

SUPPORT

	Name	Title	Organization	Comments	Exhibit
1	Adam Pielecha	Lieutenant	Redford Twp. Firefighters & President IAFF L1206	To whom it may concern, I am writing a short note to advise you that I and my department support these proposed rule changes. Thank you, Lt. Adam Pielecha President IAFF L1206 Redford Twp. Firefighters	
2	Adam Tiefenbach		Muskegon Fire Department	To whom it may concern, This email is to voice my support for the proposed rule changes. Adam Tiefenbach	
3	Alfie Green	Chief of Training	City of Detroit Fire Department	Greetings All, First of all, I would like to thank everyone involved with updating 1966 Public Act 291. I agree with the idea that fire service personnel should have minimum educational requirements to maintain all certifications. These rule changes attempt to set a minimum standard for all disciplines. We should move forward with adopting these rules changes. Alfie L. Green, M. Ed Chief of Training City of Detroit Fire Department Training Division	
4	Amy Dunn	Firefighter / Medic / EMS	Riverview Fire Department	I highly support the new rule changes and updates. I just have a few clarification questions. 1. What is your definition of hazardous materials responder(part 5(c)(v)? Is it beyond the ops taught in the academy? 2. A officer who is an instructor and inspector will have to have how many total CE's for a 3 year renewal? 3. Can the MFIS credits be used for section 5(c)(ii) of R29.418? Amy Dunn Fire Prevention and Community Relations Coordinator FF/Medic/EMS-IC NFPA CF11 & CFPE Fire Instructor II Riverview Fire Dept	
5	Andrew Gibson	Firefighter	Bloomfield Township Fire Department	To whom it may concern, I am a current full time firefighter with Bloomfield Township Fire Department and I am in support of the proposed rule changes. Thank You, Andrew Gibson	
6	Bill Pawluk	Fire Science / Academy Coordinator	Lansing Community College - Regional Fire Training Center	Dear MFFTC and Michigan Fire Service, I would like to support the current draft of the rules put forth by the MFFTC. As a Michigan Fire Service professional for over 30 years and a Master Instructor for the IAFF I would like to share my professional experience and opinion. Travelling across the US and Canada teaching fire ground survival techniques I have had the opportunity to observe and interact with other states and their training divisions. It is my professional opinion that in comparison to other states across our great nation we, the State of Michigan fire service, lags behind most other states. It is my opinion that these proposed rules will further advance Michigan in comparison to the rest of the country. I greatly appreciate the work that the training council and fire marshal has done on this project. It is my opinion that Michigan fire fighters are some of the best fire fighters in the country and have tremendous capacity. It is my opinion, that these rules will allow Michigan fire fighters reach their full potential and enhance the Michigan Fire Service as a whole. Respectfully, Bill Pawluk Fire Science / Academy Coordinator Lansing Community College Regional Fire Training Center	
7	Bob Hoffman	Firefighter	Midland Fire Department & Treasurer L1315	I support the rule changes proposed by the Fire Fighters Training Council Bob Hoffman Fire Fighter/Technical Rescue/Treasurer L1315 Midland Fire Department	
8	Brandon Heath	Firefighter	Armada Township Fire Department	Hello, My name is Firefighter Brandon Heath, with the Armada Township Fire Department. Currently residing at 56810 Inland Ct, Macomb, MI 48042. I am sending this email in support of the above listed changes in administrative rules. <u>Any consideration is greatly appreciated, Brandon E Heath</u>	
9	Brenda Glore	Lieutenant	Egelston Fire Department	Please know that as a Fire Instructor I support the proposed rule changes. Lt. Brenda Glore, Egelston Fire Department	
10	Brian P. Kazmierzak		Benton Harbor Department of Public Safety	To Whom It May Concern: I am sending this email to voice my support for the Firefighter Training Administrative Rules Public Comment on behalf of the Benton Harbor Department of Public Safety, Benton Harbor, MI, Berrien County. These rules represent the modernization of the Michigan Fire Service as well as a huge step forward in firefighter training, firefighter safety and Line of Duty Death reduction. As Firefighters we rely on our training, we rely also on the training of other firefighters to be to the same standard as ours. Due to mutual aid there are very few FDs in the state that operate alone. Standardized training is a must. Additionally these rules require that our training be to the most current NFPA standard. That is a good thing, since it requires us to be constantly updating our training. Another part of these rules are training requirements for Chief Officers, etc. Why would any department want someone leading the organization trained at the basic level. As we move thru the ranks, we must advance our training and education. The best part of the new rules are the required continued education of firefighters, fire officers and fire instructors. No other profession allows for someone to be trained once and never re-certified. So this rule brings the fire service into the modern era. Please do the right thing for the Michigan Fire Service and enact these rules. Keep in mind a Firefighter in the State of Michigan trained to the Firefighter I/II standard only requires 240 hours of training, but we require a Barber to receive 1800 hours of training. Who has more at stake? Please enact these rules! Brian P. Kazmierzak Benton Harbor Department of Public Safety	
11	Christopher Keller	Lieutenant / Fire Marshal	Grand Blanc Township Fire Department	To whom this may concern, My name is Christopher Keller. I live at 6087 E. Hill Rd, Grand Blanc, Michigan 48439 and I am the Fire Marshal and a Lieutenant with Grand Blanc Township Fire Department. I am also the President of the Grand Blanc Professional Firefighters IAFF L4962. I am writing today on my own behalf to show support for the proposed rule changes to the required training rules for the State of Michigan. Our job as firefighters, regardless of career, part time or volunteer, is dangerous and it is our responsibility to ensure our firefighters are trained properly and efficiently to ensure they go home to their families after their shift or call. The fire service has seen changes in types of construction and methods to extinguish fire which has resulted in change on how we train to do our jobs. Training is where safety starts and I feel that there should be no room for short cuts. I understand for many smaller rural departments there is a concern about a financial burden the new rules may require, however, why should they be held to a different standard because they are not career. The job is the same and so should be the training. I began my career as a paid on call firefighter in a small rural area that ran approximately 70-100 calls in a year. This means we were not as efficient in our tactics as a department that might experience a higher frequency of calls, which in my opinion, is all the more reason for change to ensure that firefighters are proficient to do the job safely. I would like to also thank everyone's time and effort involved to ensure the safety of the firefighters of the State of Michigan. Thank you for your time, Christopher Keller Fire Marshal/Lieutenant IAFF L4962 President Grand Blanc Township Fire Department	
12	Dan Oleniczak		City of Muskegon Fire Department	To whom it may concern, I am writing this email to voice my support for the proposed rule changes. Dan Oleniczak	
13	Darin Balinski		Oxford Fire Department	I, Darin Balinski, support the proposed changes. Oxford Fire Department, 24 yrs of service. L4763	

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14	Dave Papandrea	Lieutenant Birmingham Fire Department	To whom it may concern, I support the important and valuable changes to the Fire Fighters Training Council thus bringing the rule set in line with current law. Dave Papandrea Lieutenant- Birmingham Fire Department	
15	David Van Slooten	Muskegon Fire Department	To Whom it May Concern, I am writing to express my support for the proposed changes to the Fire Fighters Training Council rule set. David Van Slooten Muskegon Fire Department	
16	Donald Bigger	President Michigan Fire Service Instructors Association	I would like to submit the attached letter of comments for the Fire Fighter Training-Administrative Rules Public Comment hearing of March 24, 2021. Thanks You Donald Bigger/President Michigan Fire Service Instructors Association	2
17	Dustin Hennessy	Engineer / Paramedic City of Marquette Fire Department	Good Afternoon, I am Dustin Hennessy and an Engineer/Paramedic. I work for the City of Marquette Fire Department located at 418 S. Third, Marquette MI 49855. I am in strong support of the proposed rule changes. Continuity in the fire service is long overdue in the State of Michigan. We are a career fire department that has several mutual aid agreements in place with surrounding volunteer/paid on call departments. Those department should be held to the same standard as any other department, as those chiefs and officers have the same responsibilities to their members as we do. Everyone should expect that their Chiefs and Officers have the proper training to do the job safely and effectively, these rule changes will ensure that happens. I would like to thank you for your time today and your hard work with these important changes. Dustin Hennessy City of Marquette Fire Department Engineer/Paramedic	
18	Frankie Cruz	President Local 2629	This email is to let inform the Fire fighting training council know that I am in favor of the proposed rule changes that are being discussed today. I hope that through discussion that these rule changes will be accepted and implemented. Thank you for taking time to read, and have a great day. Frankie Cruz President Local 2629	
19	Harold Elmore, Jr.	Lieutenant Grand Rapids Fire Department	I am "supporting" the proposed rule changes. Lt. Harold Elmore Jr. GRFD	
20	James Smielewski	Lieutenant / Training Officer Traverse City Fire Department	Michigan Bureau of Fire Services, My name is James Smielewski. I am currently a Lieutenant and the Training Officer with Traverse City Fire Department. I have been in the fire service for a little over 30 years now, serving every community I have lived in, including my military service in the Marines in North Carolina. I have been a volunteer, paid on call, and for the last 16 years, a career firefighter and fire officer. I also held the position of training coordinator for Suttons Bay/Bingham Fire & Rescue, a small combination department in Leelanau County. The Rules as I read are not perfect but are a much needed improvement. Reciprocity - This has been an issue for firefighters, both coming to and leaving Michigan, as our standards are not on par with many other states. This is a good step forward and I support this portion of the Rules as written. Continuing Education - This has been unnecessarily feared for quite some time. If a firefighter has an EMS license, they should understand the need for documented CE. The Rules requiring only 6 hours per year and 36 in 3 years is, quite honestly, a very low standard. Having been involved with administering a training program in 2 very different departments, I know how these changes can be perceived by the volunteer fire service. Again, these Rules create a very low standard that all department should easily achieve. I see the Rules as giving "teeth" to the volunteer chief to hold members accountable for meeting training requirements. My only question is, does this meet the Part 74 requirements? I also agree with the Rules to require course attendance for certification training course. Having taught FF I&II at an RTC for a number of years, I found most "challenging applicants" performed inadequately during the final practical testing and did not receive the benefit of the course instructors' experiences. I support the Rules as written. Thank you for taking the efforts made to update and upgrade the fire service in the State of Michigan. James Smielewski LV/Training Officer Traverse City Fire Dept	
21	Jeff Brady	Midland Fire Department	To Whom this may concern, I, Jeff Brady, of the City of Midland Fire Department am supporting the proposed rules changes. The proposed rule changes will make the fire service safer in Michigan. We owe it to ourselves and the communities we protect to require continued training. Thank You, Jeff Brady	
22	Jim Daveluy	Midland Fire Department	To whom it may concern, I support the changes to Firefighter Training as I believe they will bring more professionalism and safety to the fire service. Thanks, Jim Daveluy Midland Fire Department	
23	Jim Yuill	CSP, CFPS, EMT I/C, Fire Instructor II	Good Afternoon, My name is Jim Yuill. I am from Livonia, Michigan and am representing myself. I would like to provide my feedback on the proposed adoption of the above mentioned rules. For the past 28 years, I have been involved in the Fire Service here in the State of Michigan, 24 of those years as a Michigan Fire Service Instructor. In this time, I have seen the Fire Service evolve from just an agency that responded to emergency medical runs and fires to now being a part of an all-hazards risk mitigation group. With this evolution occurring, a better trained and educated firefighter and fire officer is essential for ensuring health and safety of not only fellow firefighters and themselves, but the community as a whole. This profession is specialized that requires continual maintenance of requisite skills to make sure that the mission of safe risk mitigation is carried out properly. With maintaining requisite skills, expectations as to how we complete maintenance of such is necessary. While I understand there is some disagreement in how this new rule will work and be carried out, this comes from those who have a level of "change anxiety." Change is painful but necessary to implement for continual improvement in presented circumstances. Any new process or procedure always comes with some level of "change anxiety" but all in all, these anxiety stressors are alleviated over time with successful development/implementation of rules and expectations and for one to become creative with resource management. Speaking as a Michigan Fire Service Instructor as well as a senior level manager within the Safety/Risk Management arena (my full time job) , I fully support the presented rules, as written, and I do believe that the proposed changes will allow for a better well rounded Fire Service member going forward, allow for better community risk reduction, as well as allow for fire service educators to become more creative in managing training resources effectively and efficiently. I am happy that we are now adopting a new continuous improvement mindset when it comes to providing education and training for the State's 30,000+ Fire Service members. Thank you in advance for your time and consideration and appreciate the opportunity to comment. Respectfully, Jim Yuill, CSP, CFPS, EMT I/C, Fire Instructor II	
24	John H. Newman	Fire Inspector East Lansing Fire Department	I support the proposed rule changes. John H. Newman, East Lansing Fire Department	

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25	John R. Kramer	Fire Chief	Monitor Township Fire Department	<p>I am addressing this e-mail to show my support for the rules for the new PA 291. I support the continuing education requirements as training is essential in the fire service. A the fire chief of a combination fire department I feel one hour a month is not a burden nor going to cause detriment to any department in the State of Michigan. It is my understanding that MIOASHA attended a MFFTC meeting and agreed that having continuing educations hours aligns with MIOASHA requirements. A lot of work has been put into this and I feel it is time to move forward. Having requirements for all members of the fire service is needed and should include chief officers. Retention is a major problem with most departments in today's fire service. Dumbing down our training requirements is leading a path to disaster and the injury or death of a firefighter.</p> <p>I am not in favor of the old way of just teaching to pass the test. The rules spell out exactly what you need to obtain your certification as a firefighter in the State of Michigan. I cannot justify just teaching a student attending the FFI&I/HAZMAT/OPS academy virtually. Without the hands on and interaction with the instructor you get a poorly trained foregather and again it is a path to disaster.</p> <p>Therefore I support the rules and support moving forward.</p> <p>Sincerely, Chief John R. Kramer Monitor Township Fire Department Bay County Michigan</p>	
26	Jonathan Stone	Training Officer	Stanton Township Volunteer Fire Department, Precinct 1	<p>Good afternoon. Please find my comments for the MFFTC proposed rule changes attached to this email. Thank you for your consideration. Jonathan Stone Training Officer Stanton Township Volunteer Fire Department, Precinct 1</p>	3
27	Justin Britton		Midland Fire Department	<p>I support the proposed rule changes. Justin Britton Midland Fire</p>	
28	Justin Fox	Firefighter	Midland Fire Department & Vice President L1315	<p>I support the rule changes proposed by the Fire Fighters Training Council. Justin L. Fox Fire Fighter/Vice President L1315 Midland Fire Department</p>	
29	Justin Holmes	Firefighter	Grand Rapids Fire Department	<p>I Justin Holmes stand in support of Public act 291 as written. I was unable to speak during the public hearing, as the mute function was locked by the organizer. Justin Holmes</p>	
30	Kevin Christiansen	Chief of Training	City of Lansing Fire Department	<p>I support the proposed Rule Changes. Kevin Christiansen Chief of Training Fire – Training Division</p>	
31	Kevin Retzloff		Midland Professional Firefighters Union L1315	<p>To whom it may concern, I am writing to express my support in the current proposed rule changes for firefighters. Kevin Retzloff Midland Professional Firefighters Union L1315</p>	
32	Kyle Lewis	Firefighter	Northville Township Fire Department	<p>My name is Kyle Lewis from the Northville Township Fire Department. I live at 7844 Capri Dr, Cainton, MI 48187. I want to express support for the purposed rule changes and gratitude to those who spent hours and hours during these hard times to develop a better system for us. Please adopt the changes. Thank you, Kyle Lewis</p>	
33	Larry Gambotto	Captain	Rochester Hills Fire Department	<p>To whom it may concern, Please accept this email as a show of support for the proposed changes to the Michigan Fire Fighters Training Council rule set. As a resident of Macomb County, and a Fire Department Training Officer in Oakland County, I believe the updates to the rule set are a leap forward for the Michigan Fire Service and will finally bring us in line with the National Standards. Thank you. Respectfully, Larry Gambotto Captain - Training, Health & Safety Rochester Hills Fire Department</p>	
34	Logan Sweet		Muskegon Fire Department	<p>To Whom it May Concern: I am writing to express my support for the proposed changes to the Fire Fighters Training Council rule set. Logan Sweet Muskegon Fire Department</p>	
35	Lucas Golden	Firefighter	Dearborn Heights Fire Department	<p>To whom it may concern, I support the rule changes proposed for the Fire training council. Thank you, Lucas Golden Firefighter for Dearborn Heights,Mi</p>	
36	Mark J Guerra Jr		City of Rochester Fire Department	<p>I am supporting the proposed rule changes Mark J Guerra Jr City of Rochester Fire Department</p>	
37	Matt Nowiski		City of Owosso Fire Department	<p>I am in full support of the proposed rule changes Matt Nowiski City of Owosso Fire Department</p>	
38	Matt Wyszczelski	Captain	Hamtramck Fire Department	<p>I am writing to show my support for the proposed rules change. I believe that training is essential to our job and these proposed changes are long overdue. Captain Matt Wyszczelski Hamtramck Fire Department</p>	
39	Matthew Adamek	HSO, IIC, CO3	Grand Traverse Metro Fire Department	<p>This rule change is long over due. This is about the safety of our firefighters and the community we serve. It is time to hold the department political leaders and chiefs accountable to a standard. In the past I have seen how the lack of training by firefighters and command staff lead to dangerous and unsafe conditions. I have seen a chief with his most current officer training was from 1970s. I have seen officer in charge of firefighters with no leadership training at all and the last suppression training they had was from the old 66 hour course. That was almost 30 years ago. There are department that put practical training on the bottom of the priority list, where some firefighters might not pick up a firehouse in almost 2 years. Some places still elect fire chief and officers. Some of these firefighter are put in these position by their buddies (Good Old Boys) and not by their qualifications. This is what is broke with the Michigan fire service. There is no reason why any firefighter career or volunteer is unable to meet the proposed training updates. You need to be dedicated, work hard and be proficient in the fire service because someone is depending on you to be.</p> <p>I could go on for hours about this and things I witness why this rule is important. Any questions please contact me.</p> <p>Thank You Matthew Adamek HSO, IIC, CO3 Grand Traverse Metro Fire Dept. Traverse City, MI</p>	

