SENATE BILL No. 372

June 4, 2015, Introduced by Senators ZORN, HORN, HANSEN, MARLEAU, JONES, O'BRIEN, SCHMIDT, NOFS, KNEZEK, HUNE and ANANICH and referred to the Committee on Regulatory Reform.

A bill to amend 1966 PA 291, entitled "Firefighters training council act," by amending section 9 (MCL 29.369), as amended by 2013 PA 166.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

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

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

(i) The qualification and certification of instructors.
(ii) The courses of study, attendance, record-keeping requirements, equipment, and facilities.

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

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

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

(3) The council shall develop and provide to each organized fire department, upon request of the organized fire department and at no charge, a videotape, digital video disc, or other electronic form of video display to be used in training firefighters. The videotape, digital video disc, or other electronic form of video display shall not include training that requires a practical demonstration.—AS PROPOSED BY THE STATE FIRE MARSHAL, TRAINING MATERIAL IN AN ELECTRONIC FORMAT TO BE USED IN TRAINING FIREFIGHTERS. The videotape, digital video disc, or other electronic form of video display ELECTRONIC TRAINING MATERIAL shall be based on the standards for fire fighter I and fire fighter II set forth in "standard for fire fighter professional qualifications", national fire protection association "STANDARD FOR FIRE FIGHTER PROFESSIONAL QUALIFICATIONS", NATIONAL FIRE PROTECTION
ASSOCIATION standard no. 1001. The council may impose a reasonable fee for loss, damage, or late return of a videotape, digital video disc, or other electronic form of video display provided to an organized fire department under this subsection.

(4) The state fire marshal, with the approval of the council, shall develop and administer an examination, which shall include a practical demonstration, a written or oral test, or a combination thereof, to determine a person's competency in regard to the knowledge and skill requirements set forth in standards for fire fighter I and fire fighter II set forth in "standard for fire fighter professional qualifications", national fire protection association—"STANDARD FOR FIRE FIGHTER PROFESSIONAL QUALIFICATIONS", NATIONAL FIRE PROTECTION ASSOCIATION standard no. 1001. The council, upon the request of an organized fire department, shall administer the examination in each county at least once every year. The examination shall be administered in 2 parts. Part 1 shall test the knowledge and skill requirements set forth in fire fighter I, and part 2 shall test the knowledge and skill requirements set forth in fire fighter II. The examination may be retaken, as necessary, upon request from an organized fire department.

(5) Except as provided in subsection subSections (7) AND (9), by 12 months after a person's hiring date as a full-time firefighter, the person must pass both part 1 and part 2 of the examination to be eligible for continued or permanent full-time employment as a firefighter.

(6) Except as provided in subsection subSections (7) AND (9),
by 24 months after a person's appointment date as a volunteer or
paid on-call firefighter, a person must pass part 1 of the
examination to be eligible for continued volunteer or paid on-call
service as a firefighter.

(7) The examination described in REQUIREMENTS UNDER this
section does not apply to a person who is employed or under
appointment as a firefighter on October 1, 1988, unless the person
subsequently changes his or her status from a volunteer or paid on-
call firefighter to a full-time firefighter. The state fire marshal
may waive the examination requirements in UNDER this section for a
veteran who served in and is separated from the armed forces and
provides a form DD214 or DD215 or any other form that is
satisfactory to the department that demonstrates that he or she was
separated from service with an honorable character of service or
under honorable conditions (general) character of service, upon
verification that the veteran completed firefighter training that
meets the standards for fire fighter I and fire fighter II set
forth in "standard for fire fighter professional qualifications",
PROFESSIONAL QUALIFICATIONS", NATIONAL FIRE PROTECTION ASSOCIATION
standard no. 1001, while serving in the armed forces of the United
States. As used in this subsection, "armed forces" means that term
as defined in section 2 of the veteran right to employment services
act, 1994 PA 39, MCL 35.1092.

(8) The state fire marshal, with the approval of the council,
shall review and monitor the state and federal standards relating
to live fire training exercises in structures and make
recommendations to the general industry safety standards commission
for any new or modified standards necessary for the protection of
firefighter trainees.

(9) THE STATE FIRE MARSHAL SHALL WAIVE THE EXAMINATION
REQUIREMENTS UNDER THIS SECTION AND EXTEND RECIPROCITY
CERTIFICATION TO A FIREFIGHTER FROM ANOTHER STATE WHO SEEKS TO WORK
AS A FIREFIGHTER IN THIS STATE IF THE FIREFIGHTER WAS CERTIFIED IN
THE OTHER STATE AFTER SUCCESSFULLY COMPLETING A PROGRAM THAT MEETS
OR EXCEEDS THE STANDARDS FOR FIREFIGHTER I AND II SET FORTH IN
"STANDARD FOR FIREFIGHTER PROFESSIONAL QUALIFICATIONS", NATIONAL
FIRE PROTECTION ASSOCIATION STANDARD NO. 1001 BY AN INTERNATIONAL
ACREDITATION FIRE SERVICE ORGANIZATION.

(10) THE PRESENTATION OF RECORDS EVIDENCING CERTIFICATION
UNDER SUBSECTION (9) SHALL AUTOMATICALLY RESULT IN CERTIFICATION BY
THIS STATE.