

69A-37.0527 Retention of Certification.

(1) Section 633.414, F.S., which took effect on July 1, 2013, requires firefighters to meet certain requirements every 4 years in order to retain their firefighter certificates of compliance.

(a) For the purpose of this rule, “certification” or “certified” shall have the same meaning as set forth in Sections 633.426, 633.426, F.S., states that “certification” or “certified” means the act of holding a current and valid certificate.

(b) The 4-year period for individuals who were certified on or after July 1, 2013, begins on the date of issuance of the certificate by the Division or the date of termination of employment or service with a fire department after issuance of the certificate.

(c) The 4-year period for individuals who were certified as of June 30, 2013, begins on July 1, 2014 or on the date of termination of employment or service with a fire department on or after July 1, 2013.

(d) Individuals who obtained a firefighter certificate on any date prior to July 1, 2013, but failed to maintain the certificate, in accordance with the retention requirements of Section 633.352, F.S. (2012), by June 30, 2013, are not currently certified.

(e) Pursuant to Section 633.106, F.S. (2013), the State Fire Marshal may deny, suspend, or revoke the certificate of any individual who does not meet the qualifications established by Chapter 633, F.S. In lieu of these actions, the Division may also place an individual who has been issued a certificate but no longer qualifies for the certificate under Chapter 633, F.S., on probation for a period not to exceed 2 years. Firefighters who were no longer certified as of June 30, 2013, due to failure to meet the retention requirements of Section 633.352, F.S. (2012), may petition the Division to be placed on probation for a period of 2 years. The terms of probation will require these individuals to successfully complete the Firefighter Retention Examination within the period of probation in order to have their certification as a firefighter reinstated. Reinstatement is conditional on meeting all other qualifications for firefighter certification under the provisions of Chapter 633, F.S. Failure to complete the Firefighter Retention Examination within the period of probation will result in administrative action by the Department to revoke an individual’s certificate. Probation will not be granted to any individual who files a petition to be placed on probation more than 180 days after the effective date of this paragraph. Failure of an individual who is subject to this paragraph to petition for probation within 180 days after the effective date of this paragraph will result in administrative action by the Department to revoke the individual’s certificate.

(f) Paragraph (e) does not apply to individuals who, prior to July 1, 2013, attempted to maintain their certificates but failed the practical portion of the Firefighter Retention Examination twice or failed the examination once and forfeited the opportunity to retake the examination; however, any individual who failed the examination once and is within the time period for retaking the examination, may re-take the examination after July 1, 2013.

(2) Pursuant to Section 633.408, F.S., the Division adopted Rule 69A-37.055, F.A.C., to establish the Minimum Standards Course and course examination to provide the training required to obtain a Firefighter Certificate of Compliance. The Minimum Standards Course Examination may also be completed for retention of a firefighter certificate as provided in paragraph 633.414(1)(d), F.S. In this context, the examination is referred to herein as the Firefighter Retention Examination. The examination includes both a written and practical examination.

(3) To be eligible to participate in the Firefighter Retention Examination, an individual shall:

(a) Apply on-line at www.floridastatefirecollege.org, or submit Form DFS-K4-1308, “Application for Firefighter Certification Retention Examination”, which is incorporated by reference in subsection 69A-37.039(2), F.A.C., and can be obtained where indicated in subsection 69A-37.039(1), F.A.C.;

(b) Complete a medical examination in accordance with Rule 69A-37.037, F.A.C. An individual shall not be permitted to participate in the examination unless a completed Form DFS-K4-1022, “Medical Examination to Determine Fitness for Firefighter Training,” as incorporated by reference in paragraph 69A-37.039(2)(c), F.A.C., is on file with the Bureau;

(c) Submit fingerprints in accordance with Rule 69A-37.036, F.A.C.; and

(d) At the time of participating in the practical examination, wear personal protective equipment with fixed labels indicating compliance with the current edition of the National Fire Protection Association (NFPA) 1971, (2013 Ed.), “Standard on Protective Ensembles for Structural Fire Fighting and Proximity Fire Fighting,” which is hereby incorporated by reference.

(4) Any individual who does not obtain a passing score of 70% or more on the Firefighter Retention Examination will be permitted one opportunity to repeat the examination. The examination must be repeated within 6 months of the original examination or the opportunity is forfeited.

(5) The refresher course that may be successfully completed for retention of a firefighter certificate pursuant to paragraph 633.414(1)(c), F.S., shall be taught by the Division or an approved provider at a certified firefighter recruit training facility.

(a) The refresher course shall be titled “Firefighter Retention Refresher Course” and consist of 40 hours of interactive

instruction to include 16 hours of practical skills training and 8 hours of practical skill assessment. The firefighter retention refresher course includes the following course topics and hours of instruction:

1. Firefighter safety and health (2 hours);
2. Fire and life safety initiatives (1 hour).
3. Personal protective equipment (2 hours);
4. Structural search, victim removal, and firefighter survival (2 hours);
5. Ground ladders (1 hour);
6. Tactical ventilation (1 hour);
7. Water supply (1 hour);
8. Fire hose and fire streams (1 hour);
9. Fire control and tactics (2 hours);
10. Building construction (1 hour);
11. Fire protection systems (1 hour);
12. Fire origin and cause determination (1 hour);
13. Practical skills training (16 hours); and
14. Student practical skill assessment (8 hours).

(b) The individual shall successfully complete all required skills listed on Form DFS-K4-2128, "Firefighter Retention Skill Assessment Worksheet," eff. 3/2014, <http://www.flrules.org/Gateway/reference.asp?No=Ref-03751>, which is incorporated by reference herein. The form may be obtained as indicated in subsection 69A-37.039(1), F.A.C.

(c) Upon completion of the refresher course under this section, the individual must successfully pass the written portion of the Firefighter Retention Examination with a score of 70% or higher. Any individual who does not obtain a passing score of 70% or more on this written portion of the minimum standards course examination will be permitted one opportunity to repeat this exam. The examination must be repeated within 6 months of the original examination or the opportunity is forfeited. An individual who fails to pass the written examination within the timeframes set forth above will have to successfully complete the minimum standards course and examination as defined in Rule 69A-37.055, F.A.C.

(d) An approved provider of the firefighter retention refresher course under this subsection shall maintain, on an annual basis, an average pass rate of 70% or higher on the written portion of the Firefighter Retention Examination for all students. The annual period will begin on the date that any provider first offers a firefighter retention refresher course. The Division shall place a provider on probation for a period of 1 year when the average pass rate for all students is below 70%. The Division shall revoke approval of the provider to conduct the firefighter retention refresher course if the student average pass rate is not 70% or higher at the conclusion of the 1 year probation period.

Rulemaking Authority 633.128(2)(a), 633.418(1)(a) FS. Law Implemented 633.106, 633.128, 633.408 633.414 FS. History—New 12-10-01, Formerly 4A-37.0527, Amended 3-19-09, 3-24-14.