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40	Michael Becker	Firefighter/Paramedic	Highland Township Fire Department	<p>To whom this concerns; I, Michael Becker have been a firefighter in this state since 2001 and I am in support of the proposed rule changes. I am a professional Firefighter for the Highland Township Fire Department. Sincerely, Michael Becker - Firefighter/Paramedic Highland Township Fire Department</p>	
41	Michael Hertzberg	Firefighter	Grand Blanc Township Fire Department	<p>To whom this may concern, My name is Michael Hertzberg. I live at 6022 Berrymoor Dr, Grand Blanc, Michigan 48439 and I am a full time firefighter at Grand Blanc Township Fire Department. I would like to express my support for the proposed rule changes to the required training of our State of Michigan Firefighters. The job that we have, whether career, part time or paid on call is not an easy job. WE are constantly facing new challenges that stem from a changing world around us. Building construction is not the same as it was 20 years ago, materials within the home are not the same as they were 20 years ago, our equipment is not the same as it was 20 years ago. Why should certifications and licensing be the same as it was 20 years ago? I have witnessed former members of departments get back on a department after 10+ years and get right back to the job with no new training or requirements. This is a scary event to me. While I understand that presently our Firefighter 1&2 do not expire, it should not mean that continued education is unnecessary. I am in full support of requiring continuing education credits in order to keep our certifications up to date. I do not know of a hands on licensing in the state that does not require this. As a Certified Fire Inspector, I am required to complete at least 20 CE's annually to maintain my license. Firefighting should be no different. I understand that there may be budget impacts for smaller departments that lack funding for training. It may take extra time for us as firefighters to get training completed. Ultimately, that expense and commitment will make us all safer. Ultimately, our goal as a firefighter is to go home to our families at the end of every shift. PLease help us all improve these chances by requiring us and those around us to maintain training credits on an annual basis and support the Training Council Rules before you. Best Regards, Michael Hertzberg Firefighter/Fire Inspector IAFF Local 4962 Vice President Grand Blanc Township Fire Department</p>	
42	Michael Hewartson	Lieutenant/EMS Coordinator	Muskegon Fire Department	<p>To Whom it May Concern: I am writing to express my support for the proposed changes to the Fire Fighters Training Council rule set. These rule changes are critical and will help to ensure firefighter and civilian safety. Thank you. Michael Hewartson (Lieutenant/EMS Coordinator, Muskegon Fire Department)</p>	
43	Michael J. Sarnowski	Firefighter / EMT-B	Bangor Township Fire Department	<p>To Whom it may concern, My name is Michael Sarnowski and I am writing you in favor of the proposed changes to the rules for the Michigan Firefighters Training Council. I Feel that these rules will better the departments of any type all over the state. In my 20+ years of firefighting from a paid on call to full time career the fire service has had a lot of changes. We in the fire service respond to a lot more diverse calls now than ever before while at the same time responding to less structure fires. These changes only offer to better departments and individuals to provide better service to the community they serve while at the same time reducing chances of litigation due to lack of "training and records keeping" of those who responded to calls. The responsibility and accountability of educating those in the fire service starts at the top and goes down all the way to the new recruit in the academies. It is for these reasons I feel these changes should be adopted. If you have any further questions for me please feel free to contact me. Sincerely, Michael J. Sarnowski FF/EMT-B</p>	
44	Mike Burke	Fire Chief	Elba Township Fire Department	<p>Mike Burke, Elba Twp F.D. Fire Chief I would like to go on record as totally supporting the PA 291 Rules as submitted.</p>	
45	Mike Thoms	Firefighter	Canton Township Fire Department	<p>Hello and thank you for your time, I am writing you to express my support for the change in rules for the fire fighter training council rules. I am a full time fire fighter. My name is mike Thoms and I work at Canton fire department. Again thank you for your time. Mike</p>	
46	Nicholas Gettel		Midland Professional Firefighters Union L1315	<p>I am supporting the proposed rule changes. It's time they are updated. Thank you Nicholas Gettel Midland Professional Firefighters</p>	
47	Pat Conely	Firefighter	Plymouth Township Fire Department	<p>I support the proposed rule changes. Pat Conely Department: Plymouth Township Fire Department Department County: Wayne County</p>	
48	Pat Du Vall	Chief/Training Officer	Plainfield Fire Department	<p>I support the proposed rule changes. Thank you, Pat Du Vall District Chief / Training Officer</p>	
49	Paul F. Fabiano	Fire Chief	Clearwater Township Fire Department	<p>Good afternoon, I am a Fire Chief of a 12 man department located in Kalkaska County. We are all paid on-call firefighters. I am in support of the draft rules and do not see any real impact on firefighter recruitment or retention, if anything it will help recruitment. We , as a department, have incorporated on-line training with hands on training. Meeting the minimum requirements for certification, as written, will be no problem. As the Training Council allows more on-line training, ie: Firefighter I, this allows the student to do their class work on their own time schedule, making it easier to get the minimum training, thus making recruitment less burdensome. I hold a State of Michigan EMT basic license and an Inspector Certificate, both requiring continuing education to remain certified. No matter what the career path the firefighter chooses, career or paid on-call, fire does not recognize a difference. The dangers are the same! We should expect no less than the minimum training for ALL firefighters. These proposed rules are an excellent step in the right direction. Paul F. Fabiano, Chief Clearwater Township Fire Department</p>	

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50	Paul Zybur	Fire Chief	Marquette Fire Department	<p>Good afternoon, to whom it may concern.</p> <p>I am Paul Zybur, a firefighter on Marquette City Fire department for 3 years, member of local 643. I am writing this email in response to the letter sent by our local Firefighters Training Council voicing their personal opinion and concerns under the umbrella of many different departments. I decided it would be best to voice my own opinion instead of having another do it for me without my say. I believe it is of everyone's best interest to have Fire Chiefs trained to a uniform level, regardless of demographics or size. Regardless of fulltime, part time, paid on call or volunteer every individual living within said departments jurisdiction depends on the training and knowledge of those serving them. There is no better way to ensure these expectations are met than passing this legislation requiring the higher education NEEDED to run an emergency scene and command others. If nothing else this pandemic has shown the effectiveness of technology and opened the door to education happening on an individual's time. It is because of this I believe that numerous opportunities exist that are accommodating to any person.</p> <p>Thank you for providing a platform for opinions to be expressed.</p> <p>Yours in service, Paul Zybur Firefighter Paramedic, Marquette City Fire Department</p>	
51	Philip Hall	Battalion Chief	Dearborn Heights Fire Department	<p>I support the proposed changes to the Michigan Fire Fighter Training Council rule set. The MFFTC rules have not been updated since 2016, and the proposed changes will bring the rules in line with the current law. Thank you for your time and consideration.</p> <p>Sincerely, Philip Hall Battalion Chief Dearborn Heights Fire Department</p>	
52	Ronald J Palmer	Fire Chief	Mecosta Township Fire Rescue	<p>Good afternoon</p> <p>I support the rules change for the Michigan Bureau of Fire Services Firefighter Training Division.</p> <p>Respectfully Chief Ronald J Palmer Mecosta Township Fire Rescue Mecosta County Fire Training Association Mecosta County CTC</p>	
53	Samuel Schmitt		Muskegon Fire Department	<p>To Whom it May Concern:</p> <p>I am writing to express my support for the proposed changes to the Fire Fighters Training Council rule set.</p> <p>Samuel Schmitt Muskegon Fire Department</p>	
54	Sara Cottington-Heath	Firefighter	City of Saginaw Fire Department	<p>To Whom It May Concern:</p> <p>I am supporting the proposed rule changes.</p> <p>Sara Cottington-Heath, Firefighter, City of Saginaw Fire Department</p>	
55	Scott Veldman	Lieutenant/Training Officer	Grandville Fire Department	<p>To whom it may concern, I am in full support of the proposed rule changes for Public Act 291. I feel that having a CE system similar to the EMS is a great way to track what areas of training have been covered. It also is a good way to hit on areas that need to be looked at more often than other areas.</p> <p>I also feel that attending a fire academy is a must vs. challenging the test. I feel the academy gives some uniform teaching across the State. There is no other profession that I am aware of that you can challenge a test and obtain a license. I'm not sure I would feel comfortable having someone back me on a fireground knowing they might not be properly trained.</p> <p>Lt. Scott Veldman Training Officer Grandville Fire Department</p>	
56	Shaun Abbey	Second District Vice President	Michigan Professional Fire Fighters Union	<p>Good Morning,</p> <p>As a Battalion Chief and Training Officer, I fully support the MFFTC revisions to the firefighter training act.</p> <p>Please support the hard work put in by the Council on behalf of the fire service and residents of Michigan. This will make our entire state safer.</p> <p>Respectfully, Shaun Abbey Second District Vice President Michigan Professional Fire Fighters Union</p>	
57	Steve Heim	4th District Vice President	Michigan Professional Fire Fighters Union	<p>To whom it may be concerned:</p> <p>I writing in support of the rule changes proposed by the Fire Fighters Training Council. These rules will ensure the safety and education of the Michigan fire service personnel match the professionalism and expertise our citizen's demand.</p> <p>The rule changes are well past due and are more than reasonable in their application. Every firefighter in this State should be provided the training necessary to safely respond within our communities.</p> <p>Respectfully submitted, Steve Heim 4th District Vice President Michigan Professional Fire Fighters Union</p>	
58	Terrence H. Chesney	Secretary-Treasurer	Michigan Professional Firefighters Union	<p>To Whom it May Concern:</p> <p>I would like to go on record indicating my support of the proposed changes to the Fire Fighter Training Council rule set. These changes will bring the rules up to date and will improve training for firefighters.</p> <p>I listened to all of the comments at the public hearing on the proposed update to the FFTC Rules. I retired as a Captain in the Trenton Fire Department several years ago and I continue to serve as a principal officer of the Michigan Professional Fire Fighters Union since I was originally elected in 1990. I also was appointed by Governor Engler to serve as a member of the Fire Fighters Training Council, a position I held for several years.</p> <p>I was happy to hear that the majority of the comments in today's public hearing were supportive of the proposed rule changes. I must admit that I was dismayed and extremely disappointed to hear some of the opposition that was raised by Fire Chiefs. I can not understand why any Fire Chief would be opposed to the two issues that they are raising.</p> <p>Continuing training is absolutely necessary for fire fighters. Changes in technology, equipment, and firefighter strategies must be passed on to firefighters for their safety and those of the citizens they protect. The only way to insure that this occurs is if continuing education is required.</p> <p>The reciprocity issue is also something that will help Fire Chiefs. If someone applies to a fire department, the Fire Chief should be confident that the training a applicant says they have received prior to their application, is worthy and meets the prehire qualifications that the department is requiring.</p> <p>The majority of fire departments already exceed the training requirements in these proposed rules. Please don't endanger the firefighters that are in the few departments that aren't given an opportunity for continuing education. They need these rules changed to make it a requirement, otherwise, their Fire Chief wont do it.</p> <p>Thank you, Terrence H Chesney Secretary-Treasurer Michigan Professional Fire Fighters Union</p>	

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59	Zac Roland	Firefighter / Union President L1830	Ypsilanti Township Fire Department	<p>To whom it may concern, My name is Zac Roland, I am a fire fighter in Ypsilanti Township and currently our union president at Local 1830. I have reviewed the rule changes proposed by the training council and highly support the requirements for firefighters to have continued education as stated in Part 5. Too often the importance of continuous education is over looked by our supervisors making our jobs more dangerous and our procedures less efficient. I believe part of this may only be due to budgetary reasons, which is not a good excuse when lives are at stake. There is also a tradition that we can train ourselves on duty but in my experience that only perpetuates outdated and sometimes more dangerous practices. In addition to that, in house training does not bring in new information or skills. A state level requirement will rectify some of these issues by forcing firefighters to seek training outside of their normal work atmosphere. This allow us to bring in new ideas and new skills so we can better serve our communities.</p> <p>Thank you, Zac Roland President, Local 1830 Ypsilanti Township Fire Department</p>	

March 18, 2021

Michigan Office of Administrative Hearings and Rules

Lansing, Michigan

RE: Testimony Regarding Proposed Rules, 2019-21LR

I would like to take a moment and offer insight and testimony to the Proposed Rules, 2019-21LR, regarding firefighter training requirements. I retired as Deputy Fire Chief from Plainfield Township Fire Department after 34 years of service. Being the current President of the Michigan Fire Service Instructors Association for the past 14 years, I currently have been involved in Michigan Fire Service Coalition affairs for the past 12 years, as well as recommend a member for appointment to represent our organization within the Fire Fighter Training Council.

While another group within the state has “raised some significant concerns regarding the training requirements proposed” within the Proposed Rules document, I am writing to inform everyone that these concerns are null and void. The Rules, as proposed, will not negatively impact our communities and our agencies – in the contrary, they will support the Fire Services aspect as a whole in the State of Michigan.

BACKGROUND:

I was actively involved with the Coalition when the Act 291 legislation was being written and discussed years ago. At the time, the idea behind rewriting Act 291 was to enact reciprocity for IFSAC and ProBoard courses, as well as bring NFPA standards to the state level. Adopting NFPA standards would elevate the State of Michigan to national platform for creating classes and certification exams; adopting ProBoard would both allow firefighters to leave state with a credential that would transfer around the country, or allow firefighters from out of state to work in Michigan. Additionally, the legislation called for the adoption of continuing education, and spelled out the different certifications that could be attained by firefighters.

At the day of the hearing for the new legislation, it was noted a word change of adopting the “minimum NFPA standards.” This wording now stopped counties and Regional Training Centers from adding additional educational curriculum to fire academies and other classes that would provide safety, command, and background information about the topic to students. Although a majority of fire service entities disagreed with this language, the same majority of the fire service membership present did not negatively testify about the proposed legislation and let it be enacted.

Once the new Act 291 was adopted, it was well known the Michigan Fire Fighters Training Council (MFFTC) would work together to write the rules correlating to the new legislation. After 2.5 years, over 40 meetings, and compromise across the board, the document was passed 6-3 by the members of the Fire Fighting Training Council to move through the rules process. Two-thirds of the fire service organizations, from around the State of Michigan, found the document to be fair, concise, and advantageous to everyone in this state.

Concerns have been raised, primarily by the Michigan Association of Fire Chiefs (MAFC), regarding three topics that are felt to have been ignored within the process. Nothing is further from the truth; in fact, it is my understanding members of the MFFTC allowed other items to pass into the Rules, as a spirit of good faith and compromise that a good document could be brought forth.

ARGUMENTS: The MAFC concerns are as follows, as well as a rebuttal to the argument.

MAFC ISSUE #1: Reciprocity recognition for Credentialing – Proposed Rule 29.404

- *Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.*

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.

Rebuttal: The request to honor ProBoard (i.e., nationally recognized accredited organization) was met by the MFFTC and Fire Marshal Sehlmeier. In fact, FM Sehlmeier brought the recognized process, from the State of Illinois, to the Council for their review. The current language in the proposed rules allows for ProBoard reciprocity both in-state and for out-of-state firefighters.

However, the plan of the MAFC is to establish a renegade, competing certification standard, outside of the Bureau of Fire Services and State of Michigan. This process would allow the MAFC to work with a ProBoard conglomerate (Regional Alliance for Fire Training) to provide the same certification courses as the State of Michigan. A competing certification standard also brings with it the following issues:

- a) Courses can have an endless cost factor built into them.
- b) Instructors are not vetted by the State of Michigan; therefore, instructors dismissed for impropriety, falsifying documents, and other reasons, can still instruct ProBoard courses.
- c) There is no recourse for students regarding complaints, of any sort, about the course.
- d) Oversight, in general, is non-existent – yet while graduates of the program will be requesting an MFFTC certificate for reciprocity, the State of Michigan will certify an in-state student from a program of which there was no oversight or determination if rules and requirements for the course were met.
- e) When it comes to the hiring and employment of instructors for ProBoard courses, a “private organization” will now choose what instructors are hired and can teach courses, which leads to inequality and lack of statewide fairness for all firefighters.

Additionally, removing the MOU actually creates inequality and exclusion for suppression and command level firefighters, especially from urban areas, who want the opportunities to expand their career – even if it means leaving state. The MOU allows two certificates to be presented upon successfully passing exams, while dismissal of the MOU makes a firefighter test two separate times for two possible certifications.

MAFC ISSUE #2: Exam Requirements – Proposed Rule 29.405

- As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau’s make-up policy. It is our position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs

are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

We recommend the board eliminate proposed R 29.405.

Rebuttal: It seems ludicrous to any educational representative that attendance requirements to a class are not required. Anyone pursuing a professional degree or certification has classroom hours to complete prior to an exam; examples include nursing candidates, police officers, medical responders, and teachers. No one pursuing those public service occupations are able to “challenge” an exam; why would a firefighter be able to challenge an exam for certification?

In all reality, the idea with the proposal is to instruct firefighters in house, allow them to learn the final exams for certification (otherwise known as teaching to the test), and cut educational time. This request is dangerous, as well as insane, as it allows for people new within their position to not obtain the necessary education, then try to pass the exam.

MAFC ISSUE #3: Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3 year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

We recommend striking (6)(g) and (h) of the proposed rule.

Rebuttal: It is noted Act 291 requires language regarding continuing education in the rules to some degree; therefore, the MFFTC formulated these proposed ideas. The MAFC is correct in stating a possibility that aligning with MIOSHA wording is a possibility. However, feedback from multiple firefighters from all types of organization requested the addition of continuing education to the Rules in the means of specific times or hours. At the present time, all the proposed Rules are requiring is an average of 1 hour a month for continuing education, along with training plans and documentation of attendance. This requirement is very low, but does set a basic standard for training and records management, which is needed for ISO, injury investigations, death investigations, and grants. As for Chiefs and Public Safety Directors, both need to be proficient in their occupations and also need to be held to the same certification standards as others in the fire service.

CONCLUSION:

In closing, while the Michigan Association of Fire Chiefs bring forth some possible arguments, the bottom line is that the validity of these arguments, as well as the oversight proposed, is not measurable. The first proposal allows the opportunity for select, certain instructors (who may or may not be state certified) to provide a whole-host of the credentialing aspects with no oversight by the State of Michigan – in fact, it is in direct competition and a “power grab” from the State of Michigan. Secondly, the fact the MAFC endorses challenge exams for a professional job seems to contradict what a professional job is. Not any other profession allows “challenge exams” or self-study for a Professional licensee. Finally, emergency response occupations have continuing education requirements, and adding language to ensure firefighters also are provided continuing education opportunities makes the job and personnel safer.

Thank you for taking the time to review my testimony.

Respectfully yours,

Donald R. Bigger, President
Michigan Fire Service Instructors Association

Exhibit 2
LARA BFS FFTC
3-24-2021/amk



Stanton Township Volunteer Fire Dept, Precinct 1
16841 Fire Hall Road
Houghton, MI 49931

Fire Fighter Training- Administrative Rules Public Comment
2407 N. Grand River
P.O. Box 30700
Lansing, Michigan 48909

RE: Administrative Rules for Fire Fighters Training Council Rule Set 2019-21 LR

To Whom It May Concern:

I am writing to express the strongest support possible for the rule changes being proposed for the Michigan Fire Fighter Training Council (MFFTC). I have been a volunteer firefighter for over 23 years and currently serve as a fire instructor for several counties in the Western Upper Peninsula. I have experience with the dysfunction in the fire service under the current rules and I think the proposed rules will greatly improve fire fighter safety and our ability to protect and serve our local communities.

Specifically, the inclusion of continuing education requirements, "Part 5 Continuing Education" is long overdue. In addition to being a fire fighter, I am also a paramedic. The Emergency Medical Services program in Michigan has required continuing education credits for decades. It is essential for EMS practitioners keeping up their knowledge and skills. This is equally true in the fire service where every emergency call potentially involves life-threatening conditions for the firefighter and the members of the community we are called to help. Too many times I have heard members of the volunteer fire fighter community in my area boast of the fact that they attended fire school many years ago and have no intention of obtaining more training. Such thinking is backward, harmful to the fire service, and outright dangerous. By setting standards for continuing education, the MFFTC will resolve to protect firefighters by improving the safety of their response capabilities.

The guidance on the make-up and functioning of the County Training Committee is long overdue. We have searched for this type of information in the past to help us reconfigure our county training committee into something more functional and representative of the fire service in our county and the language in "R 29.416 County training committee" will be very helpful.

Finally, the section "R 29.405a Classification for fire chief; requirements; reciprocity" is also needed in the rural communities of Michigan. Chief officers in the fire service should be adequately trained and not simply "voted in" by a popularity contest or assigned solely on the criteria of longevity on the fire department. The NFPA standard "1021: Standard for Fire Officer Professional Qualifications" makes it very clear that officers in a fire department, and especially chief

officers, should meet minimum training standards. These standards ensure that the men and women holding these positions are both knowledgeable and competent to handle the responsibilities of their position. By not outlining these requirements, the gate is left wide open, especially in rural communities, for sub-standard leadership on fire departments. This lack of qualified leadership directly influences firefighter safety while operating on the fireground or in response to another emergency and can significantly reduce a department's effectiveness in helping those in need.

