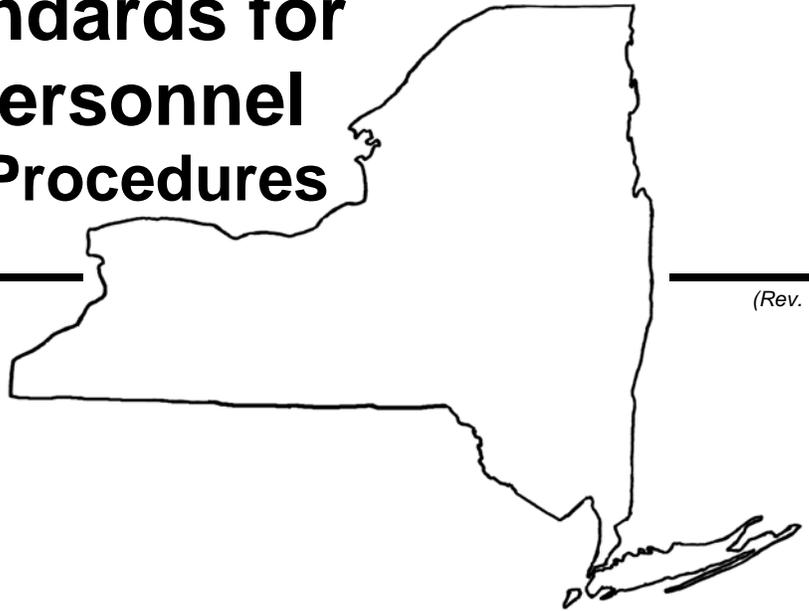


Minimum Standards for Firefighting Personnel Administrative Procedures

NYCRR Part 427

(Rev. 9/08)



State of New York
*Firefighting and Code Enforcement Personnel
Standards and Education Commission*

Office of Fire Prevention and Control

PART 427
Minimum Standards for Firefighting Personnel
in the State of New York—Administrative Procedures
(Statutory Authority, Section 159-d)

Section

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§ 427.1 Purpose.

This Part establishes procedures to administer the minimum standards for firefighting personnel in the State of New York as established by Part 426 of this Chapter.

§427.2 Procedures for certification of fire training programs.

(a) Certification of fire training programs in basic fire training, in-service fire training, advanced in-service fire training, and promotional supervisory training shall be obtained in accordance with the following subdivision.

(b) An application for certification of a basic fire training program shall be submitted to the State Fire Administrator by the chief fire official of a municipality or his designated representative. Such application shall be in writing in a form acceptable to the State Fire Administrator and shall include:

- (1) the name and qualifications of the municipal training officer required by section 427.4 of this Part;
- (2) the names and qualifications of those municipal fire instructors, if any, described in section 427.4 of this Part who will be used in the basic fire training program;
- (3) a completed copy of the probationary firefighter curriculum outline prescribed by the State Fire Administrator and, where locally developed lesson plans and materials are used, one copy of such lesson plans and materials, and copies of local rules and regulations, to the extent used, and where the

Firefighter Apprenticeship Training program of the Department of Labor/International Association of Firefighters is used to fulfill minimum basic training subject requirements, a copy of the letter issued to the fire department by the New York State Department of Labor evidencing enrollment in a firefighter or fire medic apprenticeship program;

- (4) a description of the facilities and equipment to be used to conduct the basic fire training program;
- (5) a description of the recordkeeping system to be maintained to verify a student's completion of the requirements of Part 426 of this Chapter which system shall include, but not be limited to, the student enrollment card and the probationary firefighter training record prescribed by the State Fire Administrator, and copies of the evaluation instruments and procedures to be used to attest that a student has attained that level of performance established by the municipality for its firefighting personnel; and
- (6) a description of the physical fitness training program to be used to develop and maintain the physical fitness necessary to perform the duties of a firefighter.

Certification shall be issued after the State Fire Administrator determines that such application is complete, and that the basic fire training program described therein meets or exceeds the requirements of Part 426 of this Chapter. Amendments to the basic fire training program for the coming calendar year shall be submitted to the State Fire Administrator before the first of November preceding. When the amendments are determined by the State Fire Administrator to meet

or exceed the requirements of Part 426 of this Chapter, certification shall be continued to the program as amended.

(c) An application for certification of an in-service fire training program shall be submitted to the State Fire Administrator by the chief fire official of a municipality or his designated representative. Such application shall be in writing in a form acceptable to the State Fire Administrator and shall include:

- (1) the name and qualifications of the municipal training officer required by section 427.4 of this Part, if not previously submitted;
- (2) the names and qualifications of the municipal fire instructors, if any, described in section 426.4 of this Chapter who will be used in the in-service fire training program;
- (3) an outline of the in-service fire training program, indicating the course format to be employed in each of the subject areas of the standards prescribed by section 426.7 of this Chapter, together with supporting lesson plans and materials;
- (4) a description of the facilities and equipment to be used to conduct the in-service fire training program; and
- (5) a description of the recordkeeping system to be maintained to verify a student's completion of the requirements of Part 426 of this Chapter, and copies of the evaluation instruments and procedures to be used to attest that a student has attained that level of performance established by the municipality for its firefighting personnel.

Certification shall be issued after the State Fire Administrator determines that such application is complete, and that the in-service fire training program described therein meets or exceeds the requirements of Part 426 of this Chapter. In-service fire training programs shall be submitted annually for review by the State Fire Administrator.

§427.3 Facilities and equipment required for fire training programs.

Onsite review of facilities and equipment may be conducted by the State Fire Administrator or his representative.

§427.4 Procedures for instructor certification.

