

177.9

ARTICLE 10

177.10

FIREFIGHTERS

177.11 Section 1. Minnesota Statutes 2018, section 299N.01, subdivision 2, is amended to read:

177.12 Subd. 2. **Fire department.** "Fire department" means a regularly organized fire
177.13 department, fire protection district, or fire company, ~~as defined in the State Fire Code adopted~~
177.14 ~~under section 326B.02, subdivision 6,~~ regularly charged with the responsibility of providing
177.15 fire protection to the state or a local government and includes a private nonprofit fire
177.16 department directly serving a local government. It does not include industrial fire brigades
177.17 that do not have a fire department identification number issued by the state fire marshal.

177.18 Sec. 2. Minnesota Statutes 2018, section 299N.01, subdivision 3, is amended to read:

177.19 Subd. 3. **Firefighter.** "Firefighter" means a volunteer, paid on-call, part-time, or ~~career~~
177.20 full-time firefighter serving a general population within the boundaries of the state.

177.21 Sec. 3. Minnesota Statutes 2018, section 299N.02, subdivision 1, is amended to read:

177.22 Subdivision 1. **Membership.** Notwithstanding any provision of chapter 15 to the contrary,
177.23 the Board of Firefighter Training and Education consists of the following members:

177.24 (1) five members representing the Minnesota State Fire Department Association, four
177.25 of whom must be volunteer firefighters and one of whom may be a ~~career~~ full-time firefighter,
177.26 appointed by the governor;

177.27 (2) two members representing the Minnesota State Fire Chiefs Association, one of whom
177.28 must be a volunteer fire chief, appointed by the governor;

177.29 (3) two members representing the Minnesota Professional Firefighters Association,
177.30 appointed by the governor;

178.1 (4) two members representing Minnesota home rule charter and statutory cities, appointed
178.2 by the governor;

178.3 (5) two members representing Minnesota towns, appointed by the governor;

178.4 (6) the commissioner of public safety or the commissioner's designee; and

178.5 (7) one public member not affiliated or associated with any member or interest represented
178.6 in clauses (1) to (6), appointed by the governor.

178.7 The Minnesota State Fire Department Association shall recommend five persons to be the
178.8 members described in clause (1), the Minnesota State Fire Chiefs Association shall
178.9 recommend two persons to be the members described in clause (2), the Minnesota
178.10 Professional Firefighters Association shall recommend two persons to be the members
178.11 described in clause (3), the League of Minnesota Cities shall recommend two persons to be
178.12 the members described in clause (4), and the Minnesota Association of Townships shall
178.13 recommend two persons to be the members described in clause (5). In making the

178.14 appointments the governor shall try to achieve representation from all geographic areas of
178.15 the state.

178.16 Sec. 4. Minnesota Statutes 2018, section 299N.02, subdivision 2, is amended to read:

178.17 Subd. 2. **Terms; chair; compensation.** Members of the board shall serve for terms of
178.18 four years and ~~annually~~ biennially elect a chair from among the members. Terms and filling
178.19 of vacancies are subject to section 15.0575, subdivisions 2, 4, and 5. Members serve without
178.20 compensation.

178.21 Sec. 5. Minnesota Statutes 2018, section 299N.02, subdivision 3, is amended to read:

178.22 Subd. 3. **Powers and duties.** (a) The board shall:

178.23 (1) review fire service training needs and make recommendations on training to Minnesota
178.24 fire service organizations;

178.25 (2) establish standards for educational programs for the fire service and develop
178.26 procedures for continuing oversight of the programs;

178.27 (3) establish qualifications for fire service training instructors in programs established
178.28 under clause (2); ~~and~~

178.29 (4) maintain a list of instructors that have met the qualifications established under clause
178.30 (3), subject to application procedures and requirements established by the board; and

178.31 ~~(4)~~ (5) license full-time firefighters and volunteer firefighters under this chapter.