I am certain you will receive push-back from rural areas where they think these training requirements, both the CEUs and qualifications for officers, are unrealistic and pose an onerous burden on volunteers who are not compensated for our time and effort. As a long-term volunteer myself I understand the sentiment behind those type of concerns. However, instead of agreeing with them, I think it should be noted that volunteer firefighters often represent a majority of Line of Duty Deaths within the fire service each year. We don't see the amount of fire that suburban and urban departments see. This means we have to invest the time in training if we ever hope to retain some level of proficiency with using our equipment, strategies, and tactics effectively. To reject the NFPA guidelines (1001 for training and 1021 for officers), we are accepting that volunteer firefighters should be allowed to operate with increased health and safety risks... in essence, have a greater likelihood of experiencing an injury or death in the line of duty. This should not, and cannot, be allowed to become the cultural norm or expectation in the Michigan Fire Service.

Please advance these rule changes for the MFFTC, adopt them, and bring them to bear in the fire service. We need this type of leadership to help ensure that members of our firefighting community are adequately trained and ready to answer the next emergency call to duty.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Stone". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jonathan Stone, NREMT-P, FF2, CFI-2
Training Officer
Stanton Township Volunteer Fire Department, Precinct 1

Exhibit 3
LARA BFS FFTC
3-24-2021/amk

OPPOSE

	Name	Title	Organization	Comments	Exhibit
1	Adam Carroll	Fire Chief	Hartland Deerfield Fire Authority	Please accept the attached document of written public comment regarding the proposed Rule Set 2019-21 LR. Thank you, Adam L. Carroll, Fire Chief Hartland Deerfield Fire Authority	4
2	Al Avery	Fire Chief	Mendon Fire Department	To Whom it May Concern; I am writing on behalf of the Mendon Fire Department to inform you that we are opposed to the proposed rules changes per the attached letter. Sincerely, Chief Al Avery Mendon Fire Department	5
3	Blake Spillers		Colon Community Fire and Rescue	I am not supporting the proposed rule changes. Blake Spillers, Colon Community Fire & Rescue Department	
4	cbx1050max@aim.com			It is easy for you to add to firefighter training requirement because you just make rules. We at the local level have to figure how to pay for this. Please include funding to cover the cost of We are already scraping the bottom of the barrel. Our fi...	
5	Charles F. McCormick IV	Chief of Police	City of Monroe Police Department	Michigan Office of Administrative Hearings Rules Bureau of Fire Services. Attached is my letter of opposition to Rule Set 2019-21 LR, specifically as it refers to the Director of Public Safety position. Thank you for your time and consideration on this matter	6
6	Chris Mantels	Deputy Chief / Fire Inspector	Saugatuck Township Fire Department	Good Afternoon, Please find my attached public comment regarding the draft firefighter training administrative rules. Thank you, Chris Mantels Deputy Chief / Fire Inspector Saugatuck Township Fire District	7
7	Christopher Stoecklein	Fire Chief	Canton Public Safety	Please accept my comments regarding the rule changes. Thank you, Christopher J. Stoecklein Fire Chief Canton Public Safety	8
8	David E. Molloy via Renee Landis (City of Novi Administrative Assistant)	Public Safety Director / Chief of Police	City of Novi	Hello, Please disregard the email with attached letter sent at 12:35 p.m. EST; I inadvertently sent the wrong draft. The correct letter is attached to this correspondence and I would be grateful if you would make sure the desired letter is forwarded to the proper personnel. I apologize for any inconvenience. Thank you, Renee Landis	9
9	Dennis C. Wilkins	Director of Public Safety	Gun Lake Tribe Public Safety Department	Michigan Office of Administrative Hearings and Rules Bureau of Fire Services Re: Testimony Regarding Proposed Rules, 2019-21LR March 18, 2021 I stand with the Michigan Association of Chiefs of Police who also submitted the following comments to Proposed Rules 2019-21LR. As part of Michigan's first responder community, I am concerned about the proposed requirements that states the following: (6) - A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification: (a) Fire officer. (b) Fire inspector. (c) Fire investigator. (d) Airport rescue firefighter. (e) Hazardous material responder. (f) Technical rescue responder. (g) Fire chief. (h) Public safety director. (i) Plans examiner. I have particular concern as to proposed rule 6(h). Our local officials determine what criteria candidates for Public Safety Director must meet when considering filling the position. Our community employs individuals that have served as a police officer or as a firefighter. Currently, a certification classification for Public Safety Director does not exist. Ultimately, who meets the criteria and what additional education or training required is made by members of the board that have hiring authority for our community. Further, establishing continuing education requirements for a classification that does not exist does not seem reasonable. In addition, I feel that it is important to point out that the position of Public Safety Director is an administration, not an operational position. This is well recognized by the State of Michigan as they do not require a Police Chief or Sheriff to attend, graduate, or be certified by a police academy. In closing, I strongly oppose Proposed Rules 2019-21LR with the inclusion of 6(h). Miigwêch, Dennis C. Wilkins Director of Public Safety Gun Lake Tribe Public Safety Department	
10	Don Munn	President	Western Michigan Association of Fire Chiefs	On behalf of the Western Michigan Association of Fire Chiefs, please find the attached letter in response to the proposed rule changes being discussed. Thank you. Don Munn President Western Michigan Association of Fire Chiefs	10
11	Elmer J. Hitt	Director of Police and Fire Services	City of Jackson	Please see the attached. Thank you, Elmer J. Hitt Director of Police and Fire Services	11

OPPOSE

Name	Title	Organization	Comments	Exhibit
12 Eric Mackinnon		Frankenmuth Fire Department	<p>Afternoon, Frankenmuth Fire Dept. would like to submit the following: At this time we are not in agreement that the Instructor 1 course should be the entry or gate keeper into the new officer certification program outlined in recent drafts of the firefighter training program. We feel that not all officers are teachers, nor are all teacher officers. General knowledge of teaching concepts are good foundation skills for an officer and feel the prior education methodology course filled this need. An extreme concern for the future of recruitment into the officer ranks fuels our need to submit this comment. This concern is not just for our department but also those that are struggling to obtain qualified individuals to fill the rank of a firefighter. Respectfully, Eric MacKinnon Frankenmuth Fire Department</p>	
13 Gerald A. Luedeking	Fire Chief	Richland Township Fire Department	This E-mail was sent from "RNP002673E89484" (MP C3004ex). Scan Date: 03.24.2021 12:34:20 (-0400)	12
14 Greg Flynn	Fire Chief	West Bloomfield Fire Department	<p>Please see my attached comments related to the Fire Fighter Training- Administrative Rules Public Comment scheduled for Wednesday, March 24, 2021 at 11:00 a.m. GREGORY FLYNN Fire Chief West Bloomfield Fire Department</p>	13
15 Greg Lelito	Fire Chief	Madison Heights Fire Department	<p>Good afternoon. I have attached a letter from the OAKWAY Mutual Aid Association regarding comments on the proposed rules, 2019-21LR. Thanks, Greg Lelito Fire Chief Madison Heights Fire Department</p>	14
16 Jack L. Snyder, Jr.	Acting President	Michigan State Firemen's Association	<p>Michigan Office of Administrative Hearings and Rules, The Michigan State Firemen's Association is not supporting the proposed rule changes regarding our concern over reciprocity recognition for Credentialing. Please see the attached letter. Sincerely, Jack L. Snyder, Jr. Acting President Michigan State Firemen's Association</p>	15
17 Jason Wright	Chief of Police	Van Buren Police Department	To Whom it may Concern, Please review my letter of opposition concerning the proposed legislation that would require public safety directors to obtain firefighter 1 and 12 hours of continuing education.	16
18 Jeff Drake	Fire Chief	Solon Fire Department	To whom it may concern, Please find attached. Jeff Drake Fire Chief Solon Fire Department	17
19 Jeff Roberts	Fire Chief/MAFC President	City of Wixom Fire Department	<p>Please see the attached written testimony regarding the Administrative Rules for Fire Fighters Training Council. Chief Jeffrey A. Roberts City of Wixom Fire Department MAFC President IAFC GLD GPO Rep.</p>	18
20 Jeff Roberts on behalf of the Michigan Association of Fire Chiefs via Stephanie Johnson	MAFC President	Michigan Association of Fire Chiefs	To Whom It May Concern: On behalf of the Michigan Association of Fire Chiefs, please accept the attached document regarding public comment of proposed Rule Set 2019-21LR. Thank you, Stephanie Johnson	19
21 Jeffery R. Johnson	Fire Chief	City of Novi Fire Department	Michigan Office of Administrative Hearings and Rules Jeffery R. Johnson Testimony Regarding Proposed Rules, 2019-21LR Regarding the Draft for Firefighter Training Council Rules PA291	20
22 Jeffrey Niemeyer	Firefighter	Livonia Fire Department	<p>Hello, I am Jeffrey Niemeyer my address is 5590 Jada Dr. Highland Twp. MI. I work for Livonia Fire Dept and I am a member in good standing with Local 1164 Livonia Fire Fighters. I am writing this email today to let you know that I do not support these rule changes that the MPFFU is suggesting mostly dealing with the proposed change of having to take the IC class prior to taking any Fire Officer classes. I feel if these changes are to be made it should only go in the form of someone who wishes to become an Instructor Coordinator. Many people who are in the Fire service may not want to become an IC and I feel this class should not be forced onto people just to take Fire Officer classes. If we are to make these changes isn't this something that should be brought to a vote to all of the locals and even volunteer depts across the State of Michigan? What body of persons is voting this in? Again I do not support this change. Thank you Sincerely, Jeffrey Niemeyer.</p>	
23 Johnny L. Menifee	Fire Chief	Southfield Fire Department	<p>Greetings, Michigan office of Administrative Hearing and Rules I, Johnny L. Menifee, Fire Chief for the City of Southfield Fire Department offer the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Please see attachment. Thank you, Chief Johnny L. Menifee Fire Chief - Southfield Fire Dept.</p>	21
24 Josh Judsen	Fire Chief	Fabius Park Fire Rescue	To whom it may concern: I do not support support the proposed rule changes to firefighter training. Chief Josh Judsen Fabius Park Fire Department	
25 Josh Mosher	Assistant Chief	Midland Fire Department	Good morning, On behalf of the Northern Michigan Fire Chiefs Association, please accept the attached document regarding public comment of proposed Rule Set 2019-21LR. Thank you	22
26 Kurt Knight	Fire Chief	Martin Township Fire & Rescue	To Whom it May concern, Please see attached word document serving as Testimony for the Martin Township Fire and Rescue Department within Allegan County, Michigan. This is in reference to the public hearing on Firefighter Training and administrative Rules. Respectfully, Chief Kurt Knight Martin Township Fire and Rescue	23

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	Name	Title	Organization	Comments	Exhibit
27	Lee Gould	Fire Marshal	Northern Michigan University	<p>To Whom it Concerns,</p> <p>I am providing comment to the Department of Licensing and Regulatory Affairs Firefighters Training Council General Rules proposed amendments. While I support continuing education and standards, I do not support adoption of these rules as a whole and ask they be reconsidered before adoption. Concerns that I have are as follows:</p> <p>1. R29.405a Classification for fire chief, requirements; reciprocity. - I am the fire chief of Chocloy Township Fire Department. I have been on the fire department for 17 years holding all rank and 3 years as Chief. I support continuing education for command level officers as they are tasked with life safety decisions. What I completely disagree with in this proposed change is Rule 5a (b) The individual completes the instructor I course, fire officer I course and fire officer II course. I have no desire to become a certified fire instructor and I disagree this needs to be part of the Chiefs certification. I agree with the Fire Officer I & II certification. Fire Chiefs in the part paid and volunteer departments which I am in don't have the time or desire to teach with all the other duties they need to fill in the fire service on top of their daily career job. Forcing them to be a certified fire instructor seems counterproductive and in my opinion will discourage potential future chiefs from getting certified. Respectively, I am asking this portion of language be considered removed from this rule.</p> <p>2. R 29.405b Classification for fire inspector; requirements; reciprocity- and R 29.405n Classification of plans examiner, requirements; reciprocity. (3)(a) states "be a member or an employee of a fire department or public safety department. I work at a University as the Fire Marshal. I am a certified Fire Inspector I & II and Plans Examiner. I am also on a local fire department. Reading this, if I no longer maintain my fire department status, according to these rules I would no longer be allowed to keep my Fire Inspector Certification or Plans Examiner Certification because I am not a member or employed by a fire department? If this is correct, I would lose my career job at the University for not being on a fire department? As a fire inspector and plans reviewer for the University, I conduct code work and plans review working with the local fire department. Being a firefighter can help with this but it is not vital for this type of code work. I completely disagree with this portion of the rule and respectively ask it be considered to be removed.</p> <p>I listened to the Public Comment this morning and was discouraged to hear only 8 people speak against the rules or parts thereof out of the 52 I heard speak. Only two people spoke on behalf of the volunteer or part paid departments. The members of these departments likely were not available as they were working their career job. It was dominated by career department people who mostly were on duty. As stated 86% of the departments are volunteer or part paid in Michigan yet conversations are mostly dominated by full time departments. Respectively I fully understand and support standards and changes in the fire service, however I can not agree with all these proposed amendments as in my opinion this will have a huge impact on volunteer and part paid departments who are already struggling to maintain active rosters. Thank you for your time.</p> <p>Lee Gould Fire Chief and Fire Marshal</p>	
28	Lisa Nocerini	City Manager	City of Wayne, Michigan	Via mail	24
29	Marsha Drouin	Richland Township Treasurer	Richland Township, Kalamazoo County	<p>I am listening to the Public Hearing.</p> <p>The issue of the Rules is evident with monitoring this Public Hearing.</p> <p>The highest number of participants in the Public Hearing are from Full time, "career" Firefighters.</p> <p>Where is the input from the Paid on call, parttime firefighters?</p> <p>The highest number of firefighters in Michigan are from Paid on call, parttime firefighters.</p> <p>Our Paid on call, parttime firefighters Fire Department is constantly training to keep all up to date.</p> <p>We train on events , issues that are seen in our local area as we assist neighboring Departments as well.</p> <p>If we have to train on events, issues that are not even an issue locally, the amount of training will</p> <p>Don't punish all the parttime Firefighters for those departments that do not train which I think much of this process is addressing.</p> <p>As a local official , I am concerned about the ability to get firefighters that will commit to our fire Department .</p> <p>Our taxpayers are paying for an expected service that we may not be able to "man"</p> <p>Financially , we have a budget that could support our Fire Department but many smaller municipalities don't have a budget.</p> <p>For years, we have felt that the nearby city full time fire departments have been trying to take over our local Paid on call, parttime firefighter based fire department.</p> <p>They would not be able to get to our Township timely and have little experience with the issues that we locally have as we have little experience in the city issues.</p> <p>WE have been fighting grass fires in fields for the last 5 days . You don't have that in the city.</p> <p>Education is necessary but just taking a test does not prove efficiency. The training should be adaptable to the municipality and their types of possible "fire " evens.</p> <p>Education should be coordinated with all entities that certify Firefighters.</p> <p>Not all Firefighters want to be full time career firefighters which is what all these city firefighters are claiming.</p> <p>Marsha C Drouin Richland Township Treasurer Kalamazoo County</p>	
30	Marshall Saylor	Firefighter	Leonidas Fire & Rescue	<p>I do not support the proposed rule changes</p> <p>Marshall Saylor Leonidas Fire/Rescue</p>	
31	Matt Overholt	Fire Chief	Colon Community Fire and Rescue	<p>Good Afternoon,</p> <p>I have attached a letter of Concern about the upcoming training requirements. I think it should be up to the chief to know what we are needing to train on. Being a head of a dept i know my people weakness and strengths. If we feel like there is a person that needs more time on a certain topic than what we need to do not to be told by the state what my people need to do. Every dept operates differently and every dept has different equipment that we train on.</p> <p>Matt Overholt Fire Chief Colon Community Fire & Rescue</p>	25
32	Max Kulpinski	Fire Chief	Tri-Township Fire Department	<p>Michigan Office of Administrative Hearings and Rules Fire Chief Max Kulpinski Testimony Regarding Proposed Rules, 2019-21LR</p>	26
33	Michael Cecchini	Director of Public Safety	Bay City Department of Public Safety	<p>Here is my letter of opposition to Rule Set 2019-21 LR.</p> <p>Sincerely, Michael J. Cecchini Public Safety Director <u>Bay City Department of Public Safety</u></p>	27
34	Michael Keefe	Fire Chief	Allendale Fire Department	<p>Allendale Charter Township Fire Department is opposed to these rule changes.</p> <p>Michael Keefe Fire Chief Allendale Fire Department</p>	
35	Michael McLeieer	Firefighter	Kalamazoo	<p>Good Morning,</p> <p>Please find attached my letter opposing three points in the Proposed Rules, 2019-21LR regarding the firefighter training requirements.</p> <p>If you have any questions, please feel free to contact me.</p> <p>Best Regards, Michael McLeieer, Firefighter</p>	28

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	Name	Title	Organization	Comments	Exhibit
36	Michael Pionke	Fire Chief	Stanton Township Volunteer Fire Department	To Whom it May Concern: Please see the attached letter (CCVFA FFTC Rules Comment.pdf) from the Copper Country Volunteer Firefighters Association submitted as comment on the proposed Administrative Rules for Fire Fighters Training Council Rule Set 2019-21 LR. Sincerely, Michael Pionke President, Copper Country Volunteer Firefighters Association Chief, Stanton Township Volunteer Fire Department	29
37	Nicholas J. Arnold	Director of Public Safety	Portage Department of Public Safety	To whom it may concern, This proposed requirement, specifically 6(h) is in appropriate and unnecessary and demonstrates a misunderstanding of what a Public Safety Director is and what they do. The position of Director of Public Safety is that of an administrator and not of an operator. Being in Public Safety for more than 30 years now, with the last 4 years as a public safety director, having the FF-I certificate (which I have FF-I and FF-II and a ton of other fire related certifications) and then requiring continuing education hours makes no sense. In today's times is this really a priority? I have a K-9 program yet I am not certified as a K9 handler. I have a drone program and yet I am not a Drone pilot. I just built a brand new, 6 million dollar fire station and yet I do not hold a builders license. It is the municipalities and/or hiring entities who decide qualifications and credentials of their Department Heads and not the State of Michigan. Being a Firefighter/Police Officer and a Director of Public Safety are three totally different animals with different skill sets.. and I have done them all.... and only two of those positions are First Responders. Please accept this communication as my opposition to this proposed rule change. Nicholas J. Arnold Director of Public Safety Portage Department of Public Safety	
38	Noel Clason	Director of Public Safety	Bloomfield Hills Public Safety Department	Department of Licensing and Regulatory Affairs Bureau of Fire Services, Please see the attached letter as my comment regarding your public hearing in response to Firefighter 1 qualifications for the position of Director of Public Safety. Respectfully, Noel Clason, Director of Public Safety Bloomfield Hills Public Safety Department	30
39	Paul Hapke	Fire Chief	Fennville Area Fire Department	To Whom It May Concern, Hear is my Public Hearing Comments. Paul Hapke Fire Chief Fennville Area Fire Department	31
40	Paul Wells	Fire Chief	City of Birmingham Fire Department	Via mail	32
41	Phillip W. Kerns		Frankford Fire Department	Very good. Thanks for capturing our thoughts. (In response to Eric MacKinnon's comments)	
42	Richard A. Huff	City Administrator	City of Niles, Michigan	Please find attached the City of Niles' testimony regarding proposed rules, 2019-21LR and our opposition to the proposal that a Public Safety Director be required to have and maintain Firefighter1.	33
43	Robert Stevenson on behalf of Michigan Association of Chiefs of Police via Stephanie Johnson	Executive Director	Michigan Association of Chiefs of Police	Department of Licensing and Regulatory Affairs, Bureau of Fire Services Fire Fighter Training – Administrative Rules Public Comment To Whom It May Concern: On behalf of the Michigan Association of Chiefs of Police, please accept the attached document regarding public comment of proposed Rule Set 2019-21LR. Thank you, Stephanie Johnson	34
44	Roger D. Squiers	Police Chief	Whitehall Police Department	Please see the attached letter for my comments. Chief Roger D. Squiers Whitehall Police Department	35
45	Ryan Fantuzzi	Labor & Employment Lawyer	Kirk, Huth, Lange, & Badalamenti Law	Dear Department of Licensing and Regulatory Affairs, Bureau of Fire Services: Attached is my letter opposing particular aspects of the proposed changes to the Fire Fighters Training Council rule set. Respectfully yours, Ryan Fantuzzi	36
46	Steven McKellar	Fire Chief	Plainfield Fire Department	To Whom it May Concern, Attached is a letter from Kent County Association of Fire Chiefs for the Public Hearing for Rule Set 2019-21R, Firefighter Training Council Rules for PA 291 scheduled on March 24th . If you should have any questions please contact me. Steven McKellar Fire Chief Plainfield Fire Department	37
47	Thea Dornbush	Deputy Fire Chief	Muskegon Charter Township Fire Department	Good Afternoon, Please find my attached public comment regarding the draft firefighter training administrative rules. Thea Dornbush Deputy Fire Chief Muskegon Charter Township Fire Department	38
48	Tom Kidd and Janelle Ruff	President	Marquette County Firefighter Association	Good Morning, Please find the attached written comment from the Marquette County Fire Fighter's Association Board on behalf of the 17 fire departments in Marquette County. Thank you, Tom Kidd President & Janelle Ruff Secretary/Treasurer Marquette County Firefighter Assoc.	39
49	Tom Talbot	Training Captain	Colon Community Fire and Rescue	Michigan Office of Administrative Hearings and Rules Thomas Talbot Testimony Regarding Proposed Rules, 2019-21LR	40

OPPOSE

	Name	Title	Organization	Comments	Exhibit
50	Travis Heiman	Captain/Training Officer	White Pigeon Fire Department	Lara I will not be supporting the proposed rule changes that the Fire Marshall is trying to implement. Attached is the document stating facts on why I will not be supporting it. Thank you Travis Heiman Captain/Training Officer White Pigeon Fire Department	41
51	Vincent Smith	Director of Public Safety	Harper Woods Department of Public Safety	Good afternoon, Please accept the attached comments opposing the Proposed Rules 2019-21LR. Stay safe and healthy, VINCENT J. SMITH Director Harper Woods Department of Public Safety	42



HARTLAND DEERFIELD FIRE AUTHORITY
HARTLAND AREA FIRE DEPT.

