



STATE OF MICHIGAN  
JOCELYN BENSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

November 3, 2021

**NOTICE OF FILING**

**ADMINISTRATIVE RULES**

To: Secretary of the Senate  
Clerk of the House of Representatives  
Joint Committee on Administrative Rules  
Michigan Office of Administrative Hearings and Rules (Administrative Rule #19-021-LR)  
Legislative Service Bureau (Secretary of State Filing #21-11-03)  
Department of Licensing and Regulatory Affairs

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Office of Administrative Hearings and Rules filed Administrative Rule #2019-021-LR (Secretary of State Filing #21-11-03) on this date at 2:51 P.M. for the Department of Licensing and Regulatory Affairs entitled, "Fire Fighters Training Council".

These rules take effect immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,

Jocelyn Benson  
Secretary of State

Sue Sayer, Departmental Supervisor  
Office of the Great Seal

Enclosure



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

ORLENE HAWKS  
DIRECTOR

November 3, 2021

The Honorable Jocelyn Benson  
Secretary of State  
Office of the Great Seal  
Richard H. Austin Building – 1<sup>st</sup> Floor  
430 W. Allegan  
Lansing, MI 48909

Dear Secretary Benson:

Re: Administrative Rules – Michigan Office of Administrative Hearings and Rules  
Administrative Rules #: 2019-21 LR

The Michigan Office of Administrative Hearings and Rules received administrative rules, dated April 28, 2021 for the Department of Licensing & Regulatory Affairs “**Fire Fighters Training Council**”. We are transmitting these rules to you pursuant to the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6.

Sincerely,

A handwritten signature in black ink, appearing to be "Orlene Hawks".

Michigan Office of Administrative Hearings and Rules



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR


### CERTIFICATE OF ADOPTION

By authority conferred on the Firefighters Training Council by Section 16 of the Firefighters Training Council Act, 1966 PA 291, MCL 29.376, and Executive Reorganization Order Nos. 1997-2, 2003-1, and 2011-4, MCL 29.451, 445.2011, and 445.2030.

R 29.401, R 29.402, R 29.403, R 29.405, R 29.410, R 29.413, and R 29.415 of the Michigan Administrative Code are amended, and R 29.402a, R 29.405a, R 29.405b, R 29.405c, R 29.405d, R 29.405e, R 29.405f, R 29.405g, R 29.405h, R 29.405i, R 29.405j, R 29.405k, R 29.405l, R 29.405m, R 29.405n, R 29.405o, R 29.405p, R 29.405q, R 29.410a, R 29.410b, R 29.410c, R 29.410d, R 29.416, R 29.417, and R 29.418 are added, and R 29.404, R 29.408, R 29.408a, R 29.408b, R 29.408c, R 29.408d, R 29.408e, R 29.408f, R 29.409, and R 29.414 are rescinded.

Date: 11/03/2021

Adopted by: \_\_\_\_\_

  
Orlene Hawks  
Director

Department of Licensing and Regulatory Affairs



STATE OF MICHIGAN

GRETCHEN WHITMER  
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

ORLENE HAWKS  
DIRECTOR

## LEGAL CERTIFICATION OF RULES

I certify that I have examined the attached administrative rules, dated April 28, 2021, in which the Department of Licensing & Regulatory Affairs proposes to modify a portion of the Michigan Administrative Code entitled “**Fire Fighters Training Council**” by:

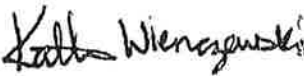
- ◆ Amending R 29.401, R 29.402, R 29.403, R 29.405, R 29.410, R 29.413, R 29.415.
- ◆ Adding R 29.402a, R 29.405a, R 29.405b, R 29.405c, R 29.405d, R 29.405e, R 29.405f, R 29.405g, R 29.405h, R 29.405i, R 29.405j, R 29.405k, R 29.405l, R 29.405m, R 29.405n, R 29.405o, R 29.405p, R 29.405q, R 29.410a, R 29.410b, R 29.410c, R 29.410d, R 29.416, R 29.417, R 29.418.
- ◆ Rescinding R 29.404, R 29.408, R 29.408a, R 29.408b, R 29.408c, R 29.408d, R 29.408e, R 29.408f, R 29.409, R 29.414.

The Legislative Service Bureau has approved the proposed rules as to form, classification, and arrangement.

I approve the rules as to legality pursuant to the Administrative Procedures Act, MCL 24.201 *et seq.* and Executive Order No. 2019-6. In certifying the rules as to legality, I have determined that they are within the scope of the authority of the agency, do not violate constitutional rights, and are in conformity with the requirements of the Administrative Procedures Act.

Dated: August 25, 2021

Michigan Office of Administrative Hearings and Rules

By:   
Katie Wienczewski,  
Attorney

CERTIFICATE OF APPROVAL

On behalf of the Legislative Service Bureau, and as required by section 45 of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.245, I have examined the proposed rules of the Department of Licensing and Regulatory Affairs dated April 28, 2021, amending R 29.401, R 29.402, R 29.403, R 29.405, R 29.410, R 29.413, and R 29.415, adding R 29.402a, R 29.405a, R 29.405b, R 29.405c, R 29.405d, R 29.405e, R 29.405f, R 29.405g, R 29.405h, R 29.405i, R 29.405j, R 29.405k, R 29.405l, R 29.405m, R 29.405n, R 29.405o, R 29.405p, R 29.405q, R 29.410a, R 29.410b, R 29.410c, R 29.410d, R 29.416, R 29.417, and R 29.418, and rescinding R 29.404, R 29.408, R 29.408a, R 29.408b, R 29.408c, R 29.408d, R 29.408e, R 29.408f, R 29.409, and R 29.414 of the Department's rules entitled "Firefighters Training Council General Rules." I approve the rules as to form, classification, and arrangement.

Dated: August 25, 2021

LEGISLATIVE SERVICE BUREAU

By



Elizabeth R. Edberg,  
Legal Counsel

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

FIREFIGHTERS TRAINING COUNCIL

GENERAL RULES

Filed with the secretary of state on November 3, 2021

These rules take effect immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the firefighters training council by section 16 of the firefighters training council act, 1966 PA 291, MCL 29.376, and Executive Reorganization Order Nos. 1997-2, 2003-1, and 2011-4, MCL 29.451, 445.2011, and 445.2030)

R 29.401, R 29.402, R 29.403, R 29.405, R 29.410, R 29.413, and R 29.415 of the Michigan Administrative Code are amended, and R 29.402a, R 29.405a, R 29.405b, R 29.405c, R 29.405d, R 29.405e, R 29.405f, R 29.405g, R 29.405h, R 29.405i, R 29.405j, R 29.405k, R 29.405l, R 29.405m, R 29.405n, R 29.405o, R 29.405p, R 29.405q, R 29.410a, R 29.410b, R 29.410c, R 29.410d, R 29.416, R 29.417, and R 29.418 are added, and R 29.404, R 29.408, R 29.408a, R 29.408b, R 29.408c, R 29.408d, R 29.408e, R 29.408f, R 29.409, and R 29.414 are rescinded, as follows:

PART 1. GENERAL PROVISIONS

R 29.401 Definitions.

Rule 1. (1) As used in these rules:

(a) "Act" means the firefighters training council act, 1966 PA 291, MCL 29.361 to 29.377.

(b) "Authority having jurisdiction" or "AHJ" means an organization, office, or individual responsible for either enforcing the requirements of a code or standard, or approving equipment, materials, an installation, or a procedure.

(c) "Bureau" means the bureau of fire services, in the department of licensing and regulatory affairs.

