

standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or

ii. A diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DSM-5) (5th Edition), incorporated herein by reference, as amended and supplemented. This manual may be obtained by contacting the American Psychiatric Association, 1000 Wilson Boulevard, Suite 1825, Arlington, VA 22209 or at [www.psychiatry.org](http://www.psychiatry.org).

(b) All diagnoses shall have been made within five years of the date of the written examination.

(c) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted a total of three hours to complete a 100-question exam, one and one-half hours for a 50-question exam, and 45 minutes for a 25-question exam. Variations of these written examinations which use different quantities of examination questions shall be adjusted at the discretion of the Chief/Senior instructor to reflect a comparable accommodation.

(d) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted to receive the written examination by oral delivery from the training program staff. Oral examinations shall be delivered using the ratio of 1:1 (one instructor to one student).

(e) A maximum of three attempts per examination title shall be provided for a student to pass written examinations. A minimum passing score shall be 70 percent correct.

(f) All attempts to successfully pass written examinations shall be completed by the student according to the eligible organization's policies and course completion timeline requirements.

**5:71-4.13 National credentialing of certifications issued**

(a) Certifications issued pursuant to this subchapter, which have been accredited by the National Board on Fire Service Professional Qualifications ("NBFSPQ" or "Pro Board") and/or by the International Fire Service Accreditation Congress (IFSAC), shall be processed through the Office of Training and Certification.

1. Applicants seeking national credentialing of certifications issued through this subchapter shall meet the policies and procedures established by the Office of Training and Certification.

(b) National credentialing shall conform to the policies and procedures of the Pro Board and IFSAC, incorporated herein by reference, as amended and supplemented by either organization.

(c) The payment of a certificate registration fee established through the Pro Board and/or IFSAC for each certification issued may be required, as established or amended by these independent credentialing organizations. The specific fees applied shall be set forth in the application form established by the Office of Training and Certification.

(a)

**DIVISION OF FIRE SAFETY**

**Standards for Fire Service Training and Certification**

**Proposed Amendments: N.J.A.C. 5:73-1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.9, 1.11, 2.1, 2.2, 2.3, 2.4, and 2.5**

**Proposed Repeals and New Rules: N.J.A.C. 5:73-4 through 8**

**Proposed New Rules: N.J.A.C. 5:73-3 and 9 through 18**

Authorized By: Charles A. Richman, Commissioner, Department of Community Affairs.

Authority: Uniform Fire Safety Act (P.L. 1983, c. 383, N.J.S.A. 52:27D-192 et seq., specifically 52:27D-198 and 52:27D-219).

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2017-210.

Submit written comments by October 20, 2017, to:

Kathleen Asher  
 Department of Community Affairs  
 PO Box 800  
 Trenton, New Jersey 08625  
 E-mail: [Kathleen.Asher@dca.nj.gov](mailto:Kathleen.Asher@dca.nj.gov)  
 Fax Number: (609) 984-6696

The agency proposal follows:

**Summary**

The following changes to the Standards for Fire Service Training and Certification are proposed:

The proposed modifications to existing rules and the enactment of new rules stem from the authority of the Uniform Fire Safety Act (P.L. 1983, c. 383, N.J.S.A. 52:27D-192 et seq., specifically 52:27D-198 and 52:27D-219) and of the act that establishes a Division of Fire Safety in the Department of Community Affairs (Department) (P.L. 1983, c. 382, amended by P.L. 1993, c. 218; N.J.S.A. 52:27D-25a et seq., specifically 52:27D-25d, and further amended by P.L. 1995, c. 266; N.J.S.A. 52:27D-25a et seq., specifically 52:27D-25i, j, k, and m), which has been adopted to ensure public safety and welfare. In order for fire suppression activities to be conducted adequately and effectively, members of the fire service will need to have sufficient knowledge and competence. This can best be achieved through the creation of an education and training program and the development of certification requirements. It is the intent of the Standards for Fire Service Training and Certification to control all matters relating to qualifications for, and the training and certification of all members of the fire service.