3205 Hartland Road
Hartland, MI. 48353-1825

Voice: (810) 632-7676
Fax: (810) 632-2176

E-Mail: mail@hartlandareafire.com

March 25, 2021

Michigan Office of Administrative Hearings and Rules

Testimony Regarding Proposed Rules, 2019-21LR

As a State Certified Instructor since the mid-90's and Chair of the Livingston County Fire Service Training Committee since 2003, my passion for training and for the State's fire service has continued to grow. With the revision to P.A.291, the members of the then-seated Michigan Fire Service Coalition did an outstanding job in moving the Michigan Fire Service forward. Since then, I have been actively involved in the process to update the Fire Fighters Training Council General Rules. This includes participating during Training Council meetings & work sessions, Association meetings of the Michigan Fire Service Instructors Association and Michigan Association of Fire Chiefs, and within the Livingston County Fire Chiefs Association. The Council has done well in assembling a challenging rule set. I commend them for their work. While they are very good, they are also in need of a few critical changes in the "Testing vs. Attendance" and "Certifications for certain Classifications" sections, as follows:

R 29.405 – Regarding the leap from "Required Testing" to "Required Hours In-Class":

Public Act 291 states – MCL 29.369 Section 9: The state fire marshal, with the approval of a majority of the council, shall 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.

Proposed Rule 29.405 states –

(3) An individual who attends a council-approved firefighter course or courses to qualify for the certification examinations shall comply with both of the following:

(a) An individual shall not be absent from more than 10% of the total lecture hours of an entire course as validated by the course manager.

(i) A course manager may provide flexibility in attendance as needed in firefighter courses due to the length of the course and an individual's employment obligations.

(ii) An individual who is provided flexibility in attendance shall make up missed lecture hours and classes prior to the scheduled ending date of the course.

(iii) An individual shall meet 90% of the lecture hours and 100% of the practical skills hours.

(iv) A course manager shall enforce the bureau's make up policy.

(b) An individual who completes make up training at his or her fire department or public safety department shall complete the bureau's Make Up Training form, BFS-256, for each make up session authorized by the course manager. The fire chief or public safety director shall sign the form and return the form to the course manager for inclusion in the final course paperwork submitted to the bureau via email.

Problem –

The Law does a wonderful job of identifying and calling for what is required for a person to demonstrate competency for certification – that is written and practical testing to National Standards. This ensures that anyone who wants to certify must demonstrate or perform competently, all of the "KSA's", or Knowledge, Skills, and Abilities, commensurate to that certification. In their current form, the rules extrapolate this "testing-for-certification" language into "sitting-for-submission" language that does not lead to student success. In reality,

we know students learn in a variety of ways and at different rates, through a combination of visual, audible, reading and kinesthetic activities, along with varying combinations of quality instruction, coaching, repetition, and evaluation. To force every student into "learning by enduring" is a disservice to many students and is contrary to what we know about how we learn. While there are many examples, most recently and accurately, the new Fire Officer curriculum was rolled out as a virtual program and students were all successful in completion, however, their course time prior to certifying by testing varied from 29 to 67 hours. Certainly, there are plenty of students who will benefit from and will take advantage of in-class opportunities. In fact, many courses are not designed to be delivered any other way. However, archaically requiring all classes, all the time, is counter-productive and unnecessary, because we know "How" a student learns varies with the student. There are many students that learn faster and better by different methods, and in all cases, a good instructor will properly prepare each student based upon the student's learning styles. This is already provided for by the language of the Law, which in all cases requires successfully demonstrating competency through written and practical testing to National Standards.

Solution – Deletion of this section/language. It is unnecessary, counter-productive, and outside the Law.

R 29.418 – Regarding certification classifications:

Proposed Rule 29.418 states –

(6) - A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:

- (a) Fire officer.*
- (b) Fire inspector.*
- (c) Fire investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

Problem – While there is no doubt that Fire Chiefs and Public Safety Directors must be nothing less than competent, there are many glaring contraindications to being listed in this rule, beginning with there being no NFPA Standard to measure these classifications against. In addition, in both cases, they would already fall into any one or more of the other classifications, making it redundant. Then, and perhaps the larger issue, both of these classifications are at the sole discretion and responsibility of the local governmental entity to appoint. Just as the Law did not do, the rules should not overreach into creating local government conflicts and the potential liability implications of rendering a municipality's selection as "unqualified", especially when these classifications have no National Standard to measure against and the rules do not add any value aside from what is already indicated with the other classifications.

Solution – Deletion of subsections 6(g) & (h), as has no value and causes significant liability and political issues.

Thank you,



Adam L. Carroll
Fire Chief

Exhibit 4
LARA BFS FFTC
3-24-2021/amk

Mendon Fire Department/Chief Al Avery Testimony Regarding Proposed Rules, 2019-21LR

The Mendon Fire Department is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Our organization represents 20 firefighters/Chiefs across the Township of Mendon, in St. Joseph county, Michigan. We strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

Our review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although we believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
 - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.

- 2) Exam Requirements – Proposed Rule 29.405
 - As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is our position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

We recommend the board eliminate proposed R 29.405.

- 3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

We recommend striking (6)(g) and (h) of the proposed rule.

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our organization as well as our cities and townships. We appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact me at 269-506-0455, or by e-mail at mfdstat12@aol.com.

Thank you.

G.A. Avery

Al Avery
Chief

Mendon Fire Department

Exhibit 5
LARA BFS FFTC
3-24-2021/amk



City of Monroe Police Department
Chief of Police Charles F. McCormick IV



March 24, 2021

Michigan Office of Administrative Hearings and Rules
Bureau of Fire Services

**Re: Testimony Regarding Proposed Rules, 2019-21LR
March 18, 2021**

I am submitting comments to Proposed Rules 2019-21LR. As part of Michigan's first responder community. My particular concern is to the proposed rule 6(h):

(6) - A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:

(h) Public safety director.

Local officials determine what criteria candidates for Public Safety Director must meet when considering filling such a position. Many communities will employ individuals that have served as a police officer or as a firefighter. Currently, a certification classification for Public Safety Director does not exist. Ultimately, who meets the criteria and what additional education or training required is made by board members who have hiring authority for that community. Further, establishing continuing education requirements for a classification that does not exist does not seem reasonable.

Also, I believe it is essential to point out that the Public Safety Director's position is administrative, not operational. The State of Michigan well recognizes this as they do not require a Police Chief or Sheriff to attend, graduate, or be certified by a police academy; again, these requirements can be made at a local level if so desired.

I strongly oppose Proposed Rules 2019-21LR with the inclusion of 6(h). If you have any questions, please feel free to contact me.

Respectfully,

A handwritten signature in blue ink, appearing to read "C. McCormick IV".

Charles F. McCormick IV
Chief of Police

Exhibit 6
LARA BFS FFTC
3-24-2021/amk



SAUGATUCK TOWNSHIP FIRE DISTRICT

Proudly serving : Douglas | Saugatuck | Saugatuck Township



3342 Blue Star Highway
Saugatuck, MI 49453
269 857-3000 / Fax: 269 857-1228
E-mail: info@saugatuckfire.org

March 20th, 2021

Department of Licensing and Regulatory Affairs
Bureau of Fire Services
2407 N. Grand River, P.O. Box 30700
Lansing, MI 48909

Re: Fire Fighter Training – Administrative Rules Public Comment

To whom it may concern,

I would like to first thank all of you for your time. I am the Deputy Chief of a combination department, made up of 6 career firefighters, and 25 paid-on-call firefighters. I am also a member of the Michigan Professional Firefighters Union, the Michigan Fire Service Instructors Association, the Michigan State Firemen's Association, the Michigan Association of Fire Chief's, and the Michigan Fire Inspectors Society.

I very much appreciate all of the time and efforts the Michigan Firefighter Training Council (council) has spent drafting the administrative rules. I know they have spent more than 150 hours, throughout 40 or more meetings and work sessions.

In the fire service, we have a saying of "We don't train until we get it right, we train until we can't get it wrong. In my opinion, even with all the time spent by the council on the rules, they still have a few sections of the draft rules wrong.

We have over 30,000 firefighters in the State of Michigan, and according to data from FEMA, 86% are volunteers, or primarily volunteer departments. The draft rules are written to hold 86% of firefighters, to the same training requirements as the 13% of career firefighters in Michigan.

I am very much in support of well-trained firefighters, whether volunteer, paid-on-call, or career, however we have to find the balance, of what is realistic and attainable for our volunteer agencies that make up 86% of the firefighters in the state. Every fire department in the United States is struggling with recruitment and retention, and if we set the bar at an unachievable height with the annual training requirements, we risk losing even more qualified personnel.

As a senior command officer, it is my duty to ensure my department is compliant with MIOSHA Part 74, and my personnel are trained, and retrained in the duties commensurate with their job. The draft rules do not need to micromanage what MIOSHA has had in place for years.



SAUGATUCK TOWNSHIP FIRE DISTRICT

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The current draft rules do not treat the different fire service disciplines the same. I currently have a Pro-Board Fire Instructor 2 certificate, that the State of Michigan will not accept, and as I interpret the draft rules, may never accept unless a memorandum of understanding is signed with the Pro-Board agencies. For many years, Michigan State Police has taught arson school to Fire Investigators, and the Michigan Fire Inspectors Society has taught the NFPA Fire Inspector program. Both programs have awarded a Pro-Board certificate, that has been accepted by the Bureau of Fire Services, without a memorandum of understanding. Why now, are we singling out one accredited organization in Pro-Board, by requiring an MOU?

The draft rules need to remove any reference to MOU's, and allow Pro-Board, IFSAC, and National Fire Academy certificates to be accepted in their entirety for both in-state candidates, and out of state requests. I, and several others spoke on this at several of the 40 work sessions with the training council, however it appears to have fallen on deaf ears, as the draft rules are still not right.

Who will ensure compliance with these draft rules? The Bureau of Fire Service (BFS) does not have the staff to conduct maintenance inspections on schools and assembly occupancies and has not for years. It is unlikely the BFS will have the staff to add another task to their list. It is unfair to dump the burden of compliance on the county training committees, as in most cases, this will require another volunteer to spend more of their unfunded time, similar to that of NFIRS reporting compliance.

I would respectfully request, that the current draft rules be denied moving forward, or adoption as currently written. In my opinion, the draft administrative rules need to be returned to the Michigan Fire Fighter Training Council for amendments to the reciprocity, and training hour requirement sections. Thank you for your time.

Respectfully Yours,

Chris Mantels
Deputy Chief / Fire Inspector

Exhibit 7
LARA BFS FFTC
3-24-2021/amk



Canton Public Safety

Chad Baugh, Director of Police Services - Police Chief
Christopher Stoecklein, Director of Fire Services - Fire Chief



1150 S. Canton Center Road, Canton, MI 48188
www.cantonpublicsafety.org
Phone 734/394-5400 • Fax 734/394-5450

Michigan Office of Administrative Hearings and Rules

Chief Christopher J Stoecklein Testimony Regarding Proposed Rules, 2019-21LR

I, Christopher J Stoecklein, Fire Chief of Canton Township Fire Department offer the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. The Canton Fire department is an all hazards department responding to all requests for service in one of the fastest growing communities in Wayne County and in southeastern Michigan. We also have one of the largest populations in the county excluding Detroit. We are one of four nationally accredited agencies in the state. This means we already meet national standards and our model is continuous improvement. Our members are provided extensive training and instruction so they can perform their duties that not only protect the public but recognize the dangers inherent with this profession.

After close review of the proposed rules my concerns are as follows:

- 1) Reciprocity recognition for credentialing of our staff is very important. The Township of Canton takes full advantage of training opportunities both, in and out of Michigan. Knowing certification programs that meet or exceed national standards are recognized by the Bureau is very important to the professional development of Canton Township firefighters. Administrative bureaucracy is unnecessary and a misuse of valuable resources. I would encourage the following language that adheres to the intent of PA 291 for R 29.404:
THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.
- 2) Fire departments across the state have demonstrated flexibility on how firefighters can maintain skills and training during the pandemic. Looking to the future, the Bureau must be flexible as it relates to future firefighters obtaining the necessary training to demonstrate the skill and aptitude to qualify for certification. I recommend the board eliminate proposed R 29.405.
- 3) Continuing education is essential and maintaining standards is a vital administrative role. Fire departments across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA). The specific requirements set forth by proposed R 29.418 should read **CONTINUING EDUCATION ANNUALLY IN AN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.

Sincerely,

Christopher J. Stoecklein
Chief Stoecklein, Canton Fire Department



Exhibit 8
LARA BFS FFTC
3-24-2021/amk



March 24, 2021

Dear Colleague,

As a distinguished leader in the Michigan first responder community, I am concerned about the proposed requirements which state the following:

CITY COUNCIL

Mayor
Bob Gatt

Mayor Pro Tem
Dave Staudt

Andrew Mutch

Laura Marie Casey

Hugh Crawford

Justin Fischer

Julie Maday

City Manager
Peter E. Auger

Director of Public Safety
Chief of Police
David E. Molloy

Fire Chief
Jeffery R. Johnson

Assistant Chief of Police
Erick W. Zinser

Assistant Chief of Police
Scott R. Baetens

Assistant Fire Chief
John B. Martin

Proposed Rule 2019-21LR:

(6) - A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:

- (a) Fire Officer*
- (b) Fire Inspector*
- (c) Fire Investigator*
- (d) Airport Rescue Firefighter*
- (e) Hazardous Material Responder*
- (f) Technical Rescue Responder*
- (g) Fire Chief*
- (h) Public Safety Director*
- (i) Plans Examiner*

Proposed Rule 29.405m Classification of public safety director; requirements; reciprocity:

Rule 5m. This rule provides the classification for public safety director pursuant in section 9 of the act, MCL 29.369.

(1) A public safety director is an individual who meets both of the following:

- (a) Is certified as a firefighter II or completes the council-approved firefighter II requirements, as specified in R 29.405 within 12 months of the date of hire as a public safety director.*
- (b) Completes the Instructor I course, Fire Officer I course, and Fire Officer II course within 36 months of completing the firefighter II requirements.*

(2) An individual who is serving at the public safety director level for his or her jurisdiction before the effective date of these rules is considered to have met the requirements of this rule.

Novi Public Safety Administration
45125 Ten Mile Road
Novi, Michigan 48375
248.348.7100
248.347.0590 fax

cityofnovi.org

For the past 11 years I have served as the Director of Public Safety for the City of Novi. Under my administration, the Novi Fire Department has achieved unprecedented departmental accolades and awards for excellence including a lowered Insurance Services Office (ISO) rating from 5 to 2.

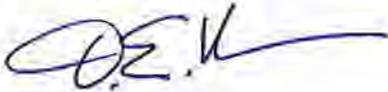
The Novi Fire Department staffs all four fire stations 24/7/365 and has completed a department strategic plan for the overall enhancement of the Novi Fire Department. We have reduced our priority response times and have outstanding customer service feedback from the community members we have served.

Of particular concern to me is proposed rule 6(h). Local officials determine what criteria candidates for Public Safety Director must meet when considering filling the position. Many communities will employ individuals that have served as a police officer or as a firefighter. Currently, a certification classification for Public Safety Director does not exist. Ultimately, who meets the criteria and what additional education or training required is made by members of the board that have hiring authority for that community. Further, establishing continuing education requirements for a classification that does not exist does not seem reasonable.

It is important to point out that the position of Public Safety Director is an administrative position, not an operational position. This is well recognized by the State of Michigan as they do not require a Police Chief or Sheriff to attend, graduate, or be certified by a police academy.

In closing, in conjunction with the MACP, I strongly oppose Proposed Rules 2019-21LR with the inclusion of 6(h) and R29.405. If you have any questions, please feel free to contact me as I would be glad to expand upon my comments.

Respectfully,

A handwritten signature in blue ink, appearing to read 'D.E. Molloy', with a long horizontal flourish extending to the right.

David E. Molloy
Director of Public Safety
Chief of Police

Exhibit 9
LARA BFS FFTC
3-24-2021/amk

Western Michigan Association of Fire Chiefs Testimony Regarding Proposed Rules, 2019-21LR

The Western Michigan Association of Fire Chiefs is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Our organization represents 125 Chiefs across the West Michigan region. We strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

Our review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although we believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
 - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.

- 2) Exam Requirements – Proposed Rule 29.405
 - As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is our position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

We recommend the board eliminate proposed R 29.405.

- 3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

We recommend striking (6)(g) and (h) of the proposed rule.

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our organization as well as our cities and townships. We appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact WMAFC President Don Munn.

Thank you.