(d) "Cadet" means an individual who participates in a training course, is between 16 and 18 years of age, and participates in a council registered and approved cadet program offered by a fire department or public safety department.

(e) "Curriculum work group" means a group of fire service members appointed by the chairperson of the council.

(f) "Department" means the department of licensing and regulatory affairs.

(g) "Electronic learning management system" means a system used for administration, documentation, reporting, and delivery of educational courses, training programs, or learning and development programs.

April 28, 2021

(h) "Emergency medical services and instructor coordinator license" or "EMS/IC license" means a license issued by the Michigan department of health and human services (MDHHS) pursuant to part 209 of the public health code, 1978 PA 368, MCL 333.20901 to 333.20979.

(i) "Equivalent" means certifications from another state's certifying agency that meet the NFPA standard for that classification.

(j) "Explorer" means an individual who is participating in a training course, is between 16 and 18 years of age, and participates in a council-approved Boy Scouts of America or Girl Scouts of the USA explorer program sponsored by a fire department or a public safety department.

(k) "International Fire Service Accreditation Congress" or "IFSAC" means a not-for-profit, peer-driven, self-governing system of both fire service certifying entities and higher education fire-related degree programs.

(l) "Materially untrue statement" means a false writing or document that contains any fictitious or fraudulent information or entry.

(m) "Operational capacity" means engaged in active operations of emergency scenes.

(n) "Pre-service student" means an individual who is taking firefighting classes through an approved regional training center and who is not a member of a Michigan fire department or a public safety department.

(o) "Pro Board®" means the fire service system for the accreditation of agencies that certify candidates to the various disciplines and levels identified in the NFPA Professional Qualification series of standards.

(p) "Q course" means a course developed and owned by organizations or individual subject matter experts.

(q) "Regional Response Team Network" or "RRTN" means a regional response team network for a hazardous materials response.

(r) "Regional Training Center" or "RTC" means a regional training center, as established pursuant to section 9(2)(c) of the act, MCL 29.369.

(s) "RTC student" means an individual who is taking firefighting classes through an approved RTC and who may or may not be registered with a fire department or a public safety department.

(t) "Revoked" means removal of certification by this state or another state.

(u) "Revocation" means the council revoked an individual's certification as part of a disciplinary process.

(v) "Third-party authorization" means a course owned by a private curriculum provider in which an instructor is required by the developer to meet the developer's requirements to teach the course.

(w) "Training information network" means the bureau's system used to track an individual's fire department membership, council-approved training, and certification.

(2) A term defined in the act has the same meaning when used in these rules.

R 29.402 Council-approved course; instruction hours; recognition of training by council.

Rule 2. (1) Before council approval; a course shall be evaluated by bureau staff based on the following:

(a) The time required to adequately cover the subject material.

- (b) Whether the course meets the NFPA standard applicable to the classification.
  - (c) Whether the course is relevant to the needs of the fire service in this state.
  - (d) Determination if a certification examination is required.
- (2) An individual seeking Q Course approval shall apply to the bureau on the bureau's Q Course Application form, BFS-201. The bureau must receive the application before the council agenda deadline, which can be found online at <https://www.michigan.gov/lara/fire-services>. The council shall review and vote to approve or deny with cause, all Q courses. Q courses cannot be developed to circumvent council approved curriculum courses in which council provides certification.

R 29.402a Conducting a council-approved course requirements.

Rule 2a. (1) An instruction hour must consist of 50 minutes of instruction time and 10 minutes break time, totaling 1 clock hour.

(2) A course funded using fireworks safety fees under section 13 of the act, MCL 29.373, must have a minimum of 8 individuals who are registered in the training information network not less than 72 hours before the start of the course. If the minimum number of individuals are not registered by that time, the course must be cancelled.

(a) An exception to the course minimum requirements for the firefighter I with hazardous materials operations course, the firefighter II course, or the firefighter I and II with hazardous materials operations course may be granted by a bureau region coordinator who must notify the state fire marshal of the exception.

(b) A request for an exception for courses other than those courses listed in subdivision (a) of this subrule shall be submitted in writing and may be granted by a bureau region coordinator who shall notify the state fire marshal of the exception if the exception is granted.

(3) The minimum size for conducting a written or practical certification examination is 8 individuals.

(4) The maximum class size for an approved firefighter I with hazardous materials operations course, the firefighter II course, or the firefighter I and II with hazardous materials operations course is 25 individuals. A course must comply with all of the following requirements:

(a) A lead certified fire instructor must be identified and present for all practical training sessions.

(b) A certified firefighter assisting with practical training sessions must be certified to the level of the skill being taught.

(c) A minimum ratio of 1 certified fire instructor or certified firefighter for every 5 individuals must be present during all practical training evolutions.

(d) A bureau region coordinator may approve a larger class size, up to a maximum of 35 individuals, if special circumstances exist and adequate instructor staffing and equipment is provided.

(5) The following individuals may conduct council-approved training courses and examinations:

- (a) Individuals who are under contract with the bureau to act as a training coordinator.
- (b) Instructors who deliver bureau approved examinations.
- (c) Council members.
- (d) Bureau staff.



R 29.403 Certification examinations; development; passing scores.

Rule 3. (1) Pursuant to section 9(2)(b) of the act, MCL 29.369, the state fire marshal, with the approval of a majority of the council, shall develop and administer certification examinations for all of the following fire service disciplines:

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

(2) The certification examinations shall be reviewed by bureau staff and the curriculum committee to ascertain if there is adequate comprehension of the subject material tested in the examinations.

(3) As long as the certification examination is not in the same calendar day, an individual may retake any certification examination multiple times, with the exception of fire instructor II and III, which is limited to 1 reexamination before having to retake the class.

(4) The examination for firefighter I and II may be combined into 1 examination to test the knowledge and skill requirements in NFPA 1001, "Standard for Fire Fighter Professional Qualifications," as adopted by reference in R 29.410.

(5) After the effective date of these rules, the bureau will become a Pro Board® agency for the following classifications:

- (a) Firefighter I with hazardous materials operations.
- (b) Firefighter II.
- (c) Firefighter I and II with hazardous materials operations.
- (d) Fire officer I.
- (e) Fire officer II.
- (f) Fire officer III.
- (g) Fire officer IV.
- (h) Fire instructor I.
- (i) Fire instructor II.
- (j) Fire instructor III.

(6) An individual who is a member of a fire department or a public safety department may apply and pay a fee to the bureau to receive Pro Board® certification, that is in addition to a bureau certification, that was obtained by passing a bureau's certification examination.

(7) All Pro Board® courses must be entered in the bureau's training information network before the start date of the course and must follow the bureau's rules and procedures.

(8) 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 before the effective date of these

rules, may apply and pay a fee to the bureau 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.

(9) An individual with a Regional Alliance for Fire Training (RAFT) certification as fire officer I or fire officer II before 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.

R 29.404 Rescinded.

## PART 2. CLASSIFICATIONS

R 29.405 Classification for firefighter I with hazardous materials operations; firefighter II; firefighter I and II with hazardous materials operations; requirements; reciprocity.

Rule 5. (1) The following are the classifications for firefighter I with hazardous materials operations, firefighter II, and firefighter I and II with hazardous materials operations, pursuant to section 9 of the act, MCL 29.369:

(a) A firefighter I with hazardous materials operations is an individual who completes council-approved course requirements and passes the written and practical examinations, which covers the skill and knowledge requirements in NFPA 1001, "Standard for Fire Fighter Professional Qualifications," as adopted by reference in R 29.410.

(b) A firefighter II is a firefighter I with hazardous materials operations completes council-approved course requirements and passes the council-approved written and practical examinations, which covers the skill and knowledge requirements NFPA 1001, "Standard for Fire Fighter Professional Qualifications," as adopted by reference in R 29.410.

