

Act No. 166
Public Acts of 2013
Approved by the Governor
November 12, 2013
Filed with the Secretary of State
November 13, 2013
EFFECTIVE DATE: February 11, 2014

**STATE OF MICHIGAN
97TH LEGISLATURE
REGULAR SESSION OF 2013**

Introduced by Reps. Franz, Bumstead, Johnson, Daley, Abed, Barnett, Brown, Brunner, Callton, Crawford, Darany, Denby, Durhal, Farrington, Glardon, Graves, Greimel, Haugh, Haveman, Heise, Hobbs, Hooker, Howrylak, Jenkins, Kelly, Kesto, Kivela, Knezek, Kosowski, Kowall, Kurtz, LaFontaine, Lane, Lauwers, LaVoy, Leonard, Lipton, Lund, Lyons, MacGregor, Nathan, O'Brien, Oakes, Outman, Pettalia, Poleski, Potvin, Price, Pscholka, Rendon, Roberts, Robinson, Santana, Schor, Segal, Shirkey, Singh, Slavens, Smiley, Somerville, Stamas, Switalski, Talabi, Townsend, VerHeulen, Victory, Yanez, Yonker and Zorn

ENROLLED HOUSE BILL No. 4731

AN ACT to amend 1966 PA 291, entitled "An act to create the firefighters training council; to prescribe the powers and duties of the council, the state fire marshal, and certain fire departments and other organizations; to create the firefighters training council fund and to provide for allocations from the fund to local agencies of government participating in a firefighters training program; and to make an appropriation," by amending section 9 (MCL 29.369), as amended by 2006 PA 213.

The People of the State of Michigan enact:

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

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

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

(i) The qualification and certification of instructors.

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

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

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

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

(3) The council shall develop and provide to each organized fire department, upon request of the organized fire department and at no charge, a videotape, digital video disc, or other electronic form of video display to be used in training firefighters. The videotape, digital video disc, or other electronic form of video display shall not include training that requires a practical demonstration. The videotape, digital video disc, or other electronic form of video display shall be based on the standards for fire fighter I and fire fighter II set forth in "standard for fire fighter professional

qualifications", national fire protection association standard no. 1001. The council may impose a reasonable fee for loss, damage, or late return of a videotape, digital video disc, or other electronic form of video display provided to an organized fire department under this subsection.

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

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

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

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

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

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

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Governor