Don Munn
President
Western Michigan Association of Fire Chiefs

Exhibit 10
LARA BFS FFTC
3-24-2021/amk

March 23, 2021

Michigan Office of Administrative Hearings and Rules
Bureau of Fire Services

Re: Rules Set 2019-21LR

I am submitting the following comments to Proposed Rules 2019-21LR. As part of Michigan's first responder community, and as the Director of Police and Fire Services for the City of Jackson, I am concerned about the proposed requirements that state the following:

- (6) - *A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*
- (a) *Fire officer.*
 - (b) *Fire inspector.*
 - (c) *Fire investigator.*
 - (d) *Airport rescue firefighter.*
 - (e) *Hazardous material responder.*
 - (f) *Technical rescue responder.*
 - (g) *Fire chief.*
 - (h) *Public safety director.*
 - (i) *Plans examiner.*

Of most concern is proposed rule 6(h). Local officials determine what criteria candidates for Public Safety Director must meet when considering filling the position. Many communities will employ individuals that have served as a police officer or as a firefighter. Currently, a certification classification for Public Safety Director does not exist. Ultimately, who meets the criteria and what additional education or training required is made by members of the board that have hiring authority for a particular community. Further, establishing continuing education requirements for a classification that does not exist, seems unreasonable.

In addition, the position of Public Safety Director is an administrative, not an operational position. This is well recognized by the State of Michigan as they do not require a Police Chief or Sheriff to attend, graduate, or be certified by a police academy.

In closing, the MACP strongly opposes Proposed Rules 2019-21LR with the inclusion of 6(h). If you have any questions, please feel free to contact me as I would be glad to expand upon my comments.

Respectfully,



Elmer J. Hitt



Richland Township Fire Department

7401 North 32nd Street • Richland, MI 49083 • (269) 629-4921 Fax (269) 629-5993

Bureau of Fire Services

March 17, 2021

ATTENTION: Firefighter Training Administrative Rules- Public Comment

2407 Grand River

PO Box 30700

Lansing, MI 48909

Dear Fire Fighter Training:

First, I would like to recognize the firefighters training council's (FFTC) 9 members for what I believe was hours of hard work to propagate these rules. It appears that PA 291 would like to make Michigan's firefighters more professional. It is noteworthy that all council members are members of, or have worked in, full time fire department positions.

According to the web site, Michigan has 1,029 fire departments and 31,541 firefighters. 23,655 of these firefighters are part time or volunteer, meaning that 75% of all of Michigan firefighters are part time, or volunteer. Yet, they are not represented on the FFTC.

It is my opinion that these proposed rules will devastate the volunteer fire service, which I also believe is partially the intent of PA291. I have spoken to a number of chiefs around lower Michigan, and they have similar opinions as mine. Some are afraid to speak. I believe that these rules are the most burdensome proposed rules in years. The proposed rules will certainly add cost and time to all Michigan fire departments. The low budget departments will be hit the hardest. These are primarily volunteer fire departments serving low tax-based communities.

To recap the proposed rules, it will require every fire fighter to have 12 hours of documented firefighter training every year, 36 hours in a 3-year cycle, with 6 hours per year in firefighter knowledge and practical skills. The rules state that no certified instructor is needed for this training, as of yet. The proposed rules also state that firefighters be trained to NFPA 1001 standards. NFPA 1001 is "Standard for Fire Fighter Professional Qualifications". NFPA 1001 states that the training must have lesson plans, and have Job Performance Requirements (JPR) of each certification. NFPA 1001 states that, "JPR. A written statement that describes a specific task, list the items necessary to complete the task, and defines measurable or observable outcomes and evaluations areas for the specific task".

Page: Two

Bureau of Fire Services

March 17, 2021

ATTENTION: Firefighter Training Administrative Rules- Public Comment

The proposed rules also state that if you are a Firefighter-2, you must obtain an additional 12 hours of training in Hazardous-Materials Responder training, in addition to the required 36 hours of required training. These proposed rules do not consider the ongoing training already needed for fire agencies that are also medical first responders.

Every firefighter appointed as a Chief Officer will need to become Firefighter-2 within 12 months of their appointment to chief. Then, after becoming Firefighter-2 and within 36 months, the new Chief must complete the Fire Instructor 1 course, followed by Fire Officer-1 and then Fire Officer-2 course. I believe that many of the volunteer Fire Chiefs will not be able to donate that much time to the job requirement. In some instances, this may make the chiefs position a rotating position with no continuity of training or procedures.

I believe these proposed rules will have a devastating impact on rural areas in both cost and time. Although it appears that the FFTC and Fire Marshalls office will pay for initial training, the burden of paying ongoing education and seminars will be on each municipality for years.

Next to maintain your Fire Instructor-1 or higher certificate you must complete 12-hours (in a 3 year cycle) of continuing education by attending or instructing: instructor development conferences, instructor development seminars, instructor coordinator Emergency Medical Services conference, instructor or instructional development courses sponsored by the National Fire Academy, complete the next level of fire instructor certification, maintain a Michigan EMS instructor coordinator license, or document hours to close out a course in the bureaus training information network. Remember you must be a fire instructor to become a fire officer.

Next, to maintain your officer license you must obtain 12 hours of continuing education, in a 3-year cycle.

To summarize, a volunteer fire chief must maintain 36 hours of fire fighter training, 12 hours of fire instructor training, 12 hours of fire officer training, and 12 hours of hazardous material training every 3-year cycle. That's 72 hours of training.

The FFTC has moved the goal post for firefighter training many times in my career. I am afraid that these rules are just the beginning. The goal post will be moved again and again until the FFTC forces volunteer firefighters out of firefighting. I don't believe that all communities can afford full time fire departments, once volunteer department can no

Page: Three

Bureau of Fire Services

March 17, 2021

ATTENTION: Firefighter Training Administrative Rules- Public Comment

longer comply with these rules, I foresee volunteer fire departments going back to the old days, and just not complying with the rules. I don't think communities will give up their volunteer fire departments.

I believe that a majority of the 23,655 Michigan volunteer firefighters want to serve their community; not for a paycheck or benefits, but as "Neighbor helping Neighbor". Some of these rules will strangle the volunteer fire departments out of existence. I believe that the volunteer fire service fulfills the needs of many communities that simply cannot afford full time staffing. These communities feel they are currently adequately protected.

Most Respectfully,



Gerald A. Luedecking
Fire Chief

Exhibit 12
LARA BFS FFTC
3-24-2021/amk



Michigan Office of Administrative Hearings and Rules

Gregory Flynn, Fire Chief Testimony Regarding Proposed Rules, 2019-21LR

I, Gregory Flynn, Fire Chief for the Charter Township of West Bloomfield offer the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. The West Bloomfield Fire Department (WBFD) serves the communities of West Bloomfield, City of Orchard Lake Village, City of Keego Harbor, and the City of Sylvan Lake in Oakland County. The 99 members of the WBFD strive to ensure the protection of our residents.

After careful review of the proposed rules I have the following concerns:

- 1) Reciprocity recognition for credentialing of my staff is very important. The WBFD takes full advantage of training opportunities inside and outside of the State of Michigan. Knowing certification programs that meet or exceed national standards are recognized by the Bureau is very important to the professional development of West Bloomfield firefighters. Administrative bureaucracy is unnecessary and a misuse of valuable resources. I would encourage the following language that adheres to the intent of PA 291 for R 29.404:

THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.

- 2) Fire departments across the state have demonstrated flexibility on how firefighters can maintain skills and training during the pandemic. Looking to the future, the Bureau must be flexible as it relates to future firefighters obtaining the necessary training to demonstrate the skill and aptitude to qualify for certification. I recommend the board eliminate proposed R 29.405.
- 3) Continuing education is a daily event at the WBFD. Maintaining standards is an important role of the fire chief and staff. Fire departments across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA). The specific requirements set forth by proposed R 29.418 should read **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory Flynn".

Gregory Flynn, Fire Chief
West Bloomfield Fire Department



Michigan Office of Administrative Hearings and Rules

OAKWAY Mutual Aid Association's Testimony Regarding Proposed Rules, 2019-21LR

OAKWAY is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Our organization represents 10 Fire Chiefs and nearly 700 career firefighters from across Oakland County. We strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

Our review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although we believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
 - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.

- 2) Exam Requirements – Proposed Rule 29.405
 - As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is our position the requirements



outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

We recommend the board eliminate proposed R 29.405.

3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:



OAKWAY Mutual Aid Association

Established 1955

(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

We recommend striking (6)(g) and (h) of the proposed rule.

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our organization as well as our cities and townships. We appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact me at 248-588-3605.

Thank you,

Greg Lelito
President
OAKWAY Mutual Aid Association

Exhibit 14
LARA BFS FFTC
3-24-2021/amk

Michigan State Firemen's Association

FOUNDED 1875

P.O. Box 405, 9001 Miller Rd. Swartz Creek, Mi. 48473

Office - 810-635-9513

Fax - 810-635-2858

www.office@msfassoc.net

March 24, 2021

Michigan Office of Administrative Hearings and Rules

Michigan State Firemen's Association Testimony Regarding Proposed Rules, 2019-21LR

The Michigan State Firemen's Association is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Our organization represents 1,900 firefighters, company officers and chiefs across the State of Michigan. We strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

Our review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although we believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
 - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.

Michigan State Firemen's Association

FOUNDED 1875

P.O. Box 405, 9001 Miller Rd. Swartz Creek, Mi. 48473

Office - 810-635-9513

Fax - 810-635-2858

www.office@msfassoc.net

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our organization as well as our cities and townships. We appreciate the opportunity to provide input on these rules and consideration of the changes outlined on the previous page. If you have any questions, please contact me at 989-436-1280.

Sincerely,

Jack L. Snyder, Jr.
Acting President
Michigan State Firemen's Association

Exhibit 15
LARA BFS FFTC
3-24-2021/amk



Van Buren Township Department of Public Safety



Gregory M. Laurain
Director of
Public Safety

Jason Wright
Chief of Police

03/24/2021

Department of Licensing and Regulatory Affairs
Bureau of Fire Services

Fire Fighter Training Administrative Rules Public Comment
2407 N. Grand River, P.O. Box 30700, Lansing MI 48909

Letter of Opposition

To whom it may concern,

I have recently heard that the State Fire Marshall is advocating a change in the state law (Proposed Rules 2019-21LR with the inclusion of 6(h) that will require Directors of Public Safety to obtain Firefighter 1 certification along with 12 additional continuing education hours in a 3-year cycle to maintain certification. As far as I'm aware, a classification or certification for a Public Safety Director does not exist.

I am not sure what the importance of this type of certification for a Public Safety Administrator would be. As a Public Safety Director for the past 8 years, my job description is that of an administrator, not a Fire Chief or First Responder. My public safety department like many in the state is a Nominal model where police and fire are separate. There is a Fire Chief who operates under the administration of a Director. So, what is the need for a Public Safety Director to be certified if he/she is not in an operational role.

I strongly oppose Proposed Rules 2019-21LR with the inclusion of 6(h) or any proposed bill that would impose these types of legislative restrictions upon a Public Safety Director who serves in an administrative role over police, fire and ems.

Respectfully submitted,

Gregory M. Laurain
Director of Public Safety

Exhibit 16
LARA BFS FFTC
3-24-2021/amk

Solon Fire Department, Chief Jeff Drake Testimony Regarding Proposed Rules, 2019-21LR

The Solon Fire Department, Cedar Springs MI, is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Our organization represents 16 firefighters/Chiefs across the County of Kent. We strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

Our review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although we believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
 - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.

- 2) Exam Requirements – Proposed Rule 29.405
 - As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is our position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

We recommend the board eliminate proposed R 29.405.

- 3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

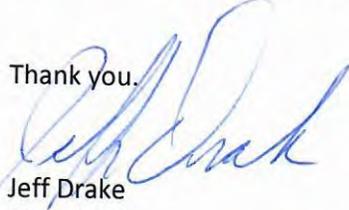
(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

We recommend striking (6)(g) and (h) of the proposed rule.

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our organization as well as our cities and townships. We appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact Chief Jeff Drake.

Thank you.



Jeff Drake

Fire Chief

Solon Fire Department (041-27)



Michigan Office of Administrative Hearings and Rules

Chief Jeff Roberts Testimony Regarding Proposed Rules, 2019-21LR

I, Jeff Roberts, Fire Chief for the City of Wixom Fire Department offer the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. The City of Wixom Fire Department is an all hazards department responding to all requests for service in one of the fastest growing communities in Oakland County and in southeastern Michigan. Our members are provided extensive training and instruction so they can perform their duties that not only protect the public but recognize the dangers inherent with this profession.

After close review of the proposed rules my concerns are as follows:

- 1) Reciprocity recognition for credentialing of our staff is very important. The City of Wixom Fire Department takes full advantage of training opportunities both, in and out of Michigan. Knowing certification programs that meet or exceed national standards are recognized by the Bureau is very important to the professional development of Wixom firefighters. Administrative bureaucracy is unnecessary and a misuse of valuable resources. I would encourage the following language that adheres to the intent of PA 291 for R 29.404:
THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.
- 2) Fire departments across the state have demonstrated flexibility on how firefighters can maintain skills and training during the pandemic. Looking to the future, the Bureau must be flexible as it relates to future firefighters obtaining the necessary training to demonstrate the skill and aptitude to qualify for certification. I recommend the board eliminate proposed R 29.405.
- 3) Continuing education is essential and maintaining standards is a vital administrative role. Fire departments across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA). The specific requirements set forth by proposed R 29.418 should read **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.

Sincerely,

A handwritten signature in black ink that reads "Jeff Roberts".

Chief Jeff Roberts
City of Wixom Fire Department

Exhibit 18
LARA BFS FFTC
3-24-2021/amk

Fire Department Administration • 1345 North Wixom Road • Wixom, MI
49393-1407



Michigan Association of Fire Chiefs

Proudly Serving Michigan Since 1925

March 24, 2021

Michigan Office of Administrative Hearings and Rules

Testimony Regarding Proposed Rules, 2019-21LR

Over the last 2 years, many members of the Michigan Association of Fire Chiefs have been active participants in the process to update the Fire Fighters Training Council General Rules both during training council meetings and among meetings within our association.

To assure the rules adequately address concerns within our industry and to ensure the rules comport with the requirements of Public Act 291, we request the following amendments and deletions to the rules dated November 17, 2020 presented at this public hearing. We further request the Bureau of Fire Services to respond to the specific questions raised in this letter relative to the Regulatory Impact Statement (RIS).

1. In-State Fire Service Member Reciprocity Recognition for Credentialing.

- *Public Act 291* – MCL 29.369 Section 9 states: The State Fire Marshal, with the approval of a majority of the council, shall 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.
- *Proposed General Rules* - The current rules as proposed in R 29.404 state:
 - (5) *After the effective date of these rules, a memorandum of understanding (MOU) shall be maintained between the bureau and the third-party approved Pro Board® organization for the bureau to administer certification examinations for all Pro Board® courses in this state.*
 - (a) *All Pro Board® courses must be entered in the bureau's training information network prior to the start date of the course and must follow the bureau's rules and procedures.*
 - (b) *An individual who is a member of a fire department or a public safety department may apply and pay a fee to the third-party approved Pro Board® agency to receive Pro Board® certification that is in addition to a bureau certification that was obtained by passing a bureau's certification examination.*
 - (c) *An individual with council certification as company officer I and II series; fire officer I, II and III; fire instructor I; or fire instructor II*

prior to the effective date of these rules, may apply and pay a fee to the third-party approved Pro Board® agency to challenge the Pro Board® examination for firefighter I, II, or firefighter I and II, and fire officer I, II, III or fire instructor I and II. To challenge the exam involves already having an MFFTC certification and wanting to acquire a Pro Board® certification by taking the Pro Board® certification exam.

(d) An individual with a Regional Alliance for Fire Training (RAFT) certification as fire officer I or fire officer II prior to January 1, 2016 may apply and pay a fee to the third-party approved Pro Board® agency to Challenge the Pro Board® exam for fire officer I and II.

➤ Requested Changes to the Proposed Rules – The Michigan Association of Fire Chiefs request this section be deleted in its entirety and replaced with:

- **THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.**

➤ Justification - The proposed rules create a scenario that requires the Bureau of Fire Services to establish a MOU to administer the certification examinations for any pro board course attended by members of the Michigan fire service in this state.

Pro board was established in 1972 and serves as a system for the accreditation of agencies that certify candidates to the various disciplines and levels identified in the National Fire Protection Association (NFPA) professional qualification series of standards.

There are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across North America, and around the world, including 4 here in Michigan that would require a MOU with the Bureau.

The Pro Board accredited organizations that provide certification examinations within the state of Michigan are:

- The National Fire Protection Association (NFPA) for Fire Inspector I, II and Plans Examiner I.
- The Michigan State Police (MSP) for Fire Investigator and Hazardous Material Technician.
- Fire Department Safety Officers Association (FDSOA) for Incident Safety Officer, Health & Safety Officer and Traffic Control.
- The Regional Alliance for Fire Training (RAFT) for Fire Fighter I, II, I/II, Fire Officer I, II, Fire Instructor I & II.

Replacing the overly complicated and inefficient MOU system described above with reciprocity would resolve the issue requiring the bureau of fire services to get and maintain an MOU from multiple agencies in Michigan that would be created by the adoption of these proposed rules.

2. Knowledge Acquisition

- Public Act 291 - MCL 29.369 Section 9 states: The state fire marshal, with the approval of a majority of the council, shall 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.

- Proposed General Rules - The current rules as proposed in R 29.405 state:
 - (3) *An individual who attends a council-approved firefighter course or courses to qualify for the certification examinations shall comply with both of the following:*
 - (a) *An individual shall not be absent from more than 10% of the total lecture hours of an entire course as validated by the course manager.*
 - (i) *A course manager may provide flexibility in attendance as needed in firefighter courses due to the length of the course and an individual's employment obligations.*
 - (ii) *An individual who is provided flexibility in attendance shall make up missed lecture hours and classes prior to the scheduled ending date of the course.*
 - (iii) *An individual shall meet 90% of the lecture hours and 100% of the practical skills hours.*
 - (iv) *A course manager shall enforce the bureau's make up policy.*

 - (b) *An individual who completes make up training at his or her fire department or public safety department shall complete the bureau's Make Up Training form, BFS-256, for each make up session authorized by the course manager. The fire chief or public safety director shall sign the form and return the form to the course manager for inclusion in the final course paperwork submitted to the bureau via email.*

- The Request - The Michigan Association of Fire Chiefs requests this section be deleted in its entirety.

- The Justification - The requirement for hours is irrelevant as all curriculum is standardized and all students must successfully complete knowledge and skill evaluations for certification. The manner in which the successful candidate achieves the knowledge and skills is irrespective of hours attended.

3. Continuing Education Requirements

- Public Act 291 - The standards established under this section must comply with the Michigan Occupational Safety and Health Administration (MIOSHA) general industry safety standard, R 408.17411 of the Michigan Administrative Code. Under the direction of the state fire marshal, the council **may** establish continuing education requirements for maintaining certification under this act.
- Proposed General Rules - The current rules as proposed in R 29.418 state:
 - (5) *The following are the continuing education requirements for each certification classification:*
 - (a) *An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year, in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*
 - (i) *Firefighter continuing education is required for all firefighters in this state, including those individuals who were exempted from fire fighter I or fire fighter II certification due to being employed by a fire department prior to October 1, 1988.*
 - (ii) *A firefighter may apply all common knowledge and practical skill hours necessary to meet subrule (5) (a) of this rule for all fire departments and public safety departments, at which he or she is employed. If 1 of the fire departments or public safety departments has specific duties or functions that exceed those of the other fire departments or public safety departments, the firefighter shall complete that additional specific training.*
- The Request – The Michigan Association of Fire Chiefs request this subsection be modified as follows:
 - (5) The following are the continuing education requirements for each certification classification:
 - (a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain a ~~minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.
 - (i) Firefighter continuing education is required for all firefighters in this

state, including those individuals who were exempted from fire fighter I or fire fighter II certification due to being employed by a fire department prior to October 1, 1988.