(c) A firefighter I and II with hazardous materials operations is an individual who completes council-approved course requirements and passes the written and practical examinations, which cover the skill and knowledge requirements in NFPA 1001, "Standard for Fire Fighter Professional Qualifications," as adopted by reference in R 29.410.

(2) An individual attending a firefighter I with hazardous materials operations, firefighter II, or firefighter I and II with hazardous materials operations course shall meet the following requirements:

(a) Be 18 years of age or older on the date of the final written and practical examinations, with the exception of a cadet or an explorer.

(b) Be an explorer or cadet to attend council approved courses, have on file with the bureau a letter of declaration and a copy of the charter or resolution from the local unit of government with a copy presented to the course manager from the fire chief or public safety director. A cadet or explorer may participate in all of the following council-approved courses:

- (i) Firefighter I with hazardous materials operations.
- (ii) Firefighter II.

(iii) Firefighter I and II with hazardous materials operations.

(iv) Incident command and resource management.

(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 in-person or virtual hours of an entire course as validated by the course manager, subject to the following:

(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 before the scheduled ending date of the course.

(iii) An individual shall meet 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.

(4) An individual shall comply with the requirements in the Michigan occupational safety and health administration (MIOSHA) Occupational Health Standard Part 451, "Respiratory Protection," R 325.60051 to R 325.60052, while participating in the council-approved firefighter I with hazardous materials operations course, the firefighter II course, or the firefighter I and II with hazardous materials operations course. An individual who participates in council-approved courses that require respiratory protection or equipment to be worn shall be completely free of facial hair that comes between the sealing surface of the facepiece and face or that interferes with valve function or any condition that interferes with the face-to-face piece seal or valve function.

(5) An individual shall apply to the bureau on the bureau's Training Certification Application form, BFS-205, for certification before taking the state certification examination.

(6) An individual with a valid Pro Board® or IFSAC certificate, applying for reciprocity certification, shall comply with all of the following:

(a) Be a member or an employee of a fire department or public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1001, "Fire Fighter Professional Qualifications," at the time the certification is issued.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(7) An individual applying for reciprocity certification shall be certified by another state's certifying agency and shall comply with all of the following:

(a) Be a member or an employee of a fire department or public safety department.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1001, "Standard for Fire Fighter Professional Qualifications," at the time the certification is issued.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(8) An individual who has been honorably discharged from the Armed Forces of the United States, completed firefighter training while serving in the Armed Forces of the United States, and is applying for reciprocity certification shall comply with all of the following:

- (a) Be a member or an employee of a fire department or public safety department in this state.
- (b) Be entered into the bureau's training information network.
- (c) Meet the NFPA 1001, "Standard for Fire Fighter Professional Qualifications."
- (d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

R 29.405a Classification for fire chief; requirements; reciprocity.

Rule 5a. (1) This rule provides the classification for fire chief pursuant to section 9 of the act, MCL 29.369.

(2) A fire chief is an individual who meets both of the following:

(a) The individual 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 fire chief.

(b) The individual completes the instructor I course, fire officer I course, and fire officer II course within 36 months of completing the firefighter II requirements.

(3) An individual who has attained the classification of fire chief for his or her jurisdiction before the effective date of these rules is considered to have met the requirements of this rule.

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

(5) An individual applying for reciprocity certification shall be certified by another state's certifying agency and shall comply with all of the following:

- (a) Be a member or an employee of a fire department or public safety department.
- (b) Be entered into the bureau's training information network.
- (c) Meet the NFPA 1001, "Standard for Fire Fighter Professional Qualifications," at the time the certification is issued.
- (d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(6) An individual who has been honorably discharged from the armed forces of the United States, completed firefighter training while serving in the armed forces of the United States, and is applying for reciprocity certification shall comply with all of the following:

- (a) Be a member or an employee of a fire department or public safety department in this state.
- (b) Be entered into the bureau's training information network.
- (c) Meet the NFPA 1001, "Standard for Fire Fighter Professional Qualifications."
- (d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

R 29.405b Classification for fire inspector; requirements; reciprocity.

Rule 5b. (1) This rule provides the classification for fire inspector pursuant to section 9 of the act, MCL 29.369.

(2) A fire inspector is an individual who is certified as meeting the requirements for fire inspector certification, as specified in the fire prevention code, 1941 PA 207, MCL 29.1 to 29.33, and who completes and passes the bureau-approved fire inspector certification examination, which covers the skill and knowledge requirements for fire inspector in NFPA 1031, "Standard for Professional Qualifications for Fire Inspector and Plan Examiner," as adopted by reference in R 29.410.

(3) An individual shall apply to the bureau for certification on the bureau's State Certified Fire Inspector Application form, BFS-997.

(4) An individual applying for reciprocity certification shall meet the requirements for fire inspector certification, as specified in the fire prevention code, 1941 PA 207, MCL 29.1 to 29.33, and comply with all of the following:

(a) Be a member or an employee of a fire department or public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1031, "Standard for Professional Qualifications for Fire Inspector and Plan Examiner," at the time the certificate is awarded.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(e) Complete and submit the bureau's State Certified Fire Inspector Application form, BFS-997, for certification.

(5) An individual with a valid Pro Board® or IFSAC certificate applying for reciprocity certification as a fire inspector shall comply with all of the following:

(a) Be a member or an employee of a fire department or public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1031, "Standard for Professional Qualifications for Fire Inspector and Plan Examiner," at the time the certificate is awarded.

(d) Complete and submit the bureau's Request For Reciprocity form, BFS-258.

(e) Complete and submit the bureau's State Certified Fire Inspector Application form, BFS-997, for certification.

(6) An individual who has been honorably discharged from the armed forces of the United States, completed firefighter training while serving in the armed forces of the United States, and is applying for reciprocity certification shall comply with all of the following:

(a) Be a member or an employee of a fire department or public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1031, "Standard for Professional Qualifications for Fire Inspector and Plan Examiner", at the time certification is issued.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(e) Apply to the bureau on the bureau's State Certified Fire Inspector Application form, BFS-997, for certification.

R 29.405c Classification for fire instructor I; requirements; reciprocity.

Rule 5c. (1) This rule provides the classification for fire instructor I pursuant to section 9 of the act, MCL 29.369.

(2) A fire instructor I is an individual who meets all of the following:

(a) Is certified as a firefighter II.

(b) Has a minimum of 36 months of experience, not including pre-service, cadet, or explorer experience, from his or her first firefighter certification before beginning the fire instructor I requirements.

(c) Has passed the fire instructor I written examination with a score of 70% or higher and passed the practical examination.

(3) An individual seeking to instruct council-approved courses shall complete the following:

(a) Apply to the bureau on the bureau's Training Certification Application form, BFS-205, for certification before taking the state certification examination.

(b) For an individual who is a fire instructor I, has completed 6 hours of lecture and 6 hours of practical skills training in an instructional setting in the presence of an individual who is a certified fire instructor I or higher within 24 months of completing the NFPA 1041 fire instructor I course.

(c) Submit the bureau's Probationary Instructor Mentoring form, BFS-253 to the bureau.

(4) An individual seeking only fire instructor I for his or her fire officer I certification shall complete the requirements for fire instructor I. This individual is subject to the following:

(a) Is not required to comply with the continuing education requirement for fire instructor I.

(b) Is exempt from the 36 months experience requirement as specified in subrule (1)(b) of this rule.

(c) Cannot instruct council-approved courses.

(5) An individual who is applying to become a probationary fire instructor I shall complete the following within 60 months:

(a) Apply to the bureau on the bureau's Probationary Instructor Application form, BFS-209.

