

HOUSE BILL No. 4731

May 14, 2013, Introduced by Reps. Franz, Bumstead, Johnson and Daley and referred to the Committee on Military and Veterans Affairs.

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

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

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

11 (i) The qualification and certification of instructors.

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

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

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

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

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

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

16 (5) ~~Within~~ **EXCEPT AS PROVIDED IN SUBSECTION (7), BY** 12 months
17 after a person's hiring date as a full-time firefighter, the person
18 must pass both part 1 and part 2 of the examination to be eligible
19 for continued or permanent full-time employment as a firefighter.

20 (6) ~~Within~~ **EXCEPT AS PROVIDED IN SUBSECTION (7), BY** 24 months
21 after a person's appointment date as a volunteer or paid on-call
22 firefighter, a person must pass part 1 of the examination to be
23 eligible for continued volunteer or paid on-call service as a
24 firefighter.

25 (7) The examination described in this section ~~shall~~ **DOES** not
26 apply to a person who is employed or under appointment as a
27 firefighter on October 1, 1988, unless the person subsequently

1 changes his or her status from a volunteer or paid on-call
2 firefighter to a full-time firefighter. **THE STATE FIRE MARSHAL MAY**
3 **WAIVE THE EXAMINATION REQUIREMENTS IN THIS SECTION FOR A VETERAN**
4 **WHO WAS NOT DISHONORABLY DISCHARGED UPON VERIFICATION THAT THE**
5 **VETERAN COMPLETED FIREFIGHTER TRAINING WHILE SERVING IN THE ARMED**
6 **FORCES OF THE UNITED STATES.**

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