(ii) A firefighter may apply all common knowledge and practical skill hours necessary to meet subrule (5) (a) of this rule for all fire departments and public safety departments, at which he or she is employed. If 1 of the fire departments or public safety departments has specific duties or functions that exceed those of the other fire departments or public safety departments, the firefighter shall complete that additional specific training.

- The Justification - The proposed rules are required to comply with MIOSHA General Industry Safety Standard, R 408.17411 of the Michigan Administrative Code. The proposed rules include a minimum number of hours for continuing education that are not defined by MIOSHA. The fact that a set number of hours is being proposed could potentially set a department up for failure if a MI-OSHA inspection/investigation were to occur due to an incident. A department would say we met the twelve hours annually set forth by the MFFTC, but MI-OSHA determines that to be inadequate. The number of hours used is a low average of a very wide variance, and varying wider in application to individual agencies across the State. This measurement tool is arbitrary and inappropriate. In addition, it has been the position of Council that the Michigan fire service asked for this. However, the question was not "how would you like to measure this?", the question that was posed by the State Fire Marshal at several town hall meetings was "how many hours do you think would be appropriate?". We continue to believe that training should be competency based, specific to the duties expected to perform, not by a minimum number of hours, potentially creating a conflict.

4. Certifications

- Proposed General Rules - The current rules as proposed in R 29.418 state:
 - (6) - *A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*
 - (a) *Fire officer.*
 - (b) *Fire inspector.*
 - (c) *Fire investigator.*
 - (d) *Airport rescue firefighter.*
 - (e) *Hazardous material responder.*
 - (f) *Technical rescue responder.*
 - (g) *Fire chief.*
 - (h) *Public safety director.*
 - (i) *Plans examiner.*

- The Request – The Michigan Association of Fire Chiefs requests subsection 6(g) & (h) be deleted in its entirety.
- The Justification – While we believe Fire Chiefs and Public Safety Directors should complete significant education, there is no national standard to meet. Further, the hiring of and standards for Fire Chiefs and Public Safety Directors is a local decision. As a result, while laudable, requiring certification for fire chiefs and public safety directors is not able to be implemented.

5. Definitions

- Proposed General Rules - The current rules as proposed in R 29.401 state:
 - (i) "Equivalent" means certifications from another state's certifying agency that meet the NFPA standard for that classification.
- The Request – The Michigan Association of Fire Chiefs requests this definition be deleted in its entirety.
- The Justification – The term equivalent is used two times within the proposed rules, for previously issued fire officer certification in R 29.405l and in plans examiner in R 29.405n, although neither of these are being used within the context in which the word is defined. The Merriam-Webster definition of 'equivalent' is adequate and fits the various conditions in which it is used in the document.

6. Regulatory Impact Statement

The Regulatory Impact Statement (RIS) filed by the Bureau of Fire Services on January 28, 2021 and approved by the Michigan Office of Administrative Hearings and Rules on February 1, 2021 contains several statements that should be corrected or clarified to illustrate the true cost of the rules and demonstrate how the Michigan proposed rules compare to national standards and the rules in surrounding states.

- Section 2 – The RIS states that "Ohio, Wisconsin, Indiana grant some form of reciprocity, but the candidate is required to take an exam for each certification they are requesting reciprocity." *This is incorrect.* Ohio requires an individual to take an exam for each level for reciprocity. Indiana only requires an exam for instructor. Wisconsin does not require an exam if the individual has Pro-Board or IFSAC certification. The Wisconsin Fire Education Standards Office does a review and simply provide the individual with state equivalency.

Further in Section 2, the RIS states that "When the new rules go into effect, Michigan will be the easiest state to gain reciprocity without an exam requirement for individuals who are certified in another state, military, or Pro Board, IFSAC, and the National Fire Academy in identified classifications." *This too is incorrect.* Based on the comments in the previous paragraph on other state standards, this is clearly not the case.

Finally, at the end of Section 2, the RIS states that "If these rules are adopted, a Michigan fire service member will need 36 hours within a 3-year period. A fire instructor/fire officer will need an additional 12 hours within the same 3-year period." *This is an incorrect statement.* If you are a fire fighter, you need 36 hours. If you are an instructor, you need an additional 12 hours. The RIS fails to mention that Fire Investigators, Fire Officer, Fire Chief, Airport Rescue Firefighter, Fire Inspector, Hazmat Responders, Tech Rescue Responders and Plan Examiners need an additional 12 hours.

- Section 2A – The RIS states that "Michigan is comparable to other states or has fewer restrictions than Illinois, Indiana, Ohio and Wisconsin for certification, continuing education, reciprocity, and live fire training." *This too is incorrect.* While Ohio is comparable; Wisconsin, Illinois, and Indiana have very limited continuing education requirements.
- Section 6 – The RIS states "The latest update of Public Act 291 (PA 291) requires additional certification training and testing that was not previously mandated for promotions or positions." It also demands continuing education that was not previously required. Firefighters will have to update their certifications and participate in continuing education annually to maintain their position or obtain promotions." This statement seriously misstates the language and intent of PA 291. PA does not MANDATE individuals to obtain certifications for each discipline. It only mandates that a person of a volunteer or paid, on-call status obtain Firefighter 1 within 1 and 2 years of hire. No further mandates are in the act to maintain a position or obtain a promotion. While PA 291 authorizes the general development of general standards, the Authority Having Jurisdiction has traditionally determined what level a person shall be trained to for promotional opportunities - NOT the state – based on the duties performed.
- Section 29 – The RIS states that "There will not be any compliance costs for individuals or the public from the proposed new rules because all costs for training and certification are partially funded by both Firework Safety Fees and the BFS fire fighter training budget." *This is grossly inaccurate.* To state that there are funds available does not in any way address the question – what is the cost of compliance. Further, because the Rules by their own terms require more certifications for promotions, should the two funding sources identified be insufficient, the local fire service or the candidate will have to pay the costs. Also, the current revenue source does not provide for covering of costs associated with personnel wages, for what now would be considered mandatory training, an employer will see significant wage cost associated with these training requirements. We specifically request that the Bureau revise the RIS to accurately estimate the true cost of compliance – not simply the revenue source.
- Section 32 – The RIS states that "For firefighters with aspirations to further their career in the fire service, the proposed rules will help with job creation as well as retention because it lays the foundation of how to obtain higher positions." *The Bureau's statement is nonsensical.* To say that job retention of our existing quality workforce is somehow impacted by requiring more

continuing education hours is illogical at best. Further to focus on improving job access to candidates from other states seems an odd focus for Michigan rules – especially as the proposed rules create more barriers for reciprocity for in-state firefighters than out-of-state.

- Section 35 – The RIS states that “All reasonable alternatives in the rule process were considered by the stakeholder group. With the rules represented by the nine members of the Michigan Fire Fighters Training Council (Michigan Association of Fire Chiefs, Michigan Professional Fire Fighters Union, Michigan Firemen’s Association, Michigan Fire Service Instructors Association, Michigan Fire Inspector Society, Michigan Municipal League, Michigan Township Association, and the Bureau of Fire Services).” *This again is inaccurate.* The Michigan Association of Fire Chiefs asked for several areas to be modified during the stakeholder process. Many of the requested changes – including several key issues - were disregarded.

- Section 35A – The RIS states that “All reasonable alternatives in the rules process were considered by the stakeholder group, with the rules represented by the nine members of the Michigan Fire Fighters Training Council (Michigan Association of Fire Chiefs, Michigan Professional Fire Fighters Union, Michigan Firemen’s Association, Michigan Fire Service Instructors Association, Michigan Fire Inspector Society, Michigan Municipal League, Michigan Township Association, and the Bureau of Fire Services).” The Bureau’s response does not address the question posed by Section 35A.

Thank you for the opportunity to make comments and suggest changes. We look forward to working with the Bureau to remove our objections and improve this rule set.

Sincerely,

Jeff Roberts
President
Michigan Association of Fire Chiefs

CC: Donald Bigger, President - MFSIA
Jack Snyder, President - MSFA
Mark Docherty, President - MPFFU
Kyle Svboda, President - MFIS
William Wild, President - MML
Peter Kleiman, President - MTA

Exhibit 19
LARA BFS FFTC
3-24-2021/amk

Michigan Office of Administrative Hearings and Rules
Jeffery R. Johnson Testimony Regarding Proposed Rules, 2019-21LR

Regarding the Draft for Firefighter Training Council Rules PA291:

Specifically section R 29.405m. Public Safety Director.

Any new Public Safety Director will be required to become Firefighter II within 12 months and Instructor I, Fire Officer I & II within 36 months.

The rules provide no exemption for a Public Safety Director who is strictly serving as an Executive Administrator to oversee a Police and Fire Department Agency. This is unreasonable and should take into consideration a Public Safety Director who does not actively engage in firefighting (inactive) and only functions as the Executive Administrator for an Agency. (see draft section below).

R 29.405m Classification of public safety director; requirements; reciprocity.

Rule 5m. This rule provides the classification for public safety director pursuant in section 9 of the act, MCL 29.369.

(1) A public safety director is an individual who meets both of the following:

(a) Is certified as a firefighter II or completes the council- approved firefighter II requirements, as specified in R 29.405 within 12 months of the date of hire as a public safety director.

(b) Completes the Instructor I course, Fire Officer I course, and Fire Officer II course within 36 months of completing the firefighter II requirements.

(2) An individual who is serving at the public safety director level for his or her jurisdiction before the effective date of these rules is considered to have met the requirements of this rule.

(3) An individual shall apply to the bureau on the bureau's Training Certification Application form, BFS-205, to receive state certification.

Recommend Amending by Adding:

A Public Safety Director who strictly serves in an Executive Administrator capacity and does not engage in firefighting (inactive) is exempt from the fire training requirements.

Additionally, I support the Michigan Association of Fire Chiefs with the following outlined concerns specific to the proposed rules:

1) Reciprocity recognition for Credentialing – Proposed Rule 29.404

- Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.

2) Exam Requirements – Proposed Rule 29.405

- As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is our position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

We recommend the board eliminate proposed R 29.405.

3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING***

EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

We recommend striking (6)(g) and (h) of the proposed rule.

Thank you for considering my Testimony/Suggested Amendments.

Jeffery R. Johnson
Fire Chief, City of Novi



Jeffery R. Johnson | Fire Chief
City of Novi | 45125 W. Ten Mile Road | Novi, MI 48375 USA
t: 248.735.5688 | c: 248.866.8213 | cityofnovi.org

Sent from [Mail](#) for Windows 10

Exhibit 20
LARA BFS FFTC
3-24-2021/amk

SOUTHFIELD FIRE DEPARTMENT

24477 LAHSER ROAD
SOUTHFIELD, MI 48033
TEL: (248) 796-5650
FAX: (248) 796-5605

JOHNNY MENIFEE, FIRE CHIEF
ANTONIO MACIAS, DEPUTY FIRE CHIEF



Michigan Office of Administrative Hearings and Rules

Johnny L. Meniffee, Fire Chief Testimony Regarding Proposed Rules, 2019-211R

I, Johnny L. Meniffee, Fire Chief for the City of Southfield Fire Department offer the following testimony to Proposed Rules, 2019-211R regarding firefighter training requirements.

The Southfield Fire Department (SFD) serves the Cities of Southfield and Lathrup Village in Oakland County, Michigan. Our organization represents 93 sworn members who receive ongoing training in an intentional and serious effort to ensure those on the front lines are provided extensive training and instruction so that they can perform their duties to the best of their abilities.

Our review of the proposed rules has raised the following concerns:

- 1) Reciprocity recognition for credentialing – Proposed Rule 29.404
 - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. We have members that received training and certification inside and outside of the State of Michigan. I encourage our firefighters to seek knowledge outside of their own professional 'bubble' and search for best practices across the country.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD, AT THE TIME OF ISSUE.

- 2) Exam Requirements – Proposed Rule 29.405
 - I agree and fully support a fire service member meeting the necessary requisite knowledge and skills identified in each professional qualification standard, but in a time of a global pandemic, shrinking departments and staffing challenges, it is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skills and aptitude to qualify for certification. Having a set number of hours or mandatory attendance for training instead of competency-based training can have a negative impact on a department by some individuals choosing to only training to the minimal hours required.

I recommend the board eliminate proposed R 29.405.

FIRE ADMINISTRATION

BATT. CHIEF CHRIS SMITH

CAPTAIN TIM MILLER

FIRE MARSHAL MICHAEL ALBO

BATT. CHIEF PAT CHARETTE

CAPTAIN RON BALLERINI

CAPTAIN/EMS MELISSA MEDICI

BATT. CHIEF KEN WHEATON

ACT. CAPTAIN JEFF VESCIO

CAPTAIN/TRAINING JASON DENEAU

SOUTHFIELD FIRE DEPARTMENT

24477 LAHSER ROAD
SOUTHFIELD, MI 48033
TEL: (248) 796-5650
FAX: (248) 796-5605

JOHNNY MENIFEE, FIRE CHIEF
ANTONIO MACIAS, DEPUTY FIRE CHIEF



3) Continuing Education – Proposed Rule 29.418

- It is important that fire personnel maintain standards and continuing education as part of ensuring that all current standards are in practice. Continued education is an important and necessary part of the day to day operation of the S.F.D. Fire stations across the State are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed.

The specific requirements set forth by proposed R 29.418 R 29.418 should read:

CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA standards in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.

Sincerely,

Johnny L. Menifee
Office of the Fire Chief
Southfield Fire Department

Exhibit 21
LARA BFS FFTC
3-24-2021/amk

FIRE ADMINISTRATION

BATT. CHIEF CHRIS SMITH
BATT. CHIEF PAT CHARETTE
BATT. CHIEF KEN WHEATON

CAPTAIN TIM MILLER
CAPTAIN RON BALLERINI
ACT. CAPTAIN JEFF VESCIO

FIRE MARSHAL MICHAEL ALBO
CAPTAIN/EMS MELISSA MEDICI
CAPTAIN/TRAINING JASON DENEAU



NORTHERN MICHIGAN FIRE CHIEFS

www.michiefs.org/nmfca

Michigan Office of Administrative Hearings and Rules

Northern Michigan Fire Chiefs Association Testimony Regarding Proposed Rules, 2019-21LR

The Northern Michigan Fire Chiefs Association is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Our organization represents over 100 members from across Northern Michigan. We strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

Our review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although we believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
 - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe, including 4 here in Michigan.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations in Michigan is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.

- 2) Knowledge Acquisition – Proposed Rule 29.405
 - As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is our position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain

flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

We recommend the board eliminate proposed R 29.405.

3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain a minimum of 36 hours during the 3 year cycle, with a minimum of 6 hours per year, **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our organization as well as our cities and townships. We appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact me at jmosher@midland-mi.org.

Thank you.

Joshua Mosher
President
Northern Michigan Fire Chiefs Association

Exhibit 22
LARA BFS FFTC
3-24-2021/amk

Martin Township Fire and Rescue Testimony Regarding Proposed Rules, 2019-21LR

The Martin Township Fire and Rescue Department is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Our organization represents 22 firefighters and Fire officers proudly serving the Townships of Martin and Watson and Village of Martin within Allegan County Michigan. We strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

Our review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although we believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our community. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
 - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.

- 2) Exam Requirements – Proposed Rule 29.405
 - As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau’s make-up policy. It is our position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

We recommend the board eliminate proposed R 29.405.

- 3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

We recommend striking (6)(g) and (h) of the proposed rule.

While we understand and value the importance of continued education and keeping current with the everchanging information and best tactics in the industry, we ask that you consider the rural agencies within our state. Our department personally as a rural agency utilizing paid on call staff only are struggling to keep an adequate number of firefighters on our roster and the additional burden be placed on them if these rules pass will make it increasingly difficult to recruit and retain firefighters.

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our organization as well as our cities and townships. We appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact me at the information provided below.

Thank you.

Kurt Knight
Fire Chief
Martin Township Fire and Rescue
269-760-0148
martinfire@martintownship.org

Exhibit 23
LARA BFS FFTC
3-24-2021/amk



City of
WAYNE

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MICHIGAN OFFICE OF ADMINISTRATIVE
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Michigan Office of Administrative Hearings and Rules
Attention: **Executive Director: Suzanne Sonneborn**
Ottawa Building
611 W. Ottawa
P.O. Box 30004
Lansing, Michigan 48909

City of Wayne, Michigan: Testimony Regarding Proposed Rules, 2019-21LR

The City of Wayne, Michigan is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Our organization represents 15 firefighters and a Fire Chief that serve the City of Wayne. We strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

Our review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although we believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
 - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.

2) Exam Requirements – Proposed Rule 29.405

- As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau’s make-up policy. It is our position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

We recommend the board eliminate proposed R 29.405.

3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

We recommend striking (6)(g) and (h) of the proposed rule.

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our organization as well as our cities and townships. We appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact my office.

Thank you.

Sincerely,



Lisa Nocerini
City Manager
City of Wayne, Michigan

Cc: Honorable Kevin Coleman, Michigan State Representative
Honorable Dayna Polehanki, Michigan State Senator

Matt Overholt Testimony Regarding Proposed Rules, 2019-21LR

Matt Overholt is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. I strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

My review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although I believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
 - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

I encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

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 - As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau’s make-up policy. It is my position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

We recommend the board eliminate proposed R 29.405.

- 3) Continuing Education – Proposed Rule 29.418
 - R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, I recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

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- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

We recommend striking (6)(g) and (h) of the proposed rule.

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our cities and townships. I appreciate the opportunity

to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact me at 269-506-7854 or Colonfire900@gmail.com.

Thank you,

Matt Overholt
Fire Chief
Colon Community Fire and Rescue

Subject:

FW: Fire Fighter Training- Administrative Rules Public Comment.

Michigan Office of Administrative Hearings and Rules

Fire Chief Max Kulpinski Testimony Regarding Proposed Rules, 2019-21LR

Max Kulpinski is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. I strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

My review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although I believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
 - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

I encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.

- 2) Exam Requirements – Proposed Rule 29.405
 - As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is my position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

We recommend the board eliminate proposed R 29.405.

- 3) Continuing Education – Proposed Rule 29.418
 - R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, I recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

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Fire departments across our great state protect a wide spectrum from mostly forests to densely populated and industrial communities. It is not practical nor economical to mandate one size fits all continuing education requirement(s). Every community and department should work together to ensure firefighters operate safely and effectively. Many townships in this state are not required to provide fire protection at all. I think the committee should give more consideration to historical firefighter death and injury statistics to prove this additional training would be substantially beneficial.

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our cities and townships. I appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact me at (269) 580-6648

Thank you,
Max Kulpinski
Fire Chief
Tri-Township Fire Department

Exhibit 26
LARA BFS FFTC
3-24-2021/amk



March 24, 2021

Michigan Office of Administrative Hearings and Rules
Bureau of Fire Services

**Re: Testimony Regarding Proposed Rules, 2019-21LR
March 18, 2021**

I am submitting the following comments to Proposed Rules 2019-21LR. As part of Michigan's first responder community, I am concerned about the proposed requirements that states the following:

- (6) - *A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:*
- (a) *Fire officer.*
 - (b) *Fire inspector.*
 - (c) *Fire investigator.*
 - (d) *Airport rescue firefighter.*
 - (e) *Hazardous material responder.*
 - (f) *Technical rescue responder.*
 - (g) *Fire chief.*
 - (h) *Public safety director.*
 - (i) *Plans examiner.*

Of particular concern to me is proposed rule 6(h). Local officials determine what criteria candidates for Public Safety Director must meet when considering filling the position. Many communities will employ individuals that have served as a police officer or as a firefighter. Currently, a certification classification for Public Safety Director does not exist. Ultimately, who meets the criteria and what additional education or training required is made by members of the board that have hiring authority for that community. Further, establishing continued operational training requirements for a classification that does not exist is not reasonable.