(b) Complete 6 hours of lecture and 6 hours of practical skills training in an instructional setting in the presence of an individual who is a certified fire instructor I or who has a higher certification, and within 24 months of completing the NFPA 1041 fire instructor I course has submitted the bureau's Probationary Instructor Mentoring form, BFS-253, to the bureau.

(6) A fire instructor I is authorized to instruct only the following council-approved courses as of the effective date of these rules:

(a) Firefighter I with hazardous materials operations.

(b) Firefighter II with hazardous materials operations.

(c) Firefighter I and II with hazardous materials operations.

(d) Q courses owned by the individual who is instructing the course.

(e) Any course for which the individual has completed the council-approved train-the-trainer course requirements and has obtained third-party authorization.

(7) A fire instructor I who is certified as of the effective date of these rules may continue to instruct the courses he or she had been previously authorized to teach.

(8) A fire instructor I who is certified under this classification shall meet the MIOSHA Occupational Health Standard Part 451. "Respiratory Protection," R 325.60051 to R 325.60052. When teaching any council-approved course other than Q courses, the instructor shall be completely free of facial hair that interferes with face-to-facepiece seal or valve function.

(9) A fire instructor I shall meet the continuing education requirements pursuant to R 29.418 of these rules to maintain certification.

(10) An individual with a valid Pro Board® or IFSAC certificate applying for reciprocity certification as a fire instructor I shall comply with all of the following:

(a) Be a member or an employee of a fire department or public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1041, "Standard for Fire and Emergency Services Instructor Professional Qualifications," at the time the certificate is awarded.

(d) Have completed, prior to applying for certification as a fire instructor I, the bureau's course, MFFTC Instructor I Orientation, H04A, in order to instruct council-approved courses.

(e) Complete and submit the bureau's Request For Reciprocity form, BFS-258.

(11) An individual applying for reciprocity certification as a fire instructor I, shall be certified by another state's certifying agency and comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1041, "Standard for Fire and Emergency Services Instructor Professional Qualifications," at the time the certificate is awarded.

(d) Have completed, prior to applying for certification as a fire instructor I, course H04A, Fire Instructor I Orientation in order to instruct council-approved courses.

(e) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(12) An individual who has been honorably discharged from the armed forces of the United States, completed firefighter training while serving in the armed forces of the United States, and is applying for reciprocity certification shall comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1041, "Standard for Fire and Emergency Services Instructor Professional Qualifications," at the time of issue.

(d) Have completed, prior to applying for certification as a fire instructor I, course H04A, Fire Instructor I Orientation, in order to instruct council approved-courses.

(e) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(13) An individual applying for reciprocity certification as a fire instructor I and who possesses either a valid teaching certificate from the Michigan department of education, a valid Instructor Coordinator License through the MDHHS, EMS Division, or a M-410 certificate issued by the National Wildland Coordinating Group shall comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Have completed, prior to applying for certification as a fire instructor I, course H04A, Fire Instructor I Orientation, to instruct council-approved courses.

(d) Meet the NFPA 1041, "Standard for Fire and Emergency Services Instructor Professional Qualifications," at the time of issue.

(e) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(14) An individual who is applying for reciprocity certification as a fire instructor I and who has completed either a U.S. Department of Homeland Security, a National Fire Academy, or a Federal Emergency Management Agency instructor course that meets the NFPA Standards shall comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Have completed, prior to applying for certification as a fire instructor I, course H04A, Fire Instructor I Orientation, to instruct council-approved courses.

(d) Meet the NFPA 1041, "Standard for Fire and Emergency Services Instructor Professional Qualifications," at the time of issue.

(e) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

R 29.405d Classification for fire instructor II; requirements; reciprocity.

Rule 5d. (1) This rule provides the classification for fire instructor II pursuant to section 9 of the act, MCL 29.369.

(2) An individual shall apply to the bureau on the bureau's Training Certification Application form, BFS-205, for certification before taking the state certification course. An individual shall be certified at the previous certification level before taking the next level of certification pursuant to NFPA 1041, "Standard for Fire and Emergency Services Instructor Professional Qualifications,"

(3) A fire instructor II is an individual who is certified as a fire instructor I and who has not less than 5 years of experience and 40 hours of documented and verifiable instructional hours.

(4) A fire instructor II shall have completed and passed the council-approved NFPA 1041, "Standard for Fire and Emergency Services Instructor Professional Qualifications," fire instructor II written examination with a score of 70% or higher and passed the practical examination.

(5) A fire instructor II who was certified before the effective date of these rules may continue to instruct the courses that he or she had been previously authorized to teach.

(6) A fire instructor II who is certified after the effective date of these rules and who has completed a council-approved course may instruct that course provided that he or she receives and maintains third-party authorization, if required.

(7) An individual who has attended and passed the council-approved fire instructor II certification course and completed the bureau's fire instructor I train-the-trainer course is authorized to instruct the council-approved fire instructor I certification course.



(8) A fire instructor II may instruct council-approved fire instructor II courses for 3 years from the effective date of these rules, provided the individual meets all of the following requirements:

- (a) Attended and passed the council-approved fire instructor II certification course.
- (b) Instructed 2 council-approved fire instructor I certification courses.
- (c) Completed the bureau's fire instructor II train-the-trainer course.
- (d) Obtained the council-approved fire instructor III certification within 3 years of the effective date of these rules to continue to instruct council approved fire instructor II courses.

(9) An individual with a valid Pro Board® or IFSAC certificate, applying for reciprocity certification, shall comply with all of the following:

- (a) Be a member or an employee of a fire department or a public safety department in this state.
- (b) Be entered into the bureau's training information network.
- (c) Meet the NFPA 1041, "Standard for Fire and Emergency Services Instructor Professional Qualifications," at the time the certificate is awarded.
- (d) Have attended and passed the fire instructor I orientation course (H04A).
- (e) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(10) An individual applying for reciprocity certification shall be certified by another state's certifying agency and comply with all of the following:

- (a) Be a member or an employee of a fire department or a public safety department in this state.
- (b) Be entered into the bureau's training information network.
- (c) Meet the NFPA 1041, "Standard for Fire and Emergency Services Instructor Professional Qualifications," at the time of issue.
- (d) Have attended and passed the fire instructor I orientation course (H04A).
- (e) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(11) An individual who has been honorably discharged from the armed forces of the United States, completed firefighter training while serving in the armed forces of the United States, and is applying for reciprocity certification shall comply with all of the following:

- (a) Be a member or an employee of a fire department or a public safety department in this state.
- (b) Be entered into the bureau's training information network.
- (c) Meet the NFPA 1041, "Standard for Fire and Emergency Services Instructor Professional Qualifications," at the time of issue.
- (d) Have attended and passed the fire instructor I orientation course (H04A).
- (e) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

R 29.405e Classification for fire instructor III; requirements; reciprocity.

Rule 5e. (1) This rule provides the classification for fire instructor III pursuant to section 9 of the act, MCL 29.369.

(2) An individual shall apply to the bureau on the bureau's Training Certification Application form, BFS-205, for certification before taking the state certification course. An individual shall be certified at the previous certification level before taking the next level of certification pursuant to NFPA 1041, "Standard for Fire and Emergency Services Instructor Professional Qualifications,"

(3) A fire instructor III is an individual who is certified as a fire instructor II and has a minimum of 7 years of service, not including pre-service, cadet, or explorer service, from his or her initial firefighter certification, before beginning the fire instructor III requirements and 80 hours of documented and verifiable instructional hours.

