

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: SB 550

INTRODUCER: Senator Dean

SUBJECT: Volunteer Rural Firefighting

DATE: February 16, 2016

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|----------------|-----------------|-----------|--------------------|
| 1. | <u>Matiyow</u> | <u>Knudson</u> | <u>BI</u> | Favorable |
| 2. | <u>Present</u> | <u>Yeatman</u> | <u>CA</u> | Favorable |
| 3. | <u>Jones</u> | <u>Hrdlicka</u> | <u>FP</u> | Pre-meeting |

I. Summary:

SB 550 creates a Volunteer Rural Firefighter Certificate of Completion for volunteer firefighters who work for a fire service provider located within a municipality with a population of fewer than 12,000 or a county with a population of fewer than 150,000. The bill requires the Division of the State Fire Marshal to establish by rule, courses and course examinations to provide training for the Volunteer Rural Firefighter Certificate of Completion. The required courses may not exceed 160 hours and must include emergency medical responder training.

The bill has an indeterminate fiscal impact on the Department of Financial Services that can be absorbed within existing resources.

II. Present Situation:

Division of the State Fire Marshal

State law on fire prevention and control is provided in ch. 633, F.S., and s. 633.104, F.S., designates the Chief Financial Officer (CFO) as the State Fire Marshal, operating through the Division of the State Fire Marshal (division).¹ The State Fire Marshal:

- Regulates, trains, and certifies fire service personnel;
- Investigates the causes of fires;
- Enforces arson laws;
- Regulates the installation of fire equipment;
- Conducts firesafety inspections of state property;
- Develops firesafety standards;
- Provides facilities for the analysis of fire debris; and

¹ The head of the Department of Financial Services (DFS) is the Chief Financial Officer. The Division of the State Fire Marshal is located within the DFS.

- Operates the Florida State Fire College.²

A “fire service provider” is a municipality or county, the state, or any political subdivision of the state, including authorities and special districts, employing firefighters or utilizing volunteer firefighters to provide fire extinguishment or fire prevention services for the protection of life and property. The term includes any organization under contract or other agreement with such entity to provide such services.³

Firefighters Employment, Standards, and Training Council

The Firefighters Employment, Standards, and Training Council (council) is housed within the Department of Financial Services and consists of 14 members. The council is authorized to make recommendations for adoption by the division on:

- Uniform minimum standards for the employment and training of firefighters and training of volunteer firefighters.
- Minimum curriculum requirements for schools operated by or for any fire service provider for the specific purpose of training firefighter trainees, firefighters, and volunteer firefighters.
- Matters relating to the funding, general operation, and administration of the Bureau of Fire Standards and Training (Florida State Fire College), including, but not limited to, all standards, training, curriculum, and the issuance of any certificate of competency required by ch. 633, F.S.⁴

The council may also make or support studies on any aspect of firefighting employment, education, and training or recruitment.⁵

Volunteer Firefighters Certificate of Completion

The division is required to establish the courses and course examinations required to receive the Volunteer Firefighter Certificate of Completion.⁶ The training for a volunteer firefighter requires completion of Part I of the State of Florida Minimum Standards Course.⁷ The Part I training curriculum is 206 hours of training and the following academic components:

- Firefighter I Curriculum – consisting of classroom and live fire based core training.
- National Incident Management System – focusing on the history, features, principles and organizational structure of the incident command.
- Wildland Firefighter Training – consisting of curriculum and field exercises that address the basic skills required of all wildland firefighters who must understand the behavior and factors that affect the spread of wildfires.

² Section 633.104, F.S.

³ Section 633.102(13), F.S.

⁴ Section 633.402(9), F.S.

⁵ *Id.*

⁶ Section 633.408(1)(b), F.S.

⁷ As required by ch. 633, F.S., and Rules 69A-37 and 69A-62 F.A.C.

