

SENATE BILL No. 1468

August 24, 2010, Introduced by Senators GARCIA, KAHN, BARCIA, PRUSI, JANSEN and CROPSEY
and referred to the Committee on Economic Development and Regulatory Reform.

A bill to amend 1966 PA 291, entitled
"Firefighters training council act,"
by amending section 9 (MCL 29.369), as amended by 2006 PA 213.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 9. (1) The state fire marshal, with the approval of the
2 council, shall prepare and publish standards with due consideration
3 to varying factors and special requirements of organized fire
4 departments in the following areas:

5 (a) Advisory standards of physical, educational, mental and
6 moral fitness, which shall govern the recruitment, selection, and
7 appointment of firefighters.

8 (b) The approval by the council of firefighter training
9 schools. The standards shall address, at least, the following

1 issues:

2 (i) The qualification and certification of instructors.

3 (ii) The courses of study, attendance, record-keeping
4 requirements, equipment, and facilities.

5 (iii) The visitation and evaluation of instructors and schools.

6 (c) The establishment of subordinate regional training centers
7 in strategic geographic locations in order to serve the greatest
8 number of organized fire departments that are unable to support
9 their own training programs.

10 (2) Each organized fire department shall file a statement with
11 the council designating at least 1 training officer or training
12 coordinator for the fire department. If a training officer or
13 training coordinator is changed, the organized fire department,
14 within 7 days of the change, shall file a statement notifying the
15 council of the change.

16 (3) The council shall develop and provide to each organized
17 fire department, upon request of the organized fire department and
18 at no charge, a videotape, digital video disc, or other electronic
19 form of video display to be used in training firefighters. The
20 videotape, digital video disc, or other electronic form of video
21 display shall not include training that requires a practical
22 demonstration. The videotape, digital video disc, or other
23 electronic form of video display shall be based on the standards
24 for fire fighter I and fire fighter II set forth in "standard for
25 fire fighter professional qualifications", national fire protection
26 association standard no. 1001, 2002 edition. The council may impose
27 a reasonable fee for loss, damage, or late return of a videotape,

1 digital video disc, or other electronic form of video display
2 provided to an organized fire department under this subsection.

3 (4) The state fire marshal, with the approval of the council,
4 shall develop and administer an examination, which shall include a
5 practical demonstration, a written or oral test, or a combination
6 thereof, to determine a person's competency in regard to the
7 knowledge and skill requirements set forth in standards for fire
8 fighter I and fire fighter II set forth in "standard for fire
9 fighter professional qualifications", national fire protection
10 association standard no. 1001, 2002 edition. The council, upon the
11 request of an organized fire department, shall administer the
12 examination in each county at least once every year. The
13 examination shall be administered in 2 parts. Part 1 shall test the
14 knowledge and skill requirements set forth in fire fighter I, and
15 part 2 shall test the knowledge and skill requirements set forth in
16 fire fighter II. The examination may be retaken, as necessary, upon
17 request from an organized fire department.

18 (5) **THE COUNCIL MAY CHARGE TO EACH PERSON TAKING THE**
19 **EXAMINATION A REASONABLE FEE IN AN AMOUNT NOT TO EXCEED THE ACTUAL**
20 **COST OF ADMINISTERING THE EXAMINATION. AN EXAMINATION FEE COLLECTED**
21 **UNDER THIS SUBSECTION SHALL BE RETAINED BY THE COUNCIL TO DEFRAY**
22 **THE EXPENSES OF THE OFFICE IN CARRYING OUT ITS DUTIES UNDER**
23 **SUBSECTIONS (3) AND (4).**

24 (6) ~~(5)~~—Within 12 months after a person's hiring date as a
25 full-time firefighter, the person must pass both part 1 and part 2
26 of the examination to be eligible for continued or permanent full-
27 time employment as a firefighter.

1 (7) A PERSON WHO SUCCESSFULLY COMPLIED WITH SUBSECTION (6) AND
2 WAS EMPLOYED FULL-TIME AS A FIREFIGHTER, BUT SUBSEQUENTLY
3 DISCONTINUED HIS OR HER EMPLOYMENT AS A FULL-TIME FIREFIGHTER FOR A
4 PERIOD OF NOT LESS THAN 5 YEARS, IS NOT ELIGIBLE TO RESUME
5 EMPLOYMENT FULL-TIME AS A FIREFIGHTER UNTIL HE OR SHE AGAIN PASSES
6 BOTH PART 1 AND PART 2 OF THE EXAMINATION.

7 (8) ~~(6)~~ Within 24 months after a person's appointment date as
8 a volunteer or paid on-call firefighter, a person must pass part 1
9 of the examination to be eligible for continued volunteer or paid
10 on-call service as a firefighter.

11 (9) ~~(7)~~ The examination described in this section ~~shall~~ **DOES**
12 not apply to ~~a~~ **EITHER OF THE FOLLOWING:**

13 (A) A person who is employed or under appointment as a
14 firefighter on October 1, 1988, unless the person subsequently
15 changes his or her status from a volunteer or paid on-call
16 firefighter to a full-time firefighter.

17 (B) A PERSON WHO HAS BEEN CERTIFIED AS A TRAINED FIREFIGHTER
18 BY THE NATIONAL BOARD ON FIRE SERVICE PROFESSIONAL QUALIFICATIONS
19 OR THE INTERNATIONAL FIRE SERVICES ACCREDITATION CONGRESS AND WHO,
20 WITHIN THE 2-YEAR PERIOD IMMEDIATELY PRECEDING THE PERSON'S HIRING
21 DATE AS A PAID ON-CALL FIREFIGHTER OR FULL-TIME FIREFIGHTER IN THIS
22 STATE, WAS EMPLOYED AS A FIREFIGHTER IN ANOTHER STATE OR WAS
23 ASSIGNED DUTIES AS A FIREFIGHTER, FIREFIGHTER INSTRUCTOR, OR FIRE
24 OFFICER IN THE MILITARY FORCES.

25 (10) ~~(8)~~ The state fire marshal, with the approval of the
26 council, shall review and monitor the state and federal standards
27 relating to live fire training exercises in structures and make

1 recommendations to the general industry safety standards commission
2 for any new or modified standards necessary for the protection of
3 firefighter trainees.