(4) A fire instructor III shall have completed and passed the council-approved NFPA 1041, "Standard for Fire and Emergency Services Instructor Professional Qualifications," fire instructor III written examination with a score of 70% or higher and pass the practical examination which covers the skill and knowledge requirements for fire instructor III in NFPA 1041, as adopted by reference in R 29.410.

(5) A fire instructor III is authorized to instruct any council-approved course he or she has completed and passed, provided he or she receives and maintains third-party authorization, if required.

(6) A fire instructor III who has attended and passed the council-approved fire instructor II certification course, instructed 2 council-approved fire instructor I certification courses, and completed the bureau's fire instructor II train-the-trainer course is authorized to instruct the council-approved fire instructor II certification course.

(7) A fire instructor III who has attended and passed the council-approved fire instructor III certification course, instructed 2 council-approved fire instructor II certification courses, and completed the bureau's fire instructor III train-the-trainer course is authorized to instruct the council-approved fire instructor III certification course.

(8) An individual with a valid Pro Board® or IFSAC certificate, applying for reciprocity certification, shall comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1041, "Standard for Fire and Emergency Services Instructor Professional Qualifications," at the time of issue.

(d) Have attended and passed the fire instructor I orientation course (H04A).

(e) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(9) An individual applying for reciprocity certification shall be certified by another state's certifying agency and comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Have completed, prior to applying for certification, course H04A, Fire Instructor I Orientation.

(d) Meet the NFPA 1041, "Standard for Fire and Emergency Services Instructor Professional Qualifications," at the time of issue.

(e) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(10) An individual who has been honorably discharged from the armed forces of the United States, completed firefighter training while serving in the armed forces of the United States, and is applying for reciprocity certification shall comply with all of the following:

- (a) Be a member or an employee of a fire department or a public safety department in this state.
- (b) Be entered into the bureau's training information network.
- (c) Have attended and passed the fire instructor I orientation course (H04A).
- (d) Meet the NFPA 1041, "Standard for Fire and Emergency Services Instructor Professional Qualifications," at the time of issue.
- (e) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

R 29.405f Certified fire instructors; certified associate fire instructors; requirements.

Rule 5f. (1) This rule provides the classifications for certified fire instructors and certified associate fire instructors pursuant to section 9 of the act, MCL 29.369.

(2) As of the effective date of these rules, an instructor who is approved by the bureau as a certified fire instructor, according to qualifications established before 2010, shall maintain his or her status as a certified fire instructor.

(3) As of the effective date of these rules, a certified associate fire instructor who is approved by the bureau, according to qualifications established before September 30, 2019, shall maintain his or her status as a certified associate fire instructor.

(4) A certified fire instructor and a certified associate fire instructor may teach all courses he or she is authorized to instruct provided that he or she receives and maintains third-party authorization, if required.

R 29.405g Classification for fire investigator; requirements; reciprocity.

Rule 5g. (1) This rule provides the classification for fire investigator pursuant to section 9 of the act, MCL 29.369.

(2) A fire investigator is an individual who completes and passes the council-approved fire investigator examination which covers the skill and knowledge requirements for fire investigator in NFPA 1033, "Standard for Professional Qualifications for Fire Investigator," as adopted by reference in R 29.410.

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

(4) An individual shall have passed the examination for either of the following programs or courses before applying to the bureau:

- (a) Michigan state police basic fire investigation school.
- (b) National fire academy fire investigation course.

(5) An individual with a valid Pro Board® or IFSAC certificate, applying for reciprocity certification, shall comply with all of the following:

- (a) Be a member or an employee of a fire department or a public safety department.
- (b) Be entered into the bureau's training information network.
- (c) Meet the NFPA 1033, "Standard for Professional Qualifications for Fire Investigator," at the time of issue.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(6) An individual applying for reciprocity certification shall be certified by another state's certifying agency and comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1033, "Standard for Professional Qualifications for Fire Investigator," at the time of issue.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(7) An individual who has been honorably discharged from the armed forces of the United States, completed firefighter training while serving in the armed forces of the United States, and is applying for reciprocity certification shall comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1033, "Standard for Professional Qualifications for Fire Investigator" at the time of issue.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

R 29.405h Classification of fire officer I; requirements; reciprocity.

Rule 5h. (1) This rule provides the classification for fire officer I pursuant to section 9 of the act, MCL 29.369.

(2) A fire officer I is an individual who is a certified firefighter II, passed the council-approved fire instructor I course, passed the council-approved fire officer I written examination with a score of 70% or higher, and passed the practical examination, which meets NFPA 1021, "Standard for Fire Officer Professional Qualifications," as adopted by reference in R 29.410.

(3) An individual shall complete the council-approved fire instructor I course and pass the written examination with a 70% or higher and practical examination prior to attending the council-approved fire officer I course.

(4) An individual shall complete the fire officer I job performance requirements and submit the bureau's Training Certification Application form, BFS-205, before taking the certification examinations.

(5) An individual with a valid Pro Board® or IFSAC certificate, applying for reciprocity certification, shall comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1021, "Standard for Fire Officer Professional Qualifications," at the time of issue.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(6) An individual applying for reciprocity certification shall be certified by another state's certifying agency and comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1021, "Standard for Fire Officer Professional Qualifications," at the time of issue.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(7) An individual who has been honorably discharged from the armed forces of the United States, completed firefighter training while serving in the armed forces of the United States, and is applying for reciprocity certification shall comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1021, "Standard for Fire Officer Professional Qualifications," at the time of issue.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

R 29.405i Classification of fire officer II; requirements; reciprocity.

Rule 5i. (1) This rule provides the classification for fire officer II pursuant to section 9 of the act, MCL 29.369.

(2) An individual who is applying for certification as a fire officer II shall be certified as a fire officer I before starting the fire officer II requirements.

(3) A fire officer II is an individual who is a certified firefighter II, passed the council-approved fire instructor I course, passed the council-approved fire officer II written examination with a score of 70% or higher, and passed the practical examination, which meets NFPA 1021, "Standard for Fire Officer Professional Qualifications," as adopted by reference in R 29.410.

(4) An individual shall complete the fire officer II job performance requirements and submit the bureau's Training Certification Application form, BFS-205, before taking the certification examinations.

(5) An individual with a valid Pro Board® or IFSAC certificate, applying for reciprocity certification, shall comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1021, "Standard for Fire Officer Professional Qualifications," at the time of issue.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(6) An individual applying for reciprocity certification shall be certified by another state's certifying agency and comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1021, "Standard for Fire Officer Professional Qualifications," at the time of issue.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(7) An individual who has been honorably discharged from the armed forces of the United States, completed firefighter training while serving in the armed forces of the United States, and is applying for reciprocity certification shall comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1021, "Standard for Fire Officer Professional Qualifications," at the time of issue.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

R 29.405j Classification of fire officer III; requirements; reciprocity.

Rule 5j. (1) This rule provides the classification for fire officer III pursuant to section 9 of the act, MCL 29.369.

(2) An individual who is applying for certification as a fire officer III shall be certified as a fire officer II before starting the fire officer III requirements.

(3) A fire officer III is an individual who is a certified firefighter II, passed the council-approved fire instructor I course, passed the council-approved fire officer III written examination with a score of 70% or higher and passed the practical examination, which meets NFPA 1021, "Standard for Fire Officer Professional Qualifications," as adopted by reference in R 29.410.

(4) An individual shall complete the fire officer III job performance requirements and submit the bureau's Training Certification Application form, BFS-205, before taking the certification examinations.

