

## CHAPTER 299N

### FIREFIGHTER TRAINING AND EDUCATION

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#### 299N.01 DEFINITIONS.

Subdivision 1. **Scope.** The terms used in this chapter have the meanings given them in this section.

Subd. 2. **Fire department.** "Fire department" means a regularly organized fire department, fire protection district, or fire company, as defined in the State Fire Code adopted under section 326B.02, subdivision 6, regularly charged with the responsibility of providing fire protection to the state or a local government and includes a private nonprofit fire department directly serving a local government. It does not include industrial fire brigades.

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

**History:** 2000 c 344 s 1,4; 2005 c 110 s 1; 2005 c 136 art 9 s 14; 2007 c 140 art 3 s 6; art 13 s 4

#### 299N.02 BOARD OF FIREFIGHTER TRAINING AND EDUCATION.

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

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

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

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

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

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

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

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

The Minnesota State Fire Department Association shall recommend five persons to be the members described in clause (1), the Minnesota State Fire Chiefs Association shall recommend two persons to be

the members described in clause (2), the Minnesota Professional Firefighters Association shall recommend two persons to be the members described in clause (3), the League of Minnesota Cities shall recommend two persons to be the members described in clause (4), and the Minnesota Association of Townships shall recommend two persons to be the members described in clause (5). In making the appointments the governor shall try to achieve representation from all geographic areas of the state.

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

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

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

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

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

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

(b) The board may:

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

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

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

(4) make recommendations to the legislature to improve the quality of firefighter training;

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

(6) conduct studies and surveys and make reports; and

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

**History:** 2000 c 344 s 2,4; 2001 c 7 s 63; 2005 c 110 s 1; 2007 c 54 art 7 s 20; 2009 c 153 s 1

### 299N.03 DEFINITIONS.

Subdivision 1. **Scope.** The terms used in sections 299N.04 and 299N.05 have the meanings given them in this section.

Subd. 2. **Board.** "Board" means the Board of Firefighter Training and Education established under section 299N.02.

Subd. 3. **Chief firefighting officer.** "Chief firefighting officer" means the highest ranking employee or appointed official of a fire department, or the highest ranking employee or appointed official's designee for the purposes of this chapter.

Subd. 4. **Fire department.** "Fire department" has the meaning given it in section 299F.092, subdivision 6. For purposes of sections 299N.04 and 299N.05, fire department also includes a division of a state agency, regularly charged with the responsibility of providing fire protection to the state or a local government, to include a private, nonprofit fire department directly serving a local government, but does not include an industrial fire brigade.

Subd. 5. **Full-time firefighter.** A "full-time firefighter" means a person who is employed and charged with the prevention and suppression of fires within the boundaries of the state on a full-time, salaried basis and who is directly engaged in the hazards of firefighting or is in charge of a designated fire company or companies that are directly engaged in the hazards of firefighting. Full-time firefighter does not include a volunteer, part-time, or paid-on-call firefighter.

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

Subd. 7. **Volunteer firefighter.** A "volunteer firefighter" means a person who is charged with the prevention or suppression of fires within the boundaries of the state on a volunteer, part-time, or paid-on-call basis. Volunteer firefighter does not include a full-time firefighter.

**History:** 2009 c 153 s 2; 2010 c 229 s 1; 2015 c 65 art 4 s 4-7

#### **299N.04 FIREFIGHTER CERTIFICATION.**

Subdivision 1. **Certification examination; requirements.** (a) The board must appoint an organization that is accredited by the International Fire Service Accreditation Congress to prepare and administer firefighter certification examinations. Firefighter certification examinations shall be designed to ensure competency in at least the following areas:

- (1) fire prevention;
- (2) fire suppression; and
- (3) hazardous materials operations.

(b) To receive a certificate, an individual must demonstrate competency in fire prevention and fire suppression.

(c) Nothing in this section shall be construed to prohibit any requirement imposed by a local fire department for more comprehensive training.

Subd. 2. **Eligibility for certification examination.** Except as provided in subdivision 3, any person may take the firefighter certification examination who has successfully completed the following:

(1)(i) a firefighter course from a postsecondary educational institution, an accredited institution of higher learning, or another entity that teaches a course that has been approved by the board; or (ii) an apprenticeship

or cadet program maintained by a fire department employing the person that has been approved by the board; and

(2) a skills-oriented basic training course.

Subd. 3. **Certain baccalaureate or associate degree holders eligible to take certification examination.** A person with a baccalaureate degree or an associate degree in applied fire science technology from an accredited college or university, who has successfully completed the skills-oriented basic training course under subdivision 2, clause (2), is eligible to take the firefighter certification examination notwithstanding the requirements of subdivision 2, clause (1).

**History:** 2009 c 153 s 3; 2015 c 65 art 4 s 8

### 299N.05 LICENSE REQUIRED.

Subdivision 1. **Licensure requirement.** A firefighter employed full time by a fire department is not eligible for permanent employment without being licensed by the board.

Subd. 2. **Optional licensing.** A volunteer firefighter may receive or apply for licensure under this section and section 299N.04 under the same terms as full-time firefighters.

Subd. 3. [Repealed, 2015 c 65 art 4 s 16]

Subd. 4. **Newly employed firefighters.** Any full-time firefighter employed by a fire department must obtain a license from the board. To obtain a license, an individual must provide the board with a statement signed by the chief firefighting officer of the fire department that employs the full-time firefighter that the individual has met the certification requirements of section 299N.04.

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

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

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

- (1) complete a reinstatement application;
- (2) satisfy all prior firefighter training requirements;
- (3) pay any outstanding renewal fees; and
- (4) pay the delayed renewal fee set by the board.

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

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

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

- (1) the dates, subjects, and duration of programs;
- (2) sponsoring organizations;
- (3) fire training hours earned;
- (4) registration receipts to prove attendance at training sessions; and
- (5) other pertinent information.

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

Subd. 8. **Revocation; suspension; denial.** (a) The board may revoke, suspend, or deny a license issued or applied for under this section to a firefighter or applicant if the firefighter or applicant has been convicted of any arson-related charge or a felony recognized by the board as a crime that would disqualify the licensee from participating in the profession of firefighting.

(b) Each applicant, licensee, or fire department must notify the board, in writing, within ten days if the applicant or licensee has been convicted of or pled guilty or nolo contendere to a felony, any arson-related charge, or another offense arising from the same set of circumstances.

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

**History:** 2009 c 153 s 4; 2015 c 65 art 4 s 9-14

#### **299N.06 ELIGIBILITY FOR RECIPROCITY EXAMINATION BASED ON RELEVANT MILITARY EXPERIENCE.**

(a) For purposes of this section:

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

(2) "relevant military experience" means:

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

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

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

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

(1) relevant military experience; and

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

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

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

(iii) Military Personnel Center assignment information.

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

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

**History:** 2015 c 65 art 4 s 15