



1       (A) Minimum training levels for rescue and fire fighting;  
2       (B) Minimum levels of equipment needed to protect life and  
3 property within fire service areas;  
4       (C) Minimum performance standards the departments must meet in  
5 response times, communications, levels of water flow and pressure;  
6 and  
7       (D) Other performance measures as considered necessary to meet  
8 the overall goals of improved fire prevention and control.  
9       (2) Allow the training to be offered in segments, blocks or  
10 modules: Provided, That no firefighter may engage in fire fighting  
11 activities, except in response to wildland fires, until he or she  
12 has completed all firefighter one training: Provided, however, That  
13 support members may provide ancillary assistance to firefighters as  
14 defined by the rule;  
15       (3) Provide for online training;  
16       (4) Allow testing to be done in person or online; and  
17       (5) Establish the testing requirements which include:  
18       (A) If the individual is required to test in person, then the  
19 tests must be given regionally at various times throughout the  
20 year; or  
21       (B) If the individual is authorized to test online, then the  
22 requirements for online testing must be established.  
23       (b) The State Fire Commission may promulgate emergency rules  
24 pursuant to the provisions of section fifteen, article three,  
25 chapter twenty-nine-a of this code to effectuate the provisions of  
26 this section.

1        (c) The training policies in effect as of the effective date  
2 of the enactment of this section during the Regular Session of 2012  
3 will remain in effect until superceded by the emergency rule or  
4 legislative rule promulgated pursuant to this section.

5 **§29-3-9. Powers, duties and authority of State Fire Commission and**  
6 **State Fire Marshal.**

7        (a) The State Fire Commission may employ personnel, fix their  
8 compensation and, within funds available to do so, incur expenses  
9 as necessary in the performance of the duties of its office.

10       (b) The State Fire Commission is responsible for fire programs  
11 within this state, including the State Fire Marshal's office,  
12 training, uniform standards and certification, finance and planning  
13 and fire prevention.

14       (c) All state and area training and education in fire service  
15 shall be coordinated by the State Fire Commission. The State Fire  
16 Marshal shall ensure that these programs are operated throughout  
17 the state at a level consistent with needs identified by the  
18 ~~commissioner~~ commission.

19       ~~(d) The State Fire Commission shall develop minimum training~~  
20 ~~levels for firefighters, minimum levels of equipment needed to~~  
21 ~~protect life and property within fire service areas, minimum~~  
22 ~~performance standards the departments must meet in response times,~~  
23 ~~communications, minimum levels of water flow and pressure and other~~  
24 ~~performance measures as considered necessary to meet the overall~~  
25 ~~goals of improved fire prevention and control.~~ The State Fire  
26 Commission may make recommendations to the State Insurance

1 Commissioner regarding town classifications for fire insurance  
2 rates.

3 (e) The formation of any new fire department, including  
4 volunteer fire departments, requires the concurrence of the State  
5 Fire Commission. The State Fire Commission shall develop a method  
6 of certification which can be applied to all fire departments and  
7 volunteer fire departments.

8 (f) The State Fire Commission shall develop a plan for fire  
9 prevention and control which shall include, but not be limited to,  
10 the following areas: Manpower needs; location of training centers;  
11 location of fire prevention and control units; communications; fire  
12 fighting facilities; water sources; vehicular needs; public  
13 education and information; public participation; standardization in  
14 record keeping; evaluation of personnel; reporting of fire hazards;  
15 programs on mutual aid; location of public safety agencies; outline  
16 of fire prevention programs; and accessibility of fire prevention  
17 information.

18 (g) The State Fire Commission shall establish fire protection  
19 areas and at such times as funds are available shall establish  
20 field offices for inspection, planning and certification.

21 (h) The State Fire Marshal may accept, on behalf of the State  
22 Fire Commission, gifts, grants, court ordered civil forfeiture  
23 proceedings and bequests of funds or property from individuals,  
24 foundations, corporations, the federal government, governmental  
25 agencies and other organizations or institutions. The State Fire  
26 Marshal, acting on behalf of the State Fire Commission, may enter

1 into, sign and execute any agreements and do and perform any acts  
2 that may be necessary, useful, desirable or convenient to  
3 effectuate the purposes of this article. Moneys from gifts,  
4 grants, civil forfeiture proceedings and bequests received by the  
5 State Fire Marshal shall be deposited into the special account set  
6 forth in subsection (c), section twelve-b of this article, and the  
7 State Fire Marshal, with the approval of the State Fire Commission,  
8 has the authority to make expenditures of, or use of any tangible  
9 property, in order to effectuate the purposes of this article.

10 (i) The State Fire Commission shall establish standards and  
11 procedures by policy to implement the provisions of this section  
12 with regard to the following:

13 (1) Fire prevention and control;

14 (2) Uniform standards of performance, equipment and training;

15 (3) Certification;

16 (4) Training and education in fire service, subject to the  
17 rule-making requirements set forth in section five-d of this  
18 article; and

19 (5) The creation, operation and responsibilities of fire  
20 departments throughout the state.