(5) An individual with a valid Pro Board® or IFSAC certificate, applying for reciprocity certification shall comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1021, "Standard for Fire Officer Professional Qualifications," at the time of issue.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(6) An individual applying for reciprocity certification shall be certified by another state's certifying agency and comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1021, "Standard for Fire Officer Professional Qualifications," at the time of issue.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(7) An individual who has been honorably discharged from the armed forces of the United States, completed firefighter training while serving in the armed forces of the United States, and is applying for reciprocity certification shall comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1021, "Standard for Fire Officer Professional Qualifications," at the time of issue.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

R 29.405k Classification of fire officer IV; requirements; reciprocity.

Rule 5k. (1) This rule provides the classification for fire officer IV pursuant to section 9 of the act, MCL 29.369.

(2) An individual who is applying for certification as a fire officer IV shall be certified as a fire officer III before starting the fire officer IV requirements. An applicant shall have completed the job performance requirements for fire officer IV before taking the examination for fire officer IV.

(3) An individual shall pass the council-approved written examination for fire officer IV, with a score of 70% or higher, which meets NFPA 1021, "Standard for Fire Officer Professional Qualifications," as adopted by reference in R 29.410.

(4) An individual shall apply to the bureau on the bureau's Training Certification Application form, BFS-205, before taking the state certification examination.

(5) An individual with a valid Pro Board® or IFSAC certificate, applying for reciprocity certification, shall comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1021, "Standard for Fire Officer Professional Qualifications," at the time of issue.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(6) An individual applying for reciprocity certification, shall be certified by another state's certifying agency and comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1021, "Standard for Fire Officer Professional Qualifications," at the time of issue.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(7) An individual who has been honorably discharged forces of the United States, completed firefighter training while serving in the armed forces of the United States, and is applying for reciprocity certification shall comply with all of the following:

- (a) Be a member or an employee of a fire department or a public safety department in this state.
- (b) Be entered into the bureau's training information network.
- (c) Meet the NFPA 1021, "Standard for Fire Officer Professional Qualifications," at the time of issue.
- (d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

R 29.405l Michigan fire officer certifications; equivalency.

Rule 5l. (1) The bureau shall recognize previously issued certificates as equivalent for fire officer certification to be applied toward the advancement to the next level of fire officer certification. All fire officer certifications shall be obtained in sequential order as required in NFPA 1021.

(2) Previously issued Michigan fire officer certifications include all of the following:

- (a) Fire officer I (E01A, E01B).
- (b) Fire officer II (E02A, E02B).
- (c) Fire officer III (E03A).
- (d) Michigan company officer I and II series (O21A).
- (e) Michigan fire officer III series (O31A).

(3) As of the effective date of these rules, a Michigan fire service member who has obtained any Michigan fire officer certificates as specified in subrule (1)(a) to (e) of this rule and is certified to the NFPA 1041 fire instructor I level or higher, may apply to participate in the next level of council-approved NFPA 1021 fire officer courses to meet the requirements as specified in R 29.405h to R 29.405k for certification.

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

Rule 5m. (1) This rule provides the classification for public safety director pursuant in section 9 of the act, MCL 29.369.

(2) If the AHJ expects the public safety director to serve in an operational capacity, that individual must meet 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.

(3) 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.

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



R 29.405n Classification of plans examiner; requirements; reciprocity.

Rule 5n. (1) This rule provides the classification for plans examiner pursuant to section 9 of the act, MCL 29.369.

(2) A plans examiner is an individual who completes and passes the NFPA course and examination which covers the skill and knowledge requirements for plans examiner in NFPA 1031, "Standard for Professional Qualifications for Fire Inspector and Plan Examiner," as adopted by reference in R 29.410, or the equivalent, as determined by the bureau in consultation with the state fire safety board.

(3) An individual with a valid Pro Board® or IFSAC certificate, applying for reciprocity certification, shall comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1031, "Standard for Fire Inspector and Plan Examiner Professional Qualifications," at the time of issue.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(4) An individual applying for reciprocity certification shall be certified by another state's certifying agency and comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1031, "Standard for Fire Inspector and Plan Examiner Professional Qualifications," at the time of issue.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(5) An individual who has been honorably discharged from the armed forces of the United States, completed firefighter training while serving in the armed forces of the United States, and is applying for reciprocity certification shall comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1031, "Standard for Fire Inspector and Plan Examiner Professional Qualifications," at the time of issue.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

R 29.405o Classification of hazardous materials responder; requirements; reciprocity.

Rule 5o. (1) This rule provides the classification for hazardous materials responder pursuant to section 9 of the act, MCL 29.369.

(2) A hazardous materials responder is an individual who has passed the council-approved hazardous materials responder operations course and examination, which covers the skill and knowledge requirements for hazardous materials responder operations in NFPA 1072, "Standard for Competence of Responders to Hazardous Materials/Weapons of Mass Destruction Incidents," as adopted by reference in R 29.410.

(3) An individual who possesses a Michigan firefighter I with hazardous materials operations certification or a Michigan firefighter I and II with hazardous materials operations certification meets the requirements of hazardous materials responder operations in NFPA 1072, "Standard for Competence of Responders to Hazardous Materials/Weapons of Mass Destruction Incidents," as adopted by reference in R 29.410.

(4) An individual shall apply to the bureau on the bureau's Training Certification Application form, BFS-205, before taking the state certification examination.

(5) An individual with a valid Pro Board® or IFSAC certificate, applying for reciprocity certification, shall comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1072, "Standard for Competence of Responders to Hazardous Materials/Weapons of Mass Destruction Incidents," at the time of issue.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(6) An individual applying for reciprocity certification shall be certified by another state's certifying agency and comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1072, "Standard for Competence of Responders to Hazardous Materials/Weapons of Mass Destruction Incidents," at the time of issue.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

(7) An individual who has been honorably discharged from the armed forces of the United States, completed firefighter training while serving in the armed forces of the United States, and is applying for reciprocity certification shall comply with all of the following:

(a) Be a member or an employee of a fire department or a public safety department in this state.

(b) Be entered into the bureau's training information network.

(c) Meet the NFPA 1072, "Standard for Competence of Responders to Hazardous Materials/Weapons of Mass Destruction Incidents," at the time of issue.

(d) Complete and submit the bureau's Request For Reciprocity Application form, BFS-258.

R 29.405p Classification of technical rescue responder; requirements.

Rule 5p. (1) This rule provides the classification for technical rescue responder pursuant to section 9 of the act, MCL 29.369.

(2) A technical rescue responder is an individual who completes and passes training that covers the skill and knowledge requirements in NFPA 1006, "Standard for Technical Rescue Personnel Professional Qualifications," and NFPA 1670, "Standard on Operation and Training for Technical Search and Rescue Incidents," as adopted by reference in R 29.410.

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

R 29.405q Classification of airport rescue firefighter; requirements.

Rule 5q. (1) This rule provides the classification for airport rescue firefighter pursuant to section 9 of the act, MCL 29.369.

(2) An airport rescue firefighter is an individual who completes and passes training that covers the skill and knowledge requirements in NFPA 1003, "Standard for Airport Fire Fighter Professional Qualifications," as adopted by reference in R 29.410.

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

R 29.408 Rescinded.

R 29.408a Rescinded.

R 29.408b Rescinded.

R 29.408c Rescinded.

R 29.408d Rescinded.

R 29.408e Rescinded.

R 29.408f Rescinded.

R 29.409 Rescinded.

R 29.410 Adoption by reference.

Rule 10. The following NFPA standards, are adopted by reference in these rules. Copies of the adopted standards are available for review at the office of the Bureau of Fire Services, Michigan Department of Licensing and Regulatory Affairs, 611 West Ottawa Street, Lansing, Michigan 48933, or from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169, telephone number 1-800-344-3555. The cost of each standard at the time of the adoption of these rules is included with the title of each standard. Each standard is available to be viewed online at no cost with an established account at [www.nfpa.org](http://www.nfpa.org).