The Department proposes to create new subchapters to promote the training and credentialing of newly proposed certification titles for the fire service and to repeal and replace, reformat, and rewrite Subchapters 3 through 8. The Department is also proposing new Subchapters 9 through 18. A common format will be used throughout Subchapters 3 through 18, where possible, to uniformly format the subchapters. The approach throughout Subchapters 3 through 18 will be to establish the purpose for the certification and the titles to be certified, adopt training and credentialing standards and editions, establish authority to the Office of Training and Certification to adopt training programs and training materials, develop policies and procedures for training and credentialing, develop and administer examinations, establish instructor requirements for program delivery, approve all training organizations, facilities, and equipment, and to issue national credentialing, where approved by the National Board on Fire Service Professional Qualifications ("Pro Board" or "NBFSPQ") and the International Fire Service Accreditation Congress (IFSAC).

Language has been included in the credentialing subchapters that will identify the standard and edition adopted, and will automatically adopt any subsequent edition adopted by the National Fire Protection Association (NFPA). This approach will ensure that the most recent edition of the standards adopted are applied within the training and credentialing programs. Once a standard edition is changed, the Division of Fire Safety will have two years to update training and credentialing programs to the newer standard edition. This provision is consistent with the requirements of the national credentialing organizations of the Pro Board and IFSAC. A change has been initiated within the subchapters, which will remove the identification of the adopted publisher and publications from the subchapters, unless specified by the Office of Training and Certification. The publisher and publication information will be obtainable through the Office of Training and Certification, which will ensure that adopted standards/editions and publishers training programs remain current, and do not become obsolete upon a change of a standard edition or a change to a publisher and/or its publications. The purchasing of the adopted training program and its associated publications will be through the specific publisher adopted by the Office of Training and Certification.

This rulemaking presents the following changes to the current subchapters of this chapter and creates new subchapters as specified. The

subchapters shall adopt specific training standards, job performance requirements, and components of requisite knowledge and skills specific to the standard adopted. Subchapter 3, Incident Management System, is proposed as new and contains the substantive rules in existing Subchapter 6, which is proposed for repeal. The rules of Subchapter 3 have been reformatted and rewritten. Subchapters 4 and 5 are proposed for repeal and replacement, to be reformatted and rewritten. New Subchapter 6 is proposed to be exclusively associated with hazardous materials training and certification. Subchapter 7, Fire Police Officer Training, is proposed for amendment to delete "Training" from the heading, and establish a fire police officer certification. Currently serving fire police officers are not affected by this certification. Individuals appointed after January 1, 2019, will need to obtain certification. New Subchapter 8 is proposed for repeal and replacement to be reformatted and rewritten. New Subchapter 9, Facility Fire Brigades, is proposed to establish training standards and credentialing for facility fire brigade members.

New Subchapter 10, Airport Firefighter, is proposed to establish a training standard and credentialing for airport firefighters. New Subchapter 11, Marine Firefighter, is proposed to establish a training standard and credentialing for marine firefighting for land-based firefighters. New Subchapter 12, Technical Rescuer, is proposed to establish a training standard and credentialing for technical rescue specialties. New Subchapter 13, Fire Service Rapid Intervention Crews, is proposed to establish a training standard and credentialing for rapid intervention crews. New Subchapter 14, Fire Apparatus Driver/Operator, is proposed to establish training standards and credentialing for fire apparatus drivers/operators. New Subchapter 15, Fire and Life Safety Educator, Public Information Officer, Youth Firesetter Intervention Specialist, Youth Firesetter Program Manager, is proposed to establish a training standard and credentialing for these specific titles. New Subchapter 16, Fire Department Safety Officer, is proposed to establish training standards and credentialing for fire department safety officers.

New Subchapter 17, Wildland Firefighter, Wildland Fire Officer, Wildland/Urban Interface Protection Specialist, Wildland/Urban Interface Coordinator, is proposed to establish a training standard and credentialing for these specific titles. The Division of Fire Safety will ensure that the adopted training programs will be compliant and/or equivalent to the National Wildfire Coordinating Group (NWCG) training programs managed and credentialed through the New Jersey State forest fire service in the New Jersey Department of Environmental Protection. New Subchapter 18, Fire Investigator, is proposed to establish training standards and credentialing for fire investigators. The creation of Subchapter 18 will not infringe upon the Department of Law and Public Safety, Division of Criminal Justice credentialing program through N.J.S.A. 40A:14-7.1, and is created to present training and credentialing to the fire service members in the area of fire investigation. For the purposes of this chapter, credentialing shall not apply to wildland and forestland firefighters or personnel in the State forest fire service.

