Discussion and possible action on possible changes to Inspector certification.

7. Discussion and possible action on setting future meeting dates, locations and agenda items.

8. Adjourn meeting