

FIREFIGHTERS TRAINING COUNCIL ACT (EXCERPT)
Act 291 of 1966

***** 29.369.amended THIS AMENDED SECTION IS EFFECTIVE OCTOBER 6, 2020 *****

29.369.amended State fire marshal; preparation and publication of rules establishing minimum standards; duties; certification examination requirements; waiver; validity of certification; certificate as property of state fire marshal; review and monitoring of state and federal standards relating to live fire training exercises.

Sec. 9. (1) The state fire marshal, with the approval of a majority of the council, shall prepare and publish rules that establish minimum standards for certification as a fire service member. The standards established under this section must comply with the Michigan occupational safety and health administration general industry safety standard, R 408.17411 of the Michigan Administrative Code and section 9c. To maintain compliance with the Michigan occupational safety and health administration general industry safety standard, R 408.17411 of the Michigan Administrative Code, the employer of a fire service member shall provide initial and continued training to the member commensurate with and specific to the duties that the member is expected to perform. The training described in this section and section 9c must be provided before the member is permitted to perform emergency operations.

(2) The state fire marshal, with the approval of a majority of the council, shall do all of the following:

(a) Create advisory standards of physical, criminal history, and educational fitness that govern the recruitment, selection, and certification of a person as a fire service member.

(b) Develop and administer certification examinations, testing procedures, and reciprocity recognition for credentialing in the various fire service disciplines recognized under this act. The requirements for each fire service discipline must meet the respective professional qualifications in the current and appropriate National Fire Protection Association standard.

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

(d) Develop and administer certification examinations that include a practical demonstration and a written or oral test to determine a person's competency in regard to the knowledge and skill requirements in the current edition of the National Fire Protection Association standards for each of the fire service disciplines recognized under this act. The state fire marshal, or his or her designee, shall, upon request, administer the examination in each county of this state not less than once annually. The examination may be administered in 2 parts. If the examination is administered in 2 parts, part 1 of the examination must test the knowledge and skill requirements set forth in the standards for fire fighter I in the current edition of the standards for Fire Fighter Professional Qualifications, National Fire Protection Association standard no. 1001, and part 2 of the examination must test the knowledge and skill requirements set forth in the standards for fire fighter II in the current edition of the standards for Fire Fighter Professional Qualifications, National Fire Protection Association standard no. 1001. The examination may also be administered as a combined fire fighter I and fire fighter II examination if a combined examination is requested by a county training committee or regional training center.

(e) Establish eligibility criteria for students to retake a failed written, oral, or practical certification examination.

(3) A person who is hired or appointed as a full-time or part-time firefighter shall pass both part 1 and part 2 of the certification examination described in subsection (2)(d) not more than 12 months after he or she is hired or appointed as a full-time or part-time firefighter to be eligible to continue his or her employment or appointment as a full-time or part-time firefighter.

(4) A person who is hired or appointed as a volunteer or paid on-call firefighter shall pass part 1 of the certification examination described in subsection (2)(d) not more than 24 months after he or she is hired or appointed as a volunteer or paid on-call firefighter to be eligible to continue his or her employment or appointment as a volunteer or paid on-call firefighter, as applicable.

(5) The certification examination requirement under this section does not apply to a person who was employed or under appointment as a firefighter on or before October 1, 1988, unless the person subsequently seeks to change his or her status from a volunteer or paid on-call firefighter to a part-time or full-time firefighter.

(6) The state fire marshal may waive the examination requirements under this section for a veteran who served in and is separated from the armed forces and provides a form DD214, a form DD215, or any other form that is satisfactory to the department of licensing and regulatory affairs 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 in the standards for Fire Fighter 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 the Army, Air Force, Navy, Marine Corps, Coast Guard, or other military force designated by Congress as part of the Armed Forces of the United States.

(7) Except as otherwise provided in this subsection, the state fire marshal shall waive the examination requirements under this section and extend reciprocity certification to a person from another state who seeks to become employed or volunteer in the fire service in this state if the person was certified in the other state after successfully completing a program that meets or exceeds the National Fire Protection Association standards for the applicable fire service discipline recognized under this act. The state fire marshal shall not waive the certification examination for a person who was certified in another state if either of the following applies:

(a) The person's out-of-state certification was revoked by that state or another issuing organization.

(b) The person has been convicted of a felony under the laws of this state, another state, or the United States.

(8) Certification as a fire service member granted to a person under this act is valid unless or until the council revokes the certification as part of a disciplinary action.

(9) The state fire marshal shall issue a certificate to a person who is certified under this act not more than 30 days after the person becomes certified. A certificate issued under this act remains the property of the state fire marshal.

(10) The state fire marshal and the council shall review and monitor the state and federal standards relating to live fire training exercises in structures and make recommendations regarding the general industry safety standards for any new or modified standards necessary for the protection of firefighter trainees under part 74 of the Michigan occupational safety and health administration general industry safety standard, R 408.17401 to R 408.17464 of the Michigan Administrative Code.

(11) Not later than 1 year after obtaining a waiver of the examination requirements under subsection (6) or (7), the veteran or person certified in another state must complete the training required under section 9c.

History: 1966, Act 291, Eff. Jan. 1, 1968;—Am. 1987, Act 196, Eff. Oct. 1, 1988;—Am. 1988, Act 458, Eff. Mar. 30, 1989;—Am. 2006, Act 213, Imd. Eff. June 19, 2006;—Am. 2013, Act 166, Eff. Feb. 11, 2014;—Am. 2015, Act 203, Imd. Eff. Nov. 30, 2015;—Am. 2017, Act 144, Eff. Jan. 31, 2018;—Am. 2020, Act 133, Eff. Oct. 6, 2020.

Compiler's note: For transfer of powers and duties of fire fighters training council from department of state police to department of labor and economic growth by Type I transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of department of state police, and its director, from the department of state police to department of labor and economic growth by Type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.