N.J.A.C. 5:73-1.2, Authority. The Department proposes to incorporate P.L. 2013, c. 32, N.J.S.A. 52:27D-25kk to this section, which requires accreditation of recruit firefighter training programs by Pro Board and IFSAC.

N.J.A.C. 5:73-1.3, Intent and purpose. The Department proposes to add "fire investigators" to the list of titles in subsections (a) and (b).

N.J.A.C. 5:73-1.4, Definitions. The Department proposes to incorporate the definitions of the National Board on Fire Service Professional Qualifications ("NBFSPQ" or "Pro Board"), the International Fire Service Accreditation Congress (IFSAC), and a definition for "fire investigator." The Department further proposes to modify the Firefighter II definition by removing the previously cited Firefighter II training modules, and replace with a statement referencing the "instructional program adopted by the Office of Training and Certification."

N.J.A.C. 5:73-1.5, Office established; hearings. At paragraph (c)1, the Department proposes to direct requests for a hearing to the Division of Fire Safety at PO Box 809. The previous designation was to PO Box 802, which is the Division of Codes and Standards.

N.J.A.C. 5:73-1.6, Certifications required. At subsections (b) and (c), the Department proposes to align the Incident Management Level 1

certification from Subchapter 6 to Subchapter 3. The relocation of the Incident Management System certifications into Subchapter 3 from Subchapter 6 necessitates this change.

N.J.A.C. 5:73-1.7, Requirements for certification or a certificate. At subsection (a), electronic signatures on applications submitted to the Office of Training and Certification will be accepted.

N.J.A.C. 5:73-1.9, Revocation of certification or certificate and alternative sanctions. At paragraphs (a)2 and (b)1, the Department proposes to add language to encompass all certifications issued through this chapter, and to provide remedies to the Commissioner against individuals who fraudulently or deceitfully practice within the titles. At subsection (c), the Department proposes to clarify existing provisions to establish a conviction of a crime of 1st, 2nd, or 3rd degree as justification for the revocation, suspension, or imposition of other sanctions against an individual's certification. The current rule only indicates a "crime" while omitting the specification to degree of crime. The Department also proposes to add language to encompass all certifications issued through this chapter, and authorizes the Commissioner to issue compliance orders, petitions to the Superior Court, and the ability to levy and collect penalties.

N.J.A.C. 5:73-1.11, Referenced standards and publications. This change will remove Thomson Delmar Learning publications specified in subsection (b), and add the following publications to the referenced publications list: International Fire Service Training Association (IFSTA), Federal Emergency Management Agency (FEMA), National Fire Academy (NFA), The American Psychiatric Association, International Association of Arson Investigators (IAAI), and the National Association of Fire Investigators (NAFI). An additional statement is proposed, which directs purchasing of adopted publications to the specific publisher. The Department references training standards adopted by the New Jersey Public Safety and Occupational Safety and Health Administration (PEOSHA), and the New Jersey Department of Environmental Protection (DEP) contained within the adopted training programs of this chapter.

N.J.A.C. 5:73-2.1, Standards for educational programs. At subsection (a), the Department proposes to establish new and revised educational programs for airport firefighting, marine firefighting for land-based firefighters, industrial fire brigade members, live fire training, fire officers, fire department safety officers, hazardous materials competencies, fire investigators, fire apparatus driver/operator, technical rescuer, fire and life safety educators, public information officers, youth firesetter intervention specialist, youth firesetter program manager, rapid intervention crews, wildland fire fighters, and fire police officer.