- (a) NFPA 1001, Standard for Fire Fighter Professional Qualifications, 2019 edition, chapters 1, 4, 5, and 6, at a cost of \$54.50 each.
- (b) NFPA 1003, Standard for Airport Fire Fighter Professional Qualifications, 2019 edition, at a cost of \$54.50 each.
- (c) NFPA 1006, Standard for Technical Rescue Personnel Professional Qualifications, 2021 edition, at a cost of \$71.00 each.
- (d) NFPA 1021, Standard for Fire Officer Professional Qualifications, 2020 edition, at a cost of \$54.50 each.
- (e) NFPA 1031, Standard for Professional Qualifications for Fire Inspector and Plan Examiner, 2014 edition, at a cost of \$54.50 each.
- (f) NFPA 1033, Standard for Professional Qualifications for Fire Investigator, 2014 edition, at a cost of \$47.50 each.
- (g) NFPA 1041, Standard for Fire and Emergency Services Instructor Professional Qualifications, 2019 edition, at a cost of \$54.50 each.
- (h) NFPA 1072, Standard for Hazardous Materials/Weapons of Mass Destruction Emergency Response Personnel Professional Qualifications, 2017 edition, at a cost of \$61.00 each.
- (i) NFPA 1670, Standard on Operations and Training for Technical Search and Rescue Incidents, 2017 edition, at a cost of \$71.00 each.

### PART 3. DISCIPLINARY PROCESS

R 29.410a Disciplinary process.

Rule 10a. (1) Pursuant to section 11a of the act, MCL 29.371a, the state fire marshal shall initiate the disciplinary process, which may include suspension or revocation of 1 or more classification certifications issued to an individual, for any of the following reasons:

- (a) Conviction of a felony in any state of the United States.
  - (b) Making a materially untrue statement.
  - (c) Causing a materially untrue statement to be made.
  - (d) Committing fraud when applying for any classification certification.
  - (e) Wrongfully disclosing in any format, such as electronically, verbally, or in writing, any information about an examination that the bureau uses in the examination certification process.
  - (f) Violating the act or the bureau's rules, policies, directives, or bulletins.
  - (g) Violating the annual instructor memorandum of understanding (MOU).
  - (h) Violating any continuing education compliance requirements in R 29.418.
- (2) Upon the bureau receiving notification that an individual has violated the act or 1 or more of the rules, the state fire marshal shall direct bureau staff or a state fire marshal designee to investigate the allegation or allegations. This investigation shall include an interview or interviews of the individual who made the allegation, any witnesses who may support or negate the allegation or allegations against the individual in question, and the individual accused of impropriety.
- (3) Upon completion of the investigation, a final report shall be submitted to the state fire marshal. If the allegations are substantiated, the state fire marshal shall add the disciplinary matter to the agenda for the next scheduled council meeting for official action.

(4) The state fire marshal shall send an official notice to the individual accused of an impropriety that a disciplinary hearing has been placed on the agenda. The date and time of the hearing shall occur during the next regularly scheduled council meeting.

R 29.410b Requesting a closed disciplinary hearing.

Rule 10b. (1) An individual may request a closed disciplinary hearing.

(2) The council shall conduct a roll call vote on the request for a closed disciplinary hearing. A decision to close the disciplinary hearing shall require a majority vote of the council members present.

(3) If the council votes to move into a closed disciplinary hearing, the meeting shall be cleared of all individuals who are not directly involved in the hearing.

(4) A closed disciplinary hearing shall include only the individual, the individual's legal counsel, witnesses, council members, the state fire marshal or his or her designee, and the council's recording secretary.

(5) The proceedings of the disciplinary hearing shall be recorded digitally by the bureau.

R 29.410c Disciplinary hearing procedure.

Rule 10c. (1) Council members shall be given the opportunity to review the documentation submitted before proceeding with the disciplinary hearing.

(2) The state fire marshal, or his or her designee, shall present an opening statement and relevant information of the investigative findings to the council, which shall not exceed 20 minutes, including the calling of witnesses.

(3) The individual appealing a disciplinary decision shall present his or her opening statement and relevant information, which shall not exceed 20 minutes, including the calling of witnesses.

(4) Council members may question the individual, witnesses, and the state fire marshal or his or her designee, if further clarification is needed.

(5) The state fire marshal, or his or her designee, shall have 5 minutes to present a summary of the reasons for recommending the suspension or revocation of 1 or more of the individual's certifications.

(6) The individual shall have 5 minutes to present a summary of the reasons why the recommendation for suspension or revocation is unsubstantiated.

(7) The chairperson shall ask all witnesses, the individual, and the individual's legal counsel to exit the closed session, if applicable.

(8) The council shall deliberate to determine if the allegation or allegations against the individual are substantiated or unsubstantiated.

(a) A substantiated allegation or allegations shall result in the suspension or revocation of 1 or more of an individual's certifications, which shall be determined by council.

(b) An unsubstantiated allegation or allegations shall result in the dismissal of the allegation or allegations against the individual.

(c) After the final decision is reached, the council chairperson shall make a motion to adjourn the closed session.

(d) All documentation distributed to the council during the closed session of the disciplinary hearing regarding the investigation shall be collected by the state fire marshal, or his or her designee, to be disposed of pursuant to the state's document retention schedule.

R 29.410d Decision notification; reinstatement; appeal.

Rule 10d. (1) Based upon the motion provided in the closed session, the council chairperson shall request a roll call vote in the open meeting. The decision of the council shall be final.

(2) An individual who has 1 or more certifications suspended as the result of a disciplinary hearing shall meet all the conditions detailed in the suspension including, but not limited to, retraining provisions to reinstate his or her classification certification or certifications.

(3) A suspension, other than a revocation, shall specify requirements that the individual shall complete to reinstate the certification or certifications after the terms of the suspension are met.

(4) The bureau shall retain the documentation from the disciplinary hearing pursuant to the state's document retention schedule.

(5) The decision of the council to suspend or revoke a certification shall be sent via certified mail to the individual and his or her fire chief of record as listed in the training information network.

(6) The decision of the council shall contain notice of the right of interested parties to file an appeal to the Michigan office of administrative hearings and rules (MOAHR) within 28 calendar days of issuance of the council's decision.

#### PART 4. TRAINING

R 29.413 Regional training centers; facilities; approval.

Rule 13. (1) An applicant shall establish an RTC in a strategic location to support the greatest number of fire departments. An RTC must provide individuals an opportunity to receive pre-service fire training as an RTC student. To establish an RTC, an applicant shall do all of the following:

(a) Complete the bureau's Regional Training Center Advisory Board form, BFS-242.

(b) Establish an advisory committee which includes appointing a chairperson from the RTC staff and may include the county training committee chairpersons from each county that will be served by the RTC.

(c) Complete a needs survey which establishes the fire department training needs of the area and describes how the RTC plans to fulfill those needs. Collect any documentation of support for the need of the new RTC.

(d) Have and be able to maintain the capability to conduct firefighter I and II courses and examinations.

(e) Work with the bureau in training technology development.

(f) Have rooms, facilities, and equipment available to efficiently carry out programs of instruction.

(2) If the application meets the requirement of subrules (1) of this rule, the state fire marshal shall review the application for inclusion on the agenda for the next council meeting.

(3) The council shall vote to approve or deny an RTC application.

(4) An RTC shall maintain current contact information for the center and advisory board membership with the bureau within 30 days of any change using the bureau's Regional Training Center Advisory Board form, BFS-242

(5) The RTC shall perform all of the following on an annual basis to maintain council approval:

(a) Maintain capability to conduct firefighter I and II courses and examinations.