(a) Certification of instructors in standard and special categories shall be obtained in accordance with subdivisions (b) and (c) of this section, respectively.

(b) An application for standard certification, by or in behalf of an instructor, shall be submitted to the State Fire Administrator. Such application shall be in writing and shall contain the name of the applicant and such additional information as will attest that he has met the requirements of section 426.4 of this Chapter.

(c) An application for special certification shall be submitted in behalf of an instructor by the chief fire official of a municipality or his designee. Such application shall be made in writing to the State Fire Administrator and shall contain the name of the nominee, the proposed subject of special certification, and a description of the special skills, knowledge or abilities which qualify him to teach the designated subject.

(d) The chief fire official shall designate a municipal training officer. Such municipal training officer shall:

- (1) be a standard certified instructor, level II;
- (2) direct the fire training programs of the municipality;
- (3) assure that the fire training programs under his direction conform to the requirements of this Part and Part 426 of this Chapter; and
- (4) attest to a student's completion of the respective fire training program.

(e) The chief fire official or the municipal training officers may designate persons as municipal fire instructors. Such municipal fire instructors shall:

- (1) be a standard or special certified instructor; and
- (2) assure that the course taught by him or under his supervision conforms to the requirements of this Part and Part 426 of this Chapter.

(f) Instructors teaching a New York State fire training course shall:

- (1) be standard certified instructors; and
- (2) be certified by the State Fire Administrator to teach the particular course.

Use of New York State fire training courses shall comply in all respects with the administrative proce-

dures—State fire training program prescribed by the Office of Fire Prevention and Control.

§427.5 Basic training time completion requirements.

The 18-month period established by section 426.5 of this Chapter is the permitted maximum. Within a given municipality, actual time for completion may be further limited.

§427.6 Procedures for basic fire training.

(a) Upon initial appointment of a probationary or nonpermanent firefighter, the municipal training officer shall file with the State Fire Administrator a completed student enrollment card, prescribed by the State Fire Administrator, for each appointee.

(b) Completion of the minimum basic fire training program must be verified on the probationary firefighter training record prescribed by the State Fire Administrator. A completed copy thereof must be filed with the State Fire Administrator prior to a student's permanent appointment as a firefighter. As individual training items are completed by a student they shall be verified on the training record by the standard or special certified instructor who taught or supervised that item. Completion of the entire program shall be verified by the municipal training officer or chief fire official.

§427.7 Procedures for in-service fire training.

Completion of in-service fire training by permanently appointed firefighters below company officer grade shall be reported in writing annually to the State Fire Administrator at the end of the municipal training period. After receipt of such report and having determined that the requirements for in-service training have been satisfied, the State Fire Administrator shall send certificates of completion to the chief fire official for his signature and distribution. Fire chiefs and training officers, when filing annual student training records, shall indicate the appropriate reason that an individual member is exempted from in-service training requirements as provided in section 426.7(b) of this Title.

§427.8 Procedures for advanced in-service fire training.

(a) Firefighting personnel demonstrating minimum technical expertise in specialized knowledge/skills areas established by this section may acquire certification in such advanced specialty. Personnel engaged in similar technical activities, but representing nonfire-related fields of endeavor may receive and continue to maintain specific certification when, in the judgment of the State Fire Administrator, their experience and training meets or exceeds the requirements of these standards.

(b) To receive Fire Investigator I certification, a person shall:

- (1) complete an application for certification; and
- (2) document that the criteria for certification as set forth in this Title have been met.

(c) To receive Fire Investigator II certification, a person shall:

- (1) have current Fire Investigator Level I certification;
- (2) complete an application for certification; and
- (3) document that the criteria for certification as set forth in this Title have been met.

Note: A person may submit concurrent applications for Investigator I and Investigator II certification, however, the application for Investigator II shall be considered only if the application for Investigator I is successful.

(d) For continuance of Fire Investigator I and Fire Investigator II certification, it will be necessary to annually complete six hours of refresher training or a minimum of 20 hours of fire investigation activity. Adequate documentation of refresher training or investigation activity shall be maintained by the investigator for continuance of certification. In the event the criteria for continuance of certification shall not be maintained on an annual basis, such certification shall not continue and shall be deemed null and void. In order to become recertified, a person shall submit a new application pursuant to this Part.

§427.9 Promotional/supervisory qualifications and training.

(a) Fire Officers successfully completing training and education courses of minimum subject and contact hour criteria approved by the State Fire Administrator may acquire certification in one of five officer supervisory categories:

(b) To receive Level I (Lieutenant-level responsibilities) certification, a person shall:

- (1) complete an application for certification; and
- (2) document that the criteria for certification as set forth in this Title have been met.

(c) To receive Level II (Captain-level responsibilities) certification, a person shall:

- (1) have current Fire Officer Level I certification;
- (2) complete an application for certification; and
- (3) document that the criteria for certification as set forth in this Title have been met.

Note: A person may submit concurrent applications for Level I and Level II certification, however, the application for Level II shall be considered only if the application for Level I is successful.

§427.10 Exemption and revocation procedures.

(a) Requests for exemption from specific provisions of Part 426 of this Chapter should be addressed to the Fire Fighting and Code Enforcement Personnel Standards and Education Commission setting out with particularity those provisions from which exemption is sought and the reasons therefor, and shall include, where appropriate, textual and related materials to permit the commission to determine that the training program equals or exceeds the requirements of Part 426 of this Chapter.

(b) Revocation of exemptions or certification, in whole or in part, shall be made after a determination by the Fire Fighting and Code Enforcement Personnel Standards and Education Commission that the fire training program in question is below the standards of Part 426 of this Chapter.