At N.J.A.C. 5:73-2.1(b), the Department proposes to update the most current edition of various standards previously adopted, and to adopt new standards for the training and credentialing of the fire service. The following editions are proposed to be adopted for standards previously adopted by the Department of Community Affairs: NFPA 600, 2015 Edition, Standard on Facility Fire Brigades, as the Fire Brigade standard that controls the organizing, operating, training, and equipping of industrial fire brigades in the State of New Jersey. This standard edition was previously adopted as a 2000 Edition; NFPA 1001, 2013 Edition, Standard for Fire Fighter Professional Qualifications, as the Firefighter I and II training standard in the State of New Jersey. This standard edition was previously adopted as a 2008 Edition; NFPA 1021, 2014 Edition, Standard for Fire Officer Professional Qualifications, as the Fire Officer training standard in the State of New Jersey. This standard edition was previously adopted as a 1997 Edition; NFPA 1041, 2012 Edition, Standard for Fire Service Instructor Professional Qualifications, as the Fire Service Instructor training standard in the State of New Jersey. This standard edition was previously adopted as a 2002 Edition; NFPA 1403, 2013 Edition, Standard on Live Fire Training Evolutions, as the Live Fire Training standard in the State of New Jersey. This standard edition was previously adopted as a 1997 Edition.

The following new standards are proposed: NFPA 472, 2013 Edition, Standard for Competence of Responders to Hazardous Materials/Weapons of Mass Destruction Incidents, as the training standard for Hazardous Materials Awareness, Hazardous Materials Operations, Hazardous Materials Incident Commanders, Hazardous Materials Specialist Employee, Hazardous Materials Officers,

Hazardous Materials Safety Officers, and Hazardous Materials Technician in the State of New Jersey; NFPA 921, 2017 Edition, Standard, which establishes a Guide for Fire and Explosion Investigations, as a recommended guide and resource to conduct Fire and Explosion Investigations within the State of New Jersey; NFPA 1002, 2017 Edition, Standard for Fire Apparatus Driver/Operator Professional Qualifications, as the Fire Apparatus Driver/Operator training standard in the State of New Jersey; NFPA 1003, 2015 Edition, Standard for Airport Fire Fighter Professional qualifications, as the Airport Fire Fighter training standard in the State of New Jersey; NFPA 1005, 2014 Edition, Standard for Professional Qualifications for Marine Fire Fighting for Land-Based Fire Fighters, as the Marine Fire Fighting training standard in the State of New Jersey; NFPA 1006, 2017 Edition, Standard for Technical Rescuer Professional Qualifications, as the Technical Rescue training standard in the State of New Jersey; NFPA 1031, 2014 Edition, Standard for Professional Qualifications for Fire Inspector and Plan Examiner, as the Fire Inspector (Uniform Fire Code) training standard in the State of New Jersey; NFPA 1033, 2014 Edition, Standard for Professional Qualifications for Fire Investigator, as the Fire Investigator training standard in the State of New Jersey; NFPA 1035, 2015 Edition, Standard for Professional Qualifications for Fire and Life Safety Educator, Public Information Officer, Youth Firesetter Intervention Specialist, and Youth Firesetter Program Manager, as the Fire and Life Safety Educator, Public Information Officer, Youth Firesetter Intervention Specialist, and Youth Firesetter Program Manager training standard in the State of New Jersey; NFPA 1037, 2016 Edition, Standard for Professional Qualifications for Fire Marshal, as the Fire Marshal training standard in the State of New Jersey; NFPA 1081, 2012 Edition, Standard for Industrial Fire Brigade Member Professional Qualifications, as the Industrial Fire Brigade Member training standard for Industrial Fire Brigade Members in the State of New Jersey; NFPA 1142, 2012 Edition, Standard on Water Supplies for Suburban and Rural Fire Fighting, as the Water Supplies training standard in the State of New Jersey; NFPA 1407, 2015 Edition, Standard for Training Fire Service Rapid Intervention Crews, as the Rapid Intervention Crews training standard in the State of New Jersey; and NFPA 1521, 2015 Edition, Standard for Fire Department Safety Officer Professional Qualifications, as the Safety Officer training standard in the State of New Jersey.