In addition, I feel that it is important to point out that the position of Public Safety Director is an administrative position, not an operational position. For instance, in my case, I am certified by the State of Michigan as a firefighter I and II. I also have a Master of Science Degree in Public Administration. As an administrator I use the knowledge I learned in graduate school much more than the technical training I received in the fire academy. In my opinion the fire service needs to focus more on the administrative and leadership skills of fire chiefs and public safety directors as opposed to the technical skills of firefighting and managing the fire ground. Company officers in the fire service are more than capable of handling the technical aspects of fighting fires, managing the fire ground, and using the Incident Command System. It should also be noted that the State of Michigan does not require a Police Chief or Sheriff to attend, graduate, or be certified by a police academy. However, most local hiring authorities do require state certification through MCOLES, in addition to a college degree to be a chief law enforcement officer.



Page 2

In closing, I strongly oppose Proposed Rules 2019-21LR with the inclusion of 6(h). If you have any questions, please feel free to contact me as I would be glad to expand upon my comments. I can be reached at 989-894-0904.

Respectfully,

A handwritten signature in blue ink that reads "Michael J. Cecchini". The signature is fluid and cursive, with the first name "Michael" being the most prominent.

Michael J. Cecchini
Public Safety Director

MJC/bwh

Exhibit 27
LARA BFS FFTC
3-24-2021/amk

Firefighter Michael O. McLeieer Testimony Regarding Proposed Rules, 2019-21LR

I, Michael O. McLeieer, am offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. As a 25-year veteran of the fire service, certified Pro-Board fire service instructor level III and contact instructor for the National Fire Academy, I strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

My review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although I believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
 - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

I encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.

- 2) Exam Requirements – Proposed Rule 29.405
 - As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is my position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

I recommend the board eliminate proposed R 29.405.

- 3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, I recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

I recommend striking (6)(g) and (h) of the proposed rule.

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our villages, cities and townships. We need to provide our firefighters with every opportunity to obtain nationally recognized certification and additional professional development opportunities. I appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact me via email at michael.o.mcLeieer@escapeinc.org or by phone at (269) 492-3340.

Thank you for your time.

Sincerely,



Michael O. McLeieer
Firefighter
PO Box 2977
Kalamazoo, MI 49003-2977
Kalamazoo County

Exhibit 28
LARA BFS FFTC
3-24-2021/amk

Copper Country Volunteer Firefighters Association

March 18, 2021

Department of Licensing and Regulatory Affairs
Bureau of Fire Services
Fire Fighter Training-Administrative Rules Public Comment
2407 N. Grand River, P.O. Box 30700,
Lansing, Michigan 48909

Mr. Chad Tacket, Chairperson, and other members of the Fire Fighters Training Council:

Thank you for the opportunity to comment on the proposed Fire Fighters Training Council General Rules. I am writing on behalf of the Copper Country Volunteer Firefighter Association. The Association represents 35 fire departments from Baraga, Houghton, Keweenaw, and Ontonagon counties.

Our comments are concerning:

1. The composition of the draft rules document.
2. The Regulatory Impact Statement & Cost-Benefit Analysis of the rules.

The Composition of the draft rules document.

The definition of firefighter has been remove from the rules. It may be include by reference, but we think it is helpful to have it present in the document.

"Firefighter" means a member, including a volunteer member and a member who is paid on call, of an organized fire department that is responsible for, or is in a capacity that includes responsibility for, the extinguishment of fires, the directing of the extinguishment of fires, the prevention and detection of fires, and the enforcement of the general fire laws of this state. Fire fighter does not include a person whose job description, duties, or responsibilities do not include direct involvement in fire suppression

Rule 18 section (6), (7), & (8) should actually be part of Section (5)(b) regarding Fire Instructor Continuing Education, as subsections (v), (vi), and (vii).

The rules contain redundant sections describing reciprocity (Pro Board, another state, or Armed Forces) across the various classifications that could be consolidated.

The rules contain redundant sections specifying the progression from Fire Instructor I to II to III that can be consolidated. The rules for the progression through the Fire Officer classifications are similarly repetitive.

We are pleased to see the inclusion of Rules 16 and 17 codifying the make-up of the County Training Committee, duties of the committee, and duties of the chairperson.

Regulatory Impact Statement & Cost Benefit Analysis

The Council has failed to recognize the impact and cost of the proposed rule changes to volunteers and volunteer agencies, particularly those in low population density, low tax base and rural areas. (In what follows, items in bold are from the Impact Statement. Underlining added for emphasis.)

Question 16 of the Regulatory Impact Statement & Cost-Benefit Analysis (the Impact Statement) asks, **“In general, what impact will the rules have on rural areas?”**, and answers, **“The new proposed rules will not have any additional impact to rural areas, as rural areas currently must be following R 408.17411 of MIOSHA Part 74, in which departments are responsible for maintaining records for their employees for initial and continual education.”**

This non-answer contends the rules have no impact on rural areas because rural areas already have to keep records.

Answering Question 7 of the Impact Statement, the Council states the obvious, that **“There will be added costs and time associated with the additional training and certification requirements of the new proposed rules.”**

Yet, in response to Question 29, the Council states, **“There will not be any compliance costs for individuals or the public from the proposed new rules because all costs for training and certification are partially funded by both Firework Safety Fees and the BFS fire fighter training budget.”**

So, there are costs, just not to individuals.

This response may be because the Legislature and the Council persist in imagining that all firefighters and emergency responders are employees and all fire and emergency response agencies are employers who will bear the costs. The answer to Question 12 in the Regulatory Impact Statement & Cost-Benefit Analysis (the Impact Statement) says, **“... MIOSHA Part 74, R 408.17411 ... states; “ (1) An employer shall comply with all of the following requirements...”**

In addition, MIOSHA Part 74, R 408.17412. , is titled: Duties of employee. And requires that, **“An employee shall do all of the following...”**. One type of training required by Part 74 is Rule (1)(d) **“A requirement for initial training and annual refresher training in emergency operations and the incident management system.”**

Answer 29B says, **“... the new proposed rules will require members of the fire service to minimally meet and test to the current NFPA standard(s) for their position(s) within the fire department. This will ensure that firefighters and fire officers are more knowledgeable and certified to their position, creating a safer and more beneficial work environment.”**

Answer 32 states, **“For firefighters with aspirations to further their career in the fire service, the proposed new rules will help with job creation as well as retention because it lays the foundation of how to obtain higher positions.”**

In the eyes of the Legislature and the Council, we are all employees and employers. However, there are economic and cultural differences between the **“2,249 Cadets, 72 Explorers, 7,622 Paid Firefighters, 4,074 Non-Paid Firefighters, and 15,065 Part-Paid Firefighters (who) will be affected by the new proposed rules.”** , as enumerated in the answer to Question 29A.

The volunteers and part-paid firefighters are not at the station during their work hours between calls, training, or servicing equipment or an apparatus. They take time out of their non-work time to do these things. For the 4074 Non-Paid, and I suspect for most of the 15, 065Part-Paid Firefighters it is not a career, it is community service.

When the Council says there will, (Question 7) or will not, (Question 29) be additional costs due to the new rules, it glosses over the current costs of basic training for entry into the fire service. For example:

Firefighter Initial Training

- Firefighter I & II/Hazmat Ops 295 Instruction hours
- VFIS Driver Training 8 Instruction Hours
- Incident Command and Resource Management Fire Service 14 Instruction hours
- 317 Total Instruction Hours

These nearly eight workweeks of initial training pose a high barrier to entry for volunteer and paid-on-call firefighters. There is no well paying job waiting, and the example doesn't include other common training such as Vehicle Extrication, Pump Operations, and Tanker Shuttle operations. This example also ignores study, homework and skills practice time outside the classroom, which varies, but one hour of outside class time to one hour of instruction seems low.

The new rules add the requirement for Continuing Education for a Firefighter with Hazmat Ops (which is everyone these days) of 48 hours over 3 years, not the 36 hours stated in the Impact Statement answer to Question 2.

The proposed rules impose the following additional minimums for Fire Chief. We have added here additional Part 74 requirements for Incident Management training.

Fire Chief Initial Training

- NFPA 1041 Instructor I Course 40 Instruction hours
- NFPA 1021 Fire Officer I 70 Instruction hours
- NFPA 1021 Fire Officer II 55 Instruction hours
- Intermediate ICS for Operation 1st Responders 24 Instruction hours
- Advanced ICS for Operation 1st Responders 16 Instruction hours
- 205 Total Instruction Hours

Again, the Council is erecting a barrier to volunteer service. Remember that these five weeks of training come from a volunteer or paid-on-call firefighter's personal non-work time. The example also ignores other common training such as Incident Safety Officer or Strategy and Tactics, and study and homework time outside of class.

Question 34. says, **“Identify the sources the agency relied upon in compiling the regulatory impact statement, including the methodology utilized in determining the existence and extent of the impact of the proposed rules and a cost-benefit analysis of the proposed rules.”**

Council answers, **“We are basing it on the county allocations budgeted by the Bureau of Fire Services with the approval of the Michigan Fire Fighters Training Council using Fireworks Safety Fees as identified in PA 291. “**

The answer does not describe a methodology.

Question 34A, asks, **“How were estimates made, and what were your assumptions? Include internal and external sources, published reports, information provided by associations or organizations, etc., that demonstrate a need for the proposed rules.”**

Council answers, **“The Michigan Fire Fighters Training Council, which is an appointed body, has met 43 times since February of 2018 to consider, frame, and compromise to develop a rule set that will meet the needs and limitations of all 83 Michigan counties.”**

No sources, published reports, or information provided by associations or organizations are cited except that the Council met 43 times.

Question 35 States, **“Identify any reasonable alternatives to the proposed rules that would achieve the same or similar goals.”**

Council’s answers, “All reasonable alternatives in the rules process were considered by the stakeholder groups, with the rules represented by the nine members of the Michigan Fire Fighters Training Council (Michigan Association of Fire Chiefs, Michigan Professional Fire Fighters Union, Michigan Firemen's Association, Michigan Fire Service Instructors Association, Michigan Fire Inspectors Society, Michigan Municipal League, Michigan Townships Association, and the Bureau of Fire Services).”

The proposed rules and the Impact Statement show no evidence the Council acknowledged economic and cultural differences between career and volunteer departments. Nor do the documents show that the Council examined alternatives to the proposed rules for volunteers and volunteer agencies, particularly those in low population density, low tax base and rural areas. These agencies already face recruitment, training, and funding challenges. The proposed rules will do nothing to help overcome those challenges.

Finally, the Council has plainly failed to answer or address several items in the Impact Statement; namely items 16, 29, 34, and 35.

Sincerely,

Mike Pionke, President
Copper Country Volunteer Firefighter Association

CCVFA Executive Board

President, Michael Pionke (Chief) – Stanton Township Volunteer Fire Department
1st Vice President, Darren Niemi – Adams Township Fire & First Responders
2nd Vice President, Patrick Boberg (Chief) - Calumet Township Fire & Rescue
3rd Vice President, John Dittman – Bootjack Fire & Rescue
Secretary, Annette Butina - Adams Township Fire & First Responders
Treasurer, Dan Zubiena (Chief) - Laurium Fire Department
Trustee, Dan Dulong(Chief) - Quincy Franklin Hancock Township Fire Department
Trustee, Michael Mayo – Aura Fire Department
Trustee, Curtis Judson – Chassell Volunteer Fire & Rescue

CCVFA Member Departments

Baraga County

Aura Fire Department
Baraga Fire Department
Covington Fire Department
Keweenaw Bay Fire
L'Anse Fire & Rescue
Pelkie Fire Department

Houghton County

Adams Township Fire
Bootjack Fire & Rescue
Calumet Township
Calumet Village
Chassell Vol Fire & Rescue
Dollar Bay Fire Department
Hancock Fire Department
Houghton Fire Department
Hubbell Fire Department

Hurontown Fire & Rescue
Laird Township Fire Department
Lake Linden Fire Department
Laurium Fire Department
Otter Lake Fire
Quincy Franklin Hancock Township
Ripley Fire Department
Stanton Fire Department
South Range Fire Department
Tamarack Fire Department
Toivola Fire Department
Twin Lakes Fire Department
Duncan Township Fire

Ontonagon County

Greenland Township Fire
Ontonagon Fire Department

Exhibit 29
LARA BFS FFTC
3-24-2021/amk



City of
Bloomfield Hills

Noel Clason
Director of Public Safety

Department of Public Safety
45 East Long Lake Road, Bloomfield Hills, Michigan 48304



23 March, 2021

Michigan Office of Administrative Hearings and Rules
Bureau of Fire Services

To whom it may concern,

As the Director of Public Safety and a member of Michigan Association of Chiefs of Police, I am in opposition of Proposed Rules 2019-21LR with the inclusion of 6(h). As the current Director of Public Safety for the City of Bloomfield Hills, Michigan, I do hold the necessary requirements as proposed but, do not agree it is necessary for the position as top Administrator. The Director is chosen by elected Officials and vetted thoroughly to be qualified in this position.

As any Director should be, he is responsible to his governing body as well as the community to assure his Command Staff and Officers have the necessary qualifications and certifications to be compliant and effective. To state the Director needs additional certifications and continuing educational credits not necessary in his or her scope of responsibility seems redundant.

I respectfully oppose and appreciate you taking the time to read this.

Regards,

Noel Clason, Director of Public Safety
Bloomfield Hills, Michigan
nclason@bloomfieldhillspolice.com
248-644-4200

Exhibit 30
LARA BFS FFTC
3-24-2021/amk



(248) 644-4200



(248) 644-0972



www.bloomfieldhillspolice.com



@bloomfieldhillsdps

Fennville Area Fire Department Testimony Regarding Proposed Rules, 2019-21LR

The Fennville Area Fire Department is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Our organization represents 18 firefighters/Chiefs across the Fennville City and Manlius Township. We strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

Our review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although we believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
 - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.

- 2) Exam Requirements – Proposed Rule 29.405
 - As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is our position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

We recommend the board eliminate proposed R 29.405.

- 3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

We recommend striking (6)(g) and (h) of the proposed rule.

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our organization as well as our cities and townships. We appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact Fire Chief Paul Hapke

Thank you.

Paul Hapke

Paul Hapke
Chief
Fennville Area Fire Department

Exhibit 31
LARA BFS FFTC
3-24-2021/amk



CITY OF BIRMINGHAM FIRE DEPARTMENT

572 SOUTH ADAMS • BIRMINGHAM, MICHIGAN 48009 • 248.530.1900 FAX 248.530.1950

Michigan Office of Administrative Hearings and Rules

Chief Paul Wells, Birmingham Fire Department Testimony Regarding Proposed Rules, 2019-21LR

The Birmingham Fire Department is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Our organization represents 36 fulltime firefighters in the City of Birmingham. We strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

Our review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although we believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
 - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.

- 2) Exam Requirements – Proposed Rule 29.405
 - As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is our position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.



CITY OF BIRMINGHAM FIRE DEPARTMENT

572 SOUTH ADAMS • BIRMINGHAM, MICHIGAN 48009 • 248.530.1900 FAX 248.530.1950

We recommend the board eliminate proposed R 29.405.

- 3) Continuing Education – Proposed Rule 29.418
- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

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(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:



CITY OF BIRMINGHAM FIRE DEPARTMENT

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- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

We recommend striking (6)(g) and (h) of the proposed rule.

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our organization as well as our cities and townships. We appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact me at (248) 318-1777 pwells@bhamgov.org

Thank you.

Paul Wells
Fire Chief/Emergency Manager
Birmingham Fire Department

Exhibit 32
LARA BFS FFTC
3-24-2021/amk



CITY OF NILES

March 24, 2021

Michigan Office of Administrative Hearings and Rules
Bureau of Fire Services

**Re: Testimony Regarding Proposed Rules, 2019-21LR
March 18, 2021**

The City of Niles is submitting the following comments to Proposed Rules 2019-21LR. As part of Michigan's first responder community, we are concerned about the proposed requirements that states the following:

(6) - A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:

- (a) Fire officer.*
- (b) Fire inspector.*
- (c) Fire investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

Of particular concern to the MACP is proposed rule 6(h). Local officials determine what criteria candidates for Public Safety Director must meet when considering filling the position. Many communities will employ individuals that have served as a police officer or as a firefighter. Currently, a certification classification for Public Safety Director does not exist. Ultimately, who meets the criteria and what additional education or training required is made by members of the board that have hiring authority for that community. Further, establishing continuing education requirements for a classification that does not exist does not seem reasonable.

In addition, we feel that it is important to point out that the position of Public Safety Director is an administration, not an operational position. This is well recognized by the State of Michigan, as they do not require a Police Chief or Sheriff to attend, graduate, or be certified by a police academy.

The City of Niles is absolutely opposed to this proposed change.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard Huff', is written over the word 'Sincerely'.

Richard Huff
City Administrator

Exhibit 33
LARA BFS FFTC
3-24-2021/amk

Member Michigan Municipal League

333 N. 2nd St., Ste. 301

Niles, Michigan 49120

Phone 269.683.4700 x 3011

nilesmi.org

Fax 269.684.3930



MICHIGAN ASSOCIATION OF CHIEFS OF POLICE

3474 Alaiedon Pkwy, Ste 600 ♦ Okemos, MI 48864

Phone: 517.349.9420

www.michiganpolicechiefs.org

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Chief Ronald L. Wiles
Grand Blanc Township

First Vice President

Chief Larry Weeks
Eaton Rapids

Second Vice President

Chief Corrigan O'Donohue
Royal Oak

Third Vice President

Chief Kyle Knight
Harbor Springs

Secretary-Treasurer

Chief Curtis Caid
Livonia

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Chief Terrence A. McDonnell
East Jordan

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Director of Professional Development
Accreditation Program Director

Janeice Morrow
Executive Assistant

Briann Banas
Member & Communications Specialist

Michigan Office of Administrative Hearings and Rules
Bureau of Fire Services

Re: Testimony Regarding Proposed Rules, 2019-21LR March 18, 2021

The Michigan Association of Chiefs of Police are submitting the following comments to Proposed Rules 2019-21LR. As part of Michigan's first responder community, we are concerned about the proposed requirements that states the following:

(6) - A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:

(a) Fire officer.

(b) Fire inspector.

(c) Fire investigator.

(d) Airport rescue firefighter.

(e) Hazardous material responder.

(f) Technical rescue responder.

(g) Fire chief.

(h) Public safety director.

(i) Plans examiner.

Of particular concern to the MACP is proposed rule 6(h). Local officials determine what criteria candidates for Public Safety Director must meet when considering filling the position. Many communities will employ individuals that have served as a police officer or as a firefighter. Currently, a certification classification for Public Safety Director does not exist. Ultimately, who meets the criteria and what additional education or training required is made by members of the board that have hiring authority for that community. Further, establishing continuing education requirements for a classification that does not exist does not seem reasonable.

In addition, we feel that it is important to point out that the position of Public Safety Director is an administration, not an operational position. This is well recognized by the State of Michigan as they do not require a Police Chief or Sheriff to attend, graduate, or be certified by a police academy.

In closing, the MACP strongly opposes Proposed Rules 2019-21LR with the inclusion of 6(h). If you have any questions, please feel free to contact me as I would be glad to expand upon my comments.