- EMS First Responder – consisting of curriculum that is an introduction to basic life support and emergency care.⁸

Fire service providers generally require, and are recommended by the division to require, that a candidate meet the following requirements:

- Is at least 18 years of age;
- Submits a set of fingerprints for a criminal background check; and
- Is in good physical condition as determined by a medical examination given by a physician, surgeon, or physician assistant licensed in the state pursuant to ch. 458, F.S.; an osteopathic physician, surgeon, or physician assistant licensed in the state pursuant to ch. 459, F.S.; or an advanced registered nurse practitioner licensed in the state pursuant to ch. 464, F.S.^{9,10}

A Volunteer Firefighter Certificate of Completion is awarded to a person who satisfactorily completes the training requirements for a volunteer firefighter.¹¹

Support Personnel

Other volunteers who do not seek the training needed for a Volunteer Firefighters Certificate of Completion may still be members of a Volunteer Fire Department. These volunteers are known as support personnel. Support personnel respond with volunteer firefighters and are part of the Volunteer Fire Department roster. They can perform all activities that a Volunteer Fire Department has trained them to perform safely outside the hot zone of an emergency scene, including pulling hoses, opening and closing fire hydrants, driving and operating apparatus, carrying tools, carrying or moving equipment, directing traffic, manning a resource pool, or similar activities.¹²

III. Effect of Proposed Changes:

Section 1 amends s. 633.102, F.S., to define the term “volunteer rural firefighter” to mean an individual who holds a current and valid Volunteer Rural Firefighter Certificate of Completion issued by the division under s. 633.408, F.S., and provides fire extinguishment or fire prevention services through a fire service provider that:

- Is in existence on July 1, 2016, or that was in existence at any time between July 1, 2000, and July 1, 2016, and is subsequently reestablished after July 1, 2016; and
- Provides services in a municipality with a population of fewer than 12,000 or a county with a population of fewer than 150,000.

Section 2 amends s. 633.406, F.S., to create a Volunteer Rural Firefighter Certificate of Completion for volunteer rural firefighters who provide services for a fire service provider

⁸ The Florida State Fire College, Division of the State Fire Marshal, *Guidelines for the Firefighter Part I Certificate of Completion Program (Volunteer Firefighter)*, Revision 2.0, (October 2015), available at http://www.myfloridacfo.com/Division/SFM/BFST/Documents/REV_2_0_Guidelines_FF1.pdf (last visited Feb. 10, 2016).

⁹ Such medical examination may include, but is not limited to, the National Fire Protection Association Standard 1582.

¹⁰ *Supra* note 8. See also s. 633.412(1)(e), F.S.

¹¹ Sections 633.408(5) and 633.406(1)(g), F.S.

¹² *Supra* note 8 and s. 633.102(3), F.S.

described above. The certificate is awarded to an individual who is satisfactorily completes the training requirements for a volunteer rural firefighter.

Section 3 amends s. 633.408, F.S., to require the division to establish by rule the training courses and course examinations required to obtain a Volunteer Rural Firefighter Certificate of Completion. The required courses may not exceed 160 hours and must include emergency medical responder training. By rule any courses successfully completed on or after July 1, 1970, which were credited towards a certificate under ch. 633, F.S., can be applied toward the required training. The division is required to issue a Volunteer Rural Certificate of Completion to those who satisfactorily complete the course.

Section 4 amends s. 633.414, F.S., to specify for a volunteer rural firefighter to retain his or her Volunteer Rural Firefighter Certificate of Completion, every four years he or she must be active as a volunteer rural firefighter or successfully complete a refresher course consisting of a minimum of 40 hours of training as prescribed by rule. The term “active” means providing service as a volunteer rural firefighter for a cumulative 6 months within a 4-year period.

Section 5 amends s. 633.416, F.S., to allow a fire service provider to retain the services of an individual volunteering to extinguish fires or to supervise individuals who perform such services if the:

- Services will be performed in a municipality with a population of fewer than 12,000 or a county with a population of fewer than 150,000; and
- Individual holds a current and valid Volunteer Rural Firefighter Certificate of Completion or a current and valid Volunteer Firefighter Certificate of Completion.

This does not apply to a volunteer who provides only support services.

The bill requires a fire service provider to notify the division within 10 days of retaining or the release of a volunteer firefighter.

Section 6 provides the bill is effective July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Individuals who volunteer to work for a fire service provider located within a municipality with a population of fewer than 12,000 or a county with a population of fewer than 150,000 will be able to take fewer hours of training to be certified. This should result in a cost savings from the current requirements of a volunteer firefighter certificate.

C. Government Sector Impact:

The bill creates a Volunteer Rural Firefighter Certificate of Completion and has an indeterminate fiscal impact on the Department of Financial Services that can be absorbed within existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The division will have to adopt by rule up to 160 hours of course work needed for the Volunteer Rural Firefighter Certificate of Completion.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 633.102, 633.406, 633.408, 633.414, and 633.416.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.