Further pursuant to P.L. 1983, c. 382, the Commissioner references training standards of the New Jersey Public Safety and Occupational Safety and Health Administration (PEOSHA), and the New Jersey Department of Environmental Protection (DEP), for various fire service training course content sanctioned and/or suggested by the Office of Training and Certification. The proposed referenced training standards are: PEOSHA Hazardous Materials Standard, 29 CFR 1910.120; PEOSHA Eye and Face Protection Standard, 29 CFR 1910.133; PEOSHA Respiratory Protection Standard, 29 CFR 1910.134; PEOSHA Head Protection Standard, 29 CFR 1910.135; PEOSHA Foot Protection Standard, 29 CFR 1910.136; PEOSHA Hand Protection Standard, 29 CFR 1910.138; PEOSHA Standard, N.J.A.C. 12:100; and DEP Right-to-Know Standard, N.J.A.C. 7:1G.

N.J.A.C. 5:73-2.2, Eligible organizations. At paragraph (c)3 and subsection (d), the Department proposes to adopt the 2015 edition of the NFPA 600 standard; and, to permit testing in career fire departments. Testing within career fire departments will provide a cost savings to those municipalities who must pay for firefighter salaries, benefits, and back-fill positions when the firefighter must travel outside of the fire department to be tested. Proposed new subsection (e) adds a statement that establishes requirements on eligible organizations to implement all guidelines, directives, or standard operating procedures established by the Office of Training and Certification for any programs sanctioned through this chapter.

N.J.A.C. 5:73-2.3, Procedure for approving educational programs. At paragraph (d)1, the Department proposes to remove the phrase "a letter of approval" and replace it with "correspondence." This modification is necessary to promote electronic and self-mailer communication and other associated documents.

N.J.A.C. 5:73-2.4, Facility requirements. At subparagraphs (c)3i through ix, the Department proposes to remove the reference to N.J.A.C.

5:73-4.3(a) (tools and equipment), and will replace the language to indicate "tools as specified in the adopted training program."

N.J.A.C. 5:73-2.5, Live fire training permit. The removal of the Firefighter I training modules from this chapter requires that the associated training topics are specified for self-contained breathing apparatus, salvage and overhaul, fire hose, appliances and adapters, fire streams and nozzles, ladders, safety, fire behavior, portable fire extinguishers, and live fire evolution for prerequisites of training for industrial fire brigade members to participate in live fire training, which is so proposed at paragraph (a)1. At subparagraphs (a)1i and ii, the Department proposes to replace "modules" with "training program content," update the standard edition referenced, associate the adoption of any subsequent edition adopted by NFPA, and remove the statement of section 3-2, 4-2, 5-2 and 6-1 sections of the NFPA 600, 2000 standard specified. The adoption of requirements of the components of requisite knowledge and skills contained in the standard has been added to reference the full NFPA 600, 2015 Edition. The reference to NFPA 600, 2000 edition and its sections have been removed. At subparagraph (a)3i, the changes update the referenced NFPA 600, 2000 edition to the 2015 edition, and establish the automatic adoption of subsequent edition adoption by NFPA.

At N.J.A.C. 5:73-2.5(e)1, the change updates the referenced NFPA 1403, 1997 edition to the 2012 edition, and establishes the automatic adoption of subsequent edition adoption by NFPA. At paragraphs (e)2, the change removes the reference of "Fire Service Instructor Level 2" and replaces with "Instructor II," which conforms to the adopted NFPA 1041, 2012 edition standard. The SCBA/Smokehouse Instructor and Live Burn Instructor have been replaced with the Drill Ground Instructor specification.