179.1 (b) The board may:

179.2 (1) hire or contract for technical or professional services according to section 15.061;

179.3 (2) pay expenses necessary to carry out its duties;

179.4 (3) apply for, receive, and accept grants, gifts, devises, and endowments that any entity
179.5 may make to the board for the purposes of this chapter and may use any money given to it
179.6 consistent with the terms and conditions under which the money was received and for the
179.7 purposes stated;

179.8 (4) accept funding from the fire safety account and allocate funding to Minnesota fire
179.9 departments in the form of reimbursements that are consistent with the board's
179.10 recommendations and the Department of Public Safety firefighter training;

179.11 (5) set guidelines regarding how the allocated reimbursement funds must be disbursed;

179.12 (6) set and make available to the fire service standards governing the use of funds
179.13 reimbursed under this section;

179.14 ~~(4)~~ (7) make recommendations to the legislature to improve the quality of firefighter
179.15 training;

179.16 ~~(5)~~ (8) collect and provide data, subject to section 13.03;

179.17 ~~(6)~~ (9) conduct studies and surveys and make reports; and

179.18 ~~(7)~~ (10) conduct other activities necessary to carry out its duties.

179.19 Sec. 6. Minnesota Statutes 2018, section 299N.03, subdivision 4, is amended to read:

179.20 Subd. 4. **Fire department.** "Fire department" has the meaning given it in section
 179.21 299F.092, subdivision 6. For purposes of sections 299N.04 and 299N.05, fire department
 179.22 also includes a division of a state agency, regularly charged with the responsibility of
 179.23 providing fire protection to the state or a local government, to include a private, nonprofit
 179.24 fire department directly serving a local government, but does not include ~~an~~ industrial fire
 179.25 brigade brigades that do not have a fire department identification number issued by the state
 179.26 fire marshal.

179.27 Sec. 7. Minnesota Statutes 2018, section 299N.03, subdivision 5, is amended to read:

179.28 Subd. 5. **Full-time firefighter.** A "full-time firefighter" means a person who is employed
 179.29 and charged with the prevention ~~and~~ or suppression of fires within the boundaries of the
 179.30 state on a full-time, ~~salaried~~ basis and who is directly engaged in the hazards of firefighting
 180.1 or is in charge of a designated fire ~~company~~ or companies, as defined in section 299N.01,
 180.2 subdivision 2, that are directly engaged in the hazards of firefighting. Full-time firefighter
 180.3 does not include a volunteer, part-time, or paid-on-call firefighter.

180.4 Sec. 8. Minnesota Statutes 2018, section 299N.03, subdivision 6, is amended to read:

180.5 Subd. 6. **Licensed firefighter.** "Licensed firefighter" means a full-time firefighter, to
 180.6 include a fire department employee, member, supervisor, state employee, or appointed
 180.7 official, who is licensed by the board and charged with the prevention or suppression of
 180.8 fires within the boundaries of the state. Licensed firefighter may also include a volunteer
 180.9 firefighter.

180.10 Sec. 9. Minnesota Statutes 2018, section 299N.03, is amended by adding a subdivision to
 180.11 read:

180.12 Subd. 8. **NFPA 1001 standard.** "NFPA 1001 standard" means the standard for firefighter
 180.13 professional qualifications established by the National Fire Protection Association.

180.14 Sec. 10. Minnesota Statutes 2018, section 299N.04, is amended to read:

180.15 **299N.04 FIREFIGHTER CERTIFICATION EXAMINATION.**

180.16 Subdivision 1. ~~Certification Examination; requirements.~~ (a) The board must appoint
 180.17 an organization that is accredited by the International Fire Service Accreditation Congress
 180.18 to prepare and administer firefighter certification examinations. Firefighter certification
 180.19 examinations ~~shall~~ must be designed to ensure and demonstrate competency ~~in at least the~~

180.20 ~~following areas that meets the NFPA 1001 standard or a national standard in areas including~~

180.21 ~~but not limited to:~~

180.22 (1) fire prevention;

180.23 (2) fire suppression; and

180.24 (3) hazardous materials operations.

180.25 ~~(b) To receive a certificate, an individual must demonstrate competency in fire prevention~~

180.26 ~~and fire suppression.~~

180.27 (b) Certification must be obtained by the individual demonstrating competency in fire

180.28 prevention and protection under the NFPA 1001 standard.

180.29 (c) Nothing in this section shall be construed to prohibit any requirement imposed by a

180.30 local fire department for more comprehensive training.

