

1 HB270
2 136221-2
3 By Representatives Scott, Robinson (O), Todd, Treadaway,
4 Newton (D), Williams (J), Carns, Rogers, Moore (M) and Givan
5 RFD: Boards, Agencies and Commissions
6 First Read: 09-FEB-12

2
3
4
5
6
7
8 SYNOPSIS: Under existing law, the Alabama
9 Firefighters' Personnel Standards and Education
10 Commission is the agency tasked with the duty of
11 certifying firefighters.

12 This bill would exempt firefighters employed
13 by companies who meet certain standards from the
14 certification requirements of the Alabama
15 Firefighters' Personnel Standards and Education
16 Commission and require the commission to certify
17 those firefighters.

18
19 A BILL

20 TO BE ENTITLED

21 AN ACT

22
23 To amend Section 36-32-7, Code of Alabama 1975,
24 relating to minimum standards for firefighters; to exempt
25 firefighters employed by companies who meet certain standards
26 from the certification requirements of the Alabama

1 Firefighters' Personnel Standards and Education Commission and
2 require the commission to certify those firefighters.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 36-32-7, Code of Alabama 1975, is
5 amended to read as follows:

6 "§36-32-7.

7 "(a) Applicability. The minimum standards provided
8 in this section shall apply to trainees who are to be employed
9 as fire-protection personnel by a public fire-fighting agency.
10 No city or fire-fighting agency which provides fire protection
11 to the public shall permanently employ any trainee as
12 fire-protection personnel who has not met the requirements of
13 this section. Provided, however, no fire prevention inspector,
14 fire protection engineer, public fire and life safety
15 educator, public safety dispatcher, or person whose duties are
16 solely clerical or secretarial in nature employed as
17 fire-protection personnel by the fire-fighting agency of any
18 Class 1 municipality shall be required to meet the minimum
19 physical requirements as a trainee for firefighter as
20 prescribed by the commission.

21 "(b) Employment and qualifications. The trainee
22 shall be certified by a licensed practicing physician as
23 satisfactory by the appointing authority designated as in good
24 health and physically fit for the performance of his or her
25 duties as a firefighter and shall meet the employment
26 qualifications of the appointing authority.

27 "(c) Training.

1 "(1) FIRE-PROTECTION PERSONNEL. Prior to permanent
2 employment, or a period not exceeding 12 months after the date
3 of employment, the trainee shall have met the requirements for
4 certification as prescribed by the commission. Training shall
5 be given by an instructor certified by the Alabama
6 Firefighters' Personnel Standards and Education Commission and
7 the training may be administered within the department in
8 which the applicant seeks to serve, if the department meets
9 the requirements of the commission for a training center. Upon
10 the completion of training, the commission shall administer a
11 comprehensive written test to each applicant; and each
12 applicant ~~must~~ shall pass the test as a condition of
13 completion of such training.

14 "(2) VOLUNTEER FIREFIGHTER. A volunteer firefighter
15 may be certified by the commission as a volunteer firefighter
16 if the volunteer firefighter shall have met the training
17 requirements prescribed by the commission. Provided, the
18 training is conducted by an instructor certified by and in
19 facilities approved by the commission. The training need not
20 be during continuous sessions but may be scheduled at
21 different intervals during a period not exceeding 24 months
22 for a total of 160 hours. This subdivision shall not be
23 construed as to mandate training for volunteer firefighters,
24 except for purposes of certification.

25 "(d) (1) Notwithstanding the provisions of
26 subsections (a) and (b), the commission shall certify each
27 person employed by a company if the company maintains its own

1 fire department, employs a minimum of 15 full-time
2 firefighters, provides annual training of a least 160 hours
3 per year per firefighter, has at least one Class A pumping
4 engine, at least one certified and state licensed ambulance,
5 and a hazardous materials or emergency response team, or both.

6 "(2) The training provided by the company to its
7 firefighters shall be conducted by an instructor certified by
8 the commission. The training may not be during continuous
9 sessions but may be scheduled at different intervals during a
10 period not exceeding 12 months for a total of 160 hours."

11 Section 2. This act shall become effective on the
12 first day of the third month following its passage and
13 approval by the Governor, or its otherwise becoming law.