Respectfully,

Robert M. Stevenson

Exhibit 34
LARA BFS FFTC
3-24-2021/amk



CITY OF WHITEHALL

POLICE DEPARTMENT

Michigan Office of Administrative Hearings and Rules
Bureau of Fire Services

**Re: Testimony Regarding Proposed Rules, 2019-21LR
March 18, 2021**

I personally would like to make the following comments regarding Proposed Rules 2019-21LR. As part of Michigan's first responder community, I am concerned about the proposed requirements in Section (6)(h) that includes Public Safety Directors and appears to require they hold a firefighter certificate and participate in continuing education.

Leadership and administrative skill should be the criteria for a Public Safety Director. Local communities should be able to determine which candidates meet their criteria for Public Safety Director and communities have chosen individuals that have served as a police officer and firefighter. Currently, a certification classification for Public Safety Director does not exist. Ultimately, who meets the criteria and what additional education or training required should be made by members of the board that have hiring authority for that community. Further, establishing continuing education requirements for a classification that does not exist does not seem reasonable.

In addition, I feel that it is important to point out that the position of Public Safety Director is an administration, not an operational position. That is also reflected in the Fire Fighter Training Council General Rules 29.401 and recognized by the State of Michigan as they do not require a Police Chief or Sheriff to attend, graduate, or be certified by a police academy. It is my sincere belief and experience that a good Public Safety Director will recognize their professional limitations and delegate management duties appropriately.

In closing, I strongly oppose Proposed Rules 2019-21LR with the inclusion of 6(h). If you have any questions, please feel free to contact me as I would be glad to expand upon my comments.

Respectfully,

Roger D Squiers, Chief
Whitehall Police Department

Exhibit 35
LARA BFS FFTC
3-24-2021/amk



ROBERT W. KIRK *
ROBERT S. HUTH, JR.
CRAIG W. LANGE
RAEHEL M. BADALAMENTI
MARYANNE J. DENEWETH
MICHAEL C. TAYLOR
ROSEMARY V. DAVIS
PATRICK S. MCKAY
ELIZABETH P. ROBERTS
ROBERT T. CAROLLO, JR.
RYAN J. L. FANTUZZI **
MICHAEL J. PETRUS
BRANDON N. KASTAW

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* Also Member of Florida Bar
** Also Member of Virginia Bar

March 24, 2021

Department of Licensing and Regulatory Affairs
Bureau of Fire Services
Administrative Rules for Fire Fighters Training Council
Rule Set 2019-21 LR

Re: Public Safety Directors

Dear Department of Licensing and Regulatory Affairs:

As a labor and employment lawyer who represents Michigan municipalities that operate public safety departments, I oppose certain portions of the proposed rules. I oppose particular aspects of the proposed rules as they relate to public safety directors. Under proposed Rule 29.405m, public safety directors will be required to attain firefighter II certification within 12 months of date of hire as a public safety director. Rule 29.405m also requires public safety directors to complete Instructor I, Fire Officer I, and Fire Officer II within 36 months of completing the firefighter II requirements. Rule 29.418 requires that public safety directors take continuing education classes.

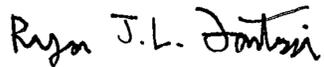
I oppose Rule 29.405m and Rule 29.418 (as it relates to public safety directors) for three broad reasons. First, these proposed rules will not increase the public safety. The primary job function of a public safety director is administrative. Actual hands-on-the-hose work is rare for those running a public safety department. Consequently, administrative skill sets are much more important for these positions than line-level job skills. Second, these rules strip local control away from the communities who have the right and the duty to determine the qualifications of those who will lead their public safety departments. These rules are anti-democratic. Third, the rules as they relate to public safety directors are unnecessary and wasteful. Because the job functions of a public safety director differs greatly from that of a firefighter or a fire inspector, public safety directors will have little to learn from training directed at those positions. Moreover, the form of continuing education is also wasteful and unnecessary. Rather than self-study, which all professionals do, the rule appears to mandate continuing education through

seminars and conferences. Learning through seminars and conferences can be useful, but often there are less expensive and more efficient means for conveying the information. Public safety directors as a whole are educated professionals who deserve deference in determining the quantity and type of continuing education that is most appropriate for their particular circumstance.

I recommend that LARA remove all mention of public safety directors from these rules. As for other aspects of the rules I express no opinion.

Respectfully yours,

**KIRK, HUTH, LANGE &
BADALAMENTI, P.L.C.**



Ryan J. L. Fantuzzi

Exhibit 36
LARA BFS FFTC
3-24-2021/amk



Michigan Office of Administrative Hearings and Rules

Kent County Association of Fire Chiefs Testimony Regarding Proposed Rules, 2019-21LR

The Kent County Association of Fire Chiefs is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. Our organization represents 29 Fire Chiefs across Kent County, Michigan. We strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

Our review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although we believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
 - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

We encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.

- 2) Exam Requirements – Proposed Rule 29.405
 - As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is our position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

We recommend the board eliminate proposed R 29.405.

3) Continuing Education – Proposed Rule 29.418

- R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, we recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. Currently, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

We recommend striking (6)(g) and (h) of the proposed rule.

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our organization as well as our cities and townships. We appreciate the opportunity to provide input on these rules and consideration of the changes outlined above.

Thank you,

Sam Peterson

Sam Peterson, President
Kent County Association of Fire Chiefs

Thea Dornbush
291 N. Sheridan Drive
Muskegon, MI 49442

March 24, 2021

Department of Licensing and Regulatory Affairs
Bureau of Fire Services
2407 N. Grand River, P.O. Box 30700
Lansing, MI 48909

To whom it may concern,

My name is Thea Dornbush. I currently serve the community and firefighters of Muskegon Charter Township as their Deputy Chief. I am a Michigan Fire Service Instructors Association board member. I have been a Michigan Fire Service Instructor since 2003 and actively instruct MI FFD courses all over the state. I serve as a board member of the Michigan Fire Service Instructors Association.

Thank you for allowing me an opportunity to voice my opposition to passing these rules in their present form.

While I can appreciate how long it has taken to bring the proposed rules to their present form, I do not believe that time should be a measure of completeness. I also do not believe that the entirety of the proposed rules will serve the Michigan Fire Service as the writers of Public Act 291 had intended.

I agree that we need to elevate our training and qualification standards and whole-heartedly support aligning all issued certifications and all fire service disciplines with the most up-to-date NFPA standards. As a Chief Officer and long-time Fire Service Instructor, I am excited to experience the potentially improved services we can provide the residents and visitors of our state because we elevated our minimum standards.

I support NFPA certification reciprocity but do not support the notion that an MOU is required for this reciprocity. If a certification issuing organization is verified or accredited for meeting the current NFPA standards, reciprocity should be given. I cannot understand the need for the BFS to establish and maintain MOUs with RAFT to issue Pro-Board certifications. Why are the other Pro-Board accredited organizations not being held to the same MOU requirement? If the BFS desires to issue Pro-Board certificates, steps should be taken for the Fire Fighter Training Division to become Pro-Board accredited. I fear requiring MOUs for reciprocity may lead to further confusion about the "validity" of my NFPA certificate because it was not earned from a "Michigan approved /MOU holding" organization.

I support continuing education requirements that comply with MIOSHA GIS part 74, as established in Public Act 291. I do not support arbitrarily assigning a number of hours to each fire service discipline.

Attending a training hour is not the same thing as being trained to do the work of a firefighter. MIOSHA says we are to be trained commensurate to our duties. It does not say "a minimum of 36 hours during the 3-year cycle, with a minimum of 6 hours per year, in firefighting knowledge and practical skills" is adequate. Let the MIOSHA part 74 committee finish revising their section of the general industry standard before committing to a set number of hours that may not even show the "right" training has been obtained or to a level that is appropriate. Perhaps, we will find that evaluating NFPA JPRs that correspond to the jobs we do would be a more appropriate measure of continuing education and training.

I support the improvement and betterment of the Michigan Fire Service and believe that the work on the proposed rules is not done. I believe it'll take time to get it completed. I recognize all the effort that has been given to get this far. I urge you to direct the MFFTC not to quit, even though it's already taken 150 hours. Implore them to continue working on these rules until they are suitable for our Michigan firefighters, fire departments, communities, and citizens.

Respectfully submitted,



Thea Dornbush

March 22, 2021

Dear Members of the Fire Fighter's Training Council,

We are taking this opportunity to voice concerns we have about the Draft Firefighters Training Council General Rules that are going to public hearing on March 24, 2021. This letter is written on behalf of the Marquette County Firefighter's Association. Our specific concern is focused on Part 2. Classifications, R. 29.405a Classification for fire chief: requirements; reciprocity.

Our Association represents the 17 fire departments that cover the 3,425 square miles that makes up Marquette County. This includes 3 Cities, 2 Charter Townships and 17 General Law Townships. We have a population of roughly 67,000 people. Of our 17 fire departments one is full time, one has three (3) full time employees along with paid on call, and the rest are a combination of paid on call and true volunteer departments.

Background

The majority of our roughly 300 firefighters in Marquette County have fulltime jobs besides the work they do for their fire departments. Most of the major employers in our County are industrial, mining, logging, etc. meaning many of these men and woman are shift workers. Their schedules constantly change; nights, days, afternoons, weekdays, weekends, and holidays.

Of our 17 departments, 12 are in General Law Townships and some of them cover more than one Township. Some townships are 20 miles apart. They hold elections for their officer positions every 2-4 years depending on their department by-laws. This means that they have the potential to have a new chief in each election cycle.

Our biggest concern with the previously stated Fire Chief Classification is the certification of the Fire Chiefs. Having a fire chief now become Instructor I and Fire Officer I & II to become certified as a fire chief is too much. Instructor I is a 40-hour course and Fire Officer I & II is an 80-hour course. While we feel that having some type of common threshold is important to the safety of fire department personnel and communities, we also feel what is being proposed is too much for an average part paid or volunteer fire fighter to accomplish. It is a struggle for most departments to keep an adequate number of people on their roster. Reviewing national trends from the National Fire Protection Agency (NFPA) and the National Volunteer Fire Council (NFC), part-paid and volunteer fire departments are struggling with membership recruitment and retention. Call volumes continue to rise and have nearly tripled in 30 years. These alarming trends are present in Marquette County as well across the state.

Family dynamics have changed along with increased demands on workers not allowing time for civil service. Potential new fire department members have stated that they just do not have the extra time to get through a Fire Fighter I & II certification course. While we absolutely understand why each new member must go through those classes, the requirement would now expect members who may want to take on the chief's role, to take many additional hours of classes just to be the chief. Taking the additional

training to become a fire chief into someone's normal life, which balances family and work demands, personal life, fire calls and fire department training requirements into account, puts significant strain on this process. Part-paid and volunteers take vacation from their career job or give up weekends for additional training and generally are unpaid.

We have multiple departments that respond to less than 50 calls per year, a few respond to less than 20 calls a year. Potential fire chiefs of these departments could spend more time going through certification training to become chief in their tenure than time on fire calls.

Furthermore, the classes themselves are expensive to put on. We are lucky in Marquette County as with our size and population we receive more training funds than many areas around us, however to cover a Fire Fighter I & II class, Instructor I class, and Fire Officer I & II classes each year our entire budget would be gone. We use that money to bring in instructors from our local area as well as from around the country for instructional classes in our rural community. These include but are not limited to flashover simulators, gas safety training, incident command, tanker shuttle, and extrication, just to name a few. If the monies received are now to cover Fire Fighter I & II and the chief certification courses, the other extremely valuable training course could go away thus putting each department into significant risk. The hands-on training that all department members benefit from and look forward to will no longer be available. This is a problem because most of our departments do not have the financial resources or means to provide and pay for these types of hands-on trainings.

Recommendation

We asking for the proposed rules be re-examined to a better approach for the fire service in Michigan as a whole. Why does a fire chief need to be Fire Instructor I certified? If this individual wanted to teach courses, they could become Fire Instructor I Certified. Focusing efforts on recruitment and retention to encourage new members for departments and keep them for many years would be a solid start to building the foundation better for the fire service in Michigan. Once the foundation was solid, a more focused look and discussion regarding fire chiefs would be necessary. Should departments not have a qualified fire chief, what will happen to those departments with no true leadership?

Thank you for the opportunity to share our concerns regarding the Department of Licensing and Regulatory Affairs Firefighters Training Council General Rules comment period. We hope that you will consider our letter in your discussion prior to submitting them to Secretary of State. Respectively, in our opinion, parts of these potential adopted rules will affect those part-paid and volunteer rural fire departments that communities around the state and country rely on fire critical life safety services. It would be devastating that new adopted rules would cause fire departments to make tough decisions about their future.

Respectfully Submitted by the Board of the Marquette County Fire Fighter's Association.

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Michigan Office of Administrative Hearings and Rules
Thomas Talbot Testimony Regarding Proposed Rules, 2019-21LR

Thomas Talbot is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. I strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

My review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although I believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

Reciprocity recognition for Credentialing – Proposed Rule 29.404

Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

I encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.

Exam Requirements – Proposed Rule 29.405

As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau's make-up policy. It is my position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete

knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

We recommend the board eliminate proposed R 29.405.

Continuing Education – Proposed Rule 29.418

R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department MAY establish continuing education requirements for maintaining certification. Therefore, I recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain a minimum of 36 hours during the 3 year cycle, with a minimum of 6 hours per year, CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:

- (a) Fire Officer.
- (b) Fire Inspector.
- (c) Fire Investigator.
- (d) Airport rescue firefighter.
- (e) Hazardous material responder.
- (f) Technical rescue responder.
- (g) Fire Chief.
- (h) Public safety director.
- (i) Plans examiner.

We recommend striking (6)(g) and (h) of the proposed rule.

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our cities and townships. I appreciate the opportunity to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact me at cftraining9@gmail.com

Thank you.

Thomas Talbot
Training Captain
Colon Community Fire and Rescue

Capt. Travis Heiman Testimony Regarding Proposed Rules, 2019-21LR

Capt. Travis Heiman is offering the following testimony to Proposed Rules, 2019-21LR regarding firefighter training requirements. I strive to ensure those on the front line within fire services are provided extensive training and instruction so that they can perform their duties that not only protects the public but recognizes the dangers inherent with the profession so that they have the tools to protect themselves.

My review of the proposed rules has raised some significant concerns regarding the training requirements proposed and if they actually improve how we perform our duties for our communities. Although I believe the intentions behind the proposed rules are genuine, if enacted they could have a negative impact on our ability to serve our communities. The following outlines these concerns specific to the proposed rules:

- 1) Reciprocity recognition for Credentialing – Proposed Rule 29.404
 - Pro Board is the accrediting body for agencies that certify candidates to the disciplines and levels identified in the National Fire Protection Association (NFPA) professional standards. Currently there are over 70 agencies accredited by the Pro Board that offer accredited certification to fire service professionals across the country and around the globe.

The requirement of the Bureau maintaining an MOU with multiple Pro Board approved organizations across the country is an administrative redundancy and does not enhance firefighter training in any meaningful capacity.

I encourage the board to replace the proposed administratively burdensome language with the following that adheres to the intent of PA 291:

THE BUREAU SHALL RECOGNIZE AND OFFER RECIPROCITY TO ANY INDIVIDUAL HOLDING OR OBTAINING A CERTIFICATION FROM A NATIONALLY RECOGNIZED ACCREDITED ORGANIZATION THAT MEETS THE NFPA STANDARD AT THE TIME OF ISSUE.

- 2) Exam Requirements – Proposed Rule 29.405
 - As proposed, R 29.405 list specific criteria for attendance of courses, the make-up of missed class hours, and enforcement of the bureau’s make-up policy. It is my position the requirements outlined in the proposed rule are not necessary nor relevant to the curriculum. The programs are all standard and students must successfully complete knowledge and skill evaluations for certification. It is important for fire departments across the state to maintain flexibility on how individuals can obtain the necessary training to demonstrate the skill and aptitude to qualify for certification.

We recommend the board eliminate proposed R 29.405.

- 3) Continuing Education – Proposed Rule 29.418
 - R 29.418 as proposed outlines specific continuing education requirements for the various certification classifications. Specifically, (5)(a) requires a minimum of 36 hours during a 3-year cycle with a minimum of 6 hours per year.

It is important that fire personnel maintain standards and continuing education is a part of ensuring that all current standards are in practice. Fire stations across the state are required to meet the standards of the Michigan Occupation Safety and Health Administration (MIOSHA) which conducts inspections and requires continuing education based on duties performed. The specific requirements set forth by proposed R 29.418 and those of MIOSHA may conflict and could potentially set a department up for failure if an inspection/investigation were to occur by MIOSHA due to an incident.

PA 291 states the Department **MAY** establish continuing education requirements for maintaining certification. Therefore, I recommend the following amendment to the proposed rule to avoid any conflict in continuing education requirements and remain consistent with PA 291:

*R 29.418 (5)(a) An individual who is a firefighter of a recognized fire department or public safety department, who currently holds council certification, regardless of his or her rank, responsibilities, or certifications, shall obtain ~~a minimum of 36 hours during the 3 year cycle, with a minimum of 6 hours per year,~~ **CONTINUING EDUCATION ANNUALLY IN AMOUNT CERTIFIED AS SUFFICIENT TO MEET MIOSHA** in firefighting knowledge and practical skills consistent with NFPA 1001, as adopted by reference in R 29.410.*

Further, proposed R 29.418 list specific classifications that include continuing education requirements to maintain certification. Included in the classification list is Fire Chiefs and Public Safety Director. At this time, there is not a national standard for these two classifications and the hiring of these positions is up to the local governing body.

Specifically, proposed R29.418 (6) reads:

(6) – A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification:

- (a) Fire Officer.*
- (b) Fire Inspector.*
- (c) Fire Investigator.*
- (d) Airport rescue firefighter.*
- (e) Hazardous material responder.*
- (f) Technical rescue responder.*
- (g) Fire Chief.*
- (h) Public safety director.*
- (i) Plans examiner.*

We recommend striking (6)(g) and (h) of the proposed rule.

In closing, ensuring that all fire personnel receive the necessary training to perform their duties effectively and safely is of primary importance to our cities and townships. I appreciate the opportunity

to provide input on these rules and consideration of the changes outlined above. If you have any questions, please contact me at captain@whitepigeontwp.com

Thank you.

Travis Heiman
Captain/ Training Officer
White Pigeon Fire Department

Exhibit 41
LARA BFS FFTC
3-24-2021/amk



CITY OF HARPER WOODS

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Michigan Office of Administrative Hearings and Rules
Bureau of Fire Services

Re: Testimony Regarding Proposed Rules, 2019-21LR
March 18, 2021

I concur with the Michigan Association of Chiefs of Police and their submitted comments to Proposed Rules 2019-21LR. As a first responder, I am concerned about 6 (h) *public safety director* being included in the following proposed requirement:

(6) - A firefighter who holds 1 or more of the following additional certification classifications shall obtain a total of 12 additional continuing education hours in the 3-year cycle to maintain certification.

I concur with the MACP comments that local officials determine what criteria candidates for Public Safety Director must meet when considering filling the position. Many communities will employ individuals that have served as a police officer or as a firefighter. Currently, a certification classification for Public Safety Director does not exist. Ultimately, who meets the criteria and what additional education or training required is made by members of the board that have hiring authority for that community. Further, establishing continuing education requirements for a classification that does not exist does not seem reasonable.

MACP also comments that the position of Public Safety Director is an administrative position. I concur with the MACP as this language appears in City of Harper Woods Ordinance Sec. 20-71: "The Department of Public Safety shall be headed by the director of public safety who shall be an administrative officer of the city".

In closing, I also strongly oppose Proposed Rules 2019-21LR with the inclusion of 6(h). If you have any questions about my comments, please feel free to contact me.

Respectfully,

Vincent J. Smith
Director of Public Safety