181.1 Subd. 2. **Eligibility for certification examination.** Except as provided in subdivision

181.2 3, any person may take the firefighter certification examination who has successfully

181.3 completed the following:

181.4 (1)(i) a firefighter course from a postsecondary educational institution, an accredited

181.5 institution of higher learning, or another entity that teaches a course that has been approved

181.6 by the board; or (ii) an apprenticeship or cadet program maintained by a Minnesota fire

181.7 department ~~employing the person~~ that has been approved by the board; and

181.8 (2) a skills-oriented basic training course.

181.9 Subd. 3. **Certain baccalaureate or associate degree holders eligible to take**

181.10 **certification examination.** A person with a baccalaureate degree or an associate degree in

181.11 applied fire science technology from an accredited college or university, who has successfully

181.12 completed the skills-oriented basic training course under subdivision 2, clause (2), is eligible

181.13 to take the firefighter certification examination notwithstanding the requirements of

181.14 subdivision 2, clause (1).

181.15 Sec. 11. Minnesota Statutes 2018, section 299N.05, subdivision 1, is amended to read:

181.16 Subdivision 1. **Licensure requirement.** A firefighter employed full time by a fire

181.17 department is not eligible for permanent employment without being licensed by the board;

181.18 and meeting the following requirements:

181.19 (1) the firefighter successfully completes a firefighter examination under section 299N.04

181.20 or completes the examination while serving a probationary period, if any, as determined by

181.21 the hiring authority; and

181.22 (2) the chief firefighting officer or the chief designee completes the employment

181.23 verification portion of the licensing process.

181.24 Sec. 12. Minnesota Statutes 2018, section 299N.05, subdivision 2, is amended to read:

181.25 Subd. 2. **Optional licensing.** A volunteer firefighter affiliated with a department may
181.26 receive or apply for licensure under ~~this section~~ subdivision 1 and section 299N.04 under
181.27 the same terms as full-time firefighters.

181.28 Sec. 13. Minnesota Statutes 2018, section 299N.05, subdivision 5, is amended to read:

181.29 Subd. 5. **Obtaining a firefighter license.** To obtain a license, a firefighter must be
181.30 affiliated with a fire department, complete the board application process, and meet the
181.31 requirements of this section or section 299N.04 or 299N.06. A license is valid for a three-year
182.1 period determined by the board, and the fee for the license is \$75. Fees under this subdivision
182.2 may be prorated by the board for licenses issued with a three-year licensure period.

182.3 Sec. 14. Minnesota Statutes 2018, section 299N.05, subdivision 6, is amended to read:

182.4 Subd. 6. **License renewal; expiration and reinstatement.** (a) A license ~~shall~~ must be
182.5 renewed ~~so long as~~ if the firefighter and the chief firefighting officer ~~provide evidence to~~
182.6 ~~the board that the licensed firefighter has had 72 hours of approved firefighting training in~~
182.7 ~~the preceding three years and the firefighter completes the renewal application. The fee for~~
182.8 ~~renewing a firefighter license is \$75, and the license is valid for an additional three years,~~
182.9 or chief designee completes the renewal application and:

182.10 (1) attests to the board that the licensed firefighter has met the required 72 hours of
182.11 approved firefighter training in the preceding three years;

182.12 (2) upon request, provides evidence the licensed firefighter completed the required 72
182.13 hours of approved firefighter training in the preceding three years;

182.14 (3) verifies that the licensed firefighter is actively serving on a department; and

182.15 (4) attests that the licensed firefighter has not been convicted of or pled guilty or nolo
182.16 contendere to a felony, any arson-related charge, or another offense arising from the same
182.17 set of circumstances.

182.18 (b) The fee to renew a firefighter license is \$75. The license is valid for an additional
182.19 three-year period, unless submitted within the triennial period. Fees under this subdivision
182.20 may be prorated by the board for licenses reinstated or renewed within the three-year
182.21 licensure period.

182.22 ~~(b)~~ (c) If a license expires, a firefighter may apply to have it reinstated. In order to receive
182.23 reinstatement, the firefighter must:

182.24 (1) complete a reinstatement application;

182.25 (2) satisfy all ~~prior firefighter training~~ requirements listed in paragraph (a);

182.26 (3) pay any outstanding renewal fees; and

182.27 (4) pay the delayed renewal fee set by the board.