(b) Comply with all bureau rules.

(c) Cooperate with the bureau in training technology development.

(d) Submit a report to the state fire marshal annually by November 20 for the previous fiscal year October 1 to September 30. The annual report by each RTC shall include all of the following:

(i) The training activity from the previous fiscal year.

(ii) The use of approved county funds.

(iii) The budget and expenses from the previous fiscal year.

(iv) The RTC training plan for the upcoming fiscal year.

(6) The state fire marshal, with the approval of council, shall authorize an RTC to conduct council approved courses for pre-service students.

(7) Service time at an RTC does not count toward fire department service time unless the individual is registered as a fire department or a public safety department member.

(8) RTC students who are not members of a fire department or a public safety department in this state shall be assessed a fee per student to cover the cost of providing the certification examination as established by the bureau by January 31 before the next fiscal year. Fees shall be remitted to the bureau 2 weeks after the course start date as provided under section 11(1)(j) of the act, MCL 29.371.

R 29.414 Rescinded.

R 29.415 Alternative learning platforms.

Rule 15. (1) The state fire marshal, with the approval of the council, may endorse the implementation of alternative learning platforms, including, but not limited to, online learning, distance learning, or similar council approved methods.

(2) An alternative learning platform must be sponsored by a recognized regional training center or requested by a county training committee chairperson. Either entity shall be responsible for instructor training and online delivery support for instructors and students. Alternative learning platforms must utilize a council-approved curriculum electronic learning management system.

(3) The initial delivery of an alternative learning platform shall be a pilot program and be pre-approved by the council. Bureau staff may evaluate the pilot program in order to provide a report to the council. All of the following apply to alternative learning platforms:

(a) Upon review of a report from the instructors and the course manager, including written feedback from all of the instructors and students and a positive recommendation

from the regional coordinator, the state fire marshal, with council approval, may approve future courses.

(b) All alternative learning platforms for classification certification shall meet all NFPA standards for that certification.

(c) All alternative learning platforms shall consist of the following:

(i) The same learning objectives as a face-to-face training format.

(ii) A maximum student-to-instructor ratio for hands-on practical components of a course of 5 students to 1 instructor.

(iii) A written exam.

(4) An individual who attends a council-approved alternative learning platform online course and wants to qualify for a certification examination shall comply with both of the following:

(a) An individual shall meet 90% of the lecture hours and 100% of the practical skills hours. A course manager shall enforce the bureau 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.

R 29.416 County training committee; election of chairperson.

Rule 16. (1) All fire departments and public safety departments that are recognized in the fire service directory and that provide services within a county, shall have the opportunity to participate in their respective county training committee, pursuant to section 11(1)(k) of the act, MCL 29.371, to receive the fireworks safety fees annually from the bureau, as provided in section 14 of the act, MCL 29.374.

(2) A county training committee shall consist of 1 member from each recognized fire department and public safety department within the county.

(3) A county training committee shall elect a chairperson each year. Each fire department and public safety department in a county shall have 1 vote when electing the chairperson. The chairperson shall serve for the calendar year beginning April 1 with a term expiring on March 31 of the following year.

(4) A county training committee shall notify the bureau of the elected chairperson for the committee by submitting the bureau's County Training Committee Data form, BFS-240, by April 1 of each calendar year.

(5) If a vacancy of the chairperson position occurs, a county training committee shall elect a new chairperson within 30 days of the vacancy occurring and shall notify the bureau by submitting the bureau's County Training Committee Data form, BFS-240.

R 29.417 Training needs survey.

Rule 17. (1) A county training committee chairperson shall conduct a training needs survey in April of each fiscal year. The survey shall be presented on the bureau's County Training Committee Training Needs Survey form, BFS-243.

(2) A county training committee chairperson shall compile an aggregate report of the results of the training needs survey including, but not limited to, a list of the fire



departments within the county and whether they participated or did not participate in the survey.

(3) A county training committee chairperson shall submit a report to the bureau region coordinator on the bureau's Fire Department Training Needs Survey form, BFS-244, that includes the results of the training needs survey. This report shall be submitted by June 15 of each fiscal year.

(4) If a county training committee chairperson does not submit the results of the training needs survey, this shall result in a delay of the October 1 release each fiscal year of the fireworks safety fees allocated for that county pursuant to section 14 of the Michigan fireworks safety act, 2011 PA 256, MCL 28.461.

(5) A county training committee chairperson shall designate funding to courses in the bureau training information network by December 31 of each fiscal year.

(6) A county training committee chairperson shall submit to the bureau a detailed list of all allocated courses, including course funding amounts, using fireworks safety funds by January 15 of each fiscal year.

## PART 5. CONTINUING EDUCATION

R 29.418 Continuing education; requirements.

Rule 18. (1) An AHJ may exceed the minimum continuing education requirements as specified in this rule while complying with the initial and continuing training requirements in R 408.17411.

(2) The continuing education process shall apply to every firefighter in this state. The process shall run in a 3-year cycle beginning October 1 following the state's fiscal year.

(3) All training conducted, documented, and approved by a fire department or a public safety department in this state apply toward the continuing education requirement.

(a) Local AHJ-specific continuing education courses do not require a certified fire instructor.

(b) For continuing education training to apply toward the continuing education requirement, the individual conducting the training shall complete a fire department or a public safety department specific training roster or provide documentation of completion of the training to the student.

(c) If the continuing education course is part of a council-approved course, the training shall be tracked in the bureau's training information network and the student and instructor shall sign the roster for each training session for the course.

(4) At the end of the 3-year cycle, a firefighter shall log into the bureau's training information network and check the box validating that he or she has met the continuing education requirements on his or her profile. After a firefighter checks the box in the bureau's training information network to renew all classification certifications, he or she may be audited by the bureau.

(a) A firefighter who checks the box without having completed the continuing education requirements for each classification certification or certifications in the 3-year cycle is subject to the disciplinary process as outlined in R 29.410a of these rules.

(b) A firefighter who has not completed the required continuing education within the 3-year cycle is allowed a 90-day grace period to complete the continuing education requirements for the previous cycle.

(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. Both of the following apply to the continuing education required under this subdivision.

(i) Firefighter continuing education is required for all firefighters in this state, including those individuals who were exempted from firefighter I or firefighter II certification due to being employed by a fire department before October 1, 1988.

(ii) A firefighter may apply all common knowledge and practical skill hours necessary to meet this subdivision 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.

(b) A fire instructor I or an individual with a higher certification classification shall complete 12 hours of fire instructor continuing education and shall obtain the required hours of continuing education by attending or instructing, or both, any of the following during the 3-year-cycle:

(i) Instructor development conferences.

(ii) Instructor development seminars and training.

(iii) Instructor coordinator Emergency Medical Services (EMS) conferences.

(iv) Instructor or instructional development courses sponsored by the National Fire Academy.

(v) Complete the next level of fire instructor certification above the current instructor certification.

(vi) Maintain continuing education for a Michigan EMS instructor coordinator license.

(vii) Have taught an MFFTC course and documented it in the bureau's training information network.

(c) A fire officer I or an individual with a higher certification classification shall complete 12 hours of fire officer continuing education and shall obtain the required hours of continuing education by attending or instructing, or both, any of the following during the 3-year-cycle:

(i) Chief or officer development conferences.

(ii) Officer development seminars or training.

(iii) Officer development courses sponsored by the National Fire Academy.

(iv) The next level of fire officer certification above the current officer certification.

FILED WITH SECRETARY OF STATE

ON 11/3/21 AT 2:51 P.M.