182.28 ~~(c)~~ (d) In lieu of a reinstatement application under paragraph ~~(b)~~ (c), a firefighter may
182.29 complete a new application for licensure under section 299N.04.

183.1 Sec. 15. Minnesota Statutes 2018, section 299N.05, subdivision 7, is amended to read:

183.2 Subd. 7. **Duties of chief firefighting officer.** (a) Every chief firefighting officer has a
183.3 duty to ensure that every full-time firefighter has a license issued by the board.

183.4 (b) Every chief firefighting officer or designee has the duty to verify that every full-time
183.5 and volunteer individual applying, reinstating, or renewing a license is affiliated with a
183.6 Minnesota fire department.

183.7 ~~(b)~~ (c) Every chief firefighting officer, provider, and individual licensee has a duty to
183.8 ensure proper training records and reports are retained. Records must include, for the
183.9 three-year period subsequent to the license renewal date:

183.10 (1) the dates, subjects, and duration of programs;

183.11 (2) sponsoring organizations;

183.12 (3) fire training hours earned;

183.13 (4) registration receipts to prove attendance at training sessions; and

183.14 (5) other pertinent information.

183.15 ~~(c)~~ (d) The board may require a licensee, provider, or fire department to provide the
183.16 information under paragraph ~~(b)~~ (c) to demonstrate compliance with the 72-hour firefighting
183.17 training requirement under subdivision 6, paragraph (a).

183.18 Sec. 16. Minnesota Statutes 2018, section 299N.05, subdivision 9, is amended to read:

183.19 Subd. 9. **Fees; appropriation.** Fees collected under this section must be deposited in
183.20 the state treasury and credited to a special account and are appropriated to the board to pay
183.21 costs incurred under this section and sections 299N.04 and 299N.05 and 299N.06.

183.22 Sec. 17. Minnesota Statutes 2018, section 299N.06, is amended to read:

183.23 **299N.06 ELIGIBILITY FOR RECIPROCITY AND EXAMINATION BASED ON**
183.24 **RELEVANT MILITARY EXPERIENCE.**

183.25 Subdivision 1. **Reciprocity license requirements for out-of-state certified applicants.** A
183.26 person may apply for licensure if the person (1) becomes employed by or becomes an active
183.27 member of a fire department, (2) has the appropriately certified accreditation by the
183.28 International Fire Service Accreditation Congress or Pro Board, and (3) has met the
183.29 requirements of section 299N.04.

184.1 Subd. 2. **Examination based on relevant military experience.** (a) For purposes of this
184.2 section:

184.3 (1) "active service" has the meaning given in section 190.05, subdivision 5; and

184.4 (2) "relevant military experience" means:

184.5 (i) four years' cumulative service experience in a military firefighting occupational
184.6 specialty;

184.7 (ii) two years' cumulative service experience in a military firefighting occupational
184.8 specialty, and completion of at least a two-year degree from a regionally accredited
184.9 postsecondary education institution; or

184.10 (iii) four years' cumulative experience as a full-time firefighter in another state combined
184.11 with cumulative service experience in a military firefighting occupational specialty.

184.12 (b) A person is eligible to take ~~the reciprocity~~ a firefighter examination and does not
184.13 have to otherwise meet the requirements of section 299N.04, subdivisions 2 and 3, if the
184.14 person has:

184.15 (1) relevant military experience; and

184.16 (2) been honorably discharged from military active service as evidenced by the most
184.17 recent form DD-214 or is currently in active service, as evidenced by:

184.18 (i) active duty orders providing service time in a military firefighting specialty;

184.19 (ii) a United States Department of Defense Manpower Data Center status report pursuant
184.20 to the Service Members Civil Relief Act, active duty status report; or

184.21 (iii) Military Personnel Center assignment information.

184.22 (c) A person who passed the examination under paragraph (b), clause (2), shall not be
184.23 eligible to be licensed as a firefighter until honorably discharged as evidenced by the most
184.24 recent form DD-214.

184.25 (d) To receive a firefighter license, a person who passed ~~the reciprocity certification a~~
184.26 firefighter examination must meet the requirements of section 299N.05, ~~subdivision 4~~.