N.J.A.C. 5:73-3, Incident Management System Certification. New Subchapter 3 is proposed to set forth the substantive content of Subchapter 6, which is proposed for repeal. The proposed new rules are reformatted and rewritten. The Department proposes to adopt various incident command system courses from the Federal Emergency Management Agency (FEMA), which are associated with teaching and qualifying the all-hazard incident command system. These courses will be attached to specific existing incident management system certifications for Incident Management Level 1 through 3. A minimum age of 21 shall be established for credentialing through this subchapter. The reference to the minimum age requirement of 21 years of age currently exists, but was not specific in the rules. It is currently calculated by the issuance of a Firefighter I certification, which requires the individual to be 18 years of age, and further stipulates three years' experience as a certified Firefighter I. It is more efficient to establish the minimum age of 21 for the issuance for the certifications authorized through this subchapter, in order to remove confusion. The fire department experience qualifier statement for obtaining the Incident Management Level 1 certification has been changed. The current statement requires that the person applying must be a "member" of a fire department, but does not distinguish a fire department membership classification directly to firefighting activities. To clarify this statement, the Department proposes to require the applicant to be a member of a fire department who has been qualified and performed as a "structural firefighter" for at least three years prior to application. The FEMA I-200, I-300 and I-400 Incident management courses shall be required to be classroom instructor-led programs. The subchapter will authorize the issuance of Incident Management Level 1 certifications to emergency medical services personnel whose primary role and duty are exclusively limited to emergency medical services response, provides for emergency medical technician-basic certificate and emergency medical technician-paramedic license to substitute for firefighter certification, and substitutes emergency medical services experience for firefighting experience in the rules. This provision is proposed to enhance education, safety, coordination, and operations between the fire service and emergency medical responders.

N.J.A.C. 5:73-4, Fire Fighter I and II. The Department proposes to repeal and replace this subchapter. The subchapter has been reformatted and rewritten. The Department proposes the adoption of various levels of firefighter associated to the adopted standards: NFPA 1001, 2013 edition, Standard for Fire Fighter Professional Qualifications; and,

NFPA 472, 2013 edition, Standard for Competence of Responders to Hazardous Materials Weapons of Mass Destruction Incidents; their associated job performance requirements (JPRs) and components of requisite knowledge and skills. This subchapter adopts NFPA 1403, 2012 edition, Standard on Live Fire Training Evolutions, as the standard governing training for live fire training evolutions. Upon a change to the adopted standard edition, the Office of Training and Certification shall have two years to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition. It is further established that the adopted standard will be incorporated herein by reference and any subsequent edition adopted by NFPA. The proposed rules authorize the Office of Training and Certification to adopt a training program, establish training policies, procedures, and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications through this subchapter. The subchapter proposes requirements upon all live fire training, facilities, and training equipment. The rules establish a minimum passing score of 70 percent for written and 80 percent for practical examinations. Students will have three opportunities to pass the exams. If upon failing the examination upon the third attempt, the student will be required to retake the training program. Learning disabilities accommodations have been established for the training program, which incorporate a requirement for a diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression: or, a diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, and any subsequent amended version by the American Psychiatric Association. Additional time may be provided for students to complete a written exam, and may permit an oral delivery of the examination once qualified and accepted by the Office of Training and Certification. This subchapter authorizes the national credentialing of certifications issued in accordance with the adopted standard, which have been approved by the National Board on Fire Service Professional Qualifications and/or by the International Fire Service Accreditation Congress. Processing of national credentials shall be through the Office of Training and Certification.

N.J.A.C. 5:73-5, Instructors. The Department proposes to repeal and replace this subchapter. The subchapter has been reformatted and rewritten. The Department proposes the adoption of various levels of instructor certifications associated to the adopted NFPA 1041, 2012 edition, Standard for Fire Service Instructor Professional Qualifications, and instructor certifications established by the Office of Training and Certification for Drill Ground Instructor and Adjunct Instructor. This subchapter further adopts NFPA 1403, 2012 edition, Standard on Live Fire Training Evolutions, as the standard governing training for live fire training evolutions. Training is established to the standard's job performance requirements (JPRs) and components of requisite knowledge and skills. Upon a change to the adopted standard edition, the Office of Training and Certification shall have two years to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition. It is further established that the adopted standard will be incorporated herein by reference and any subsequent edition adopted by NFPA. The rules establish a three-year renewal cycle for certifications issued and requires the completion of continuing education training to be eligible to renew an Instructor I, Instructor II, and Drill Ground Instructor certifications. Two biannual lapse dates (April 30th and October 31st) have been established for renewal of certification cycles. Continuing education unit (CEU's) hours have been specified for the Instructor I, Instructor II, and Drill Ground Instructor certifications. The proposed rules authorize the Office of Training and Certification to adopt a training program, establish training policies, procedures, and forms, establish and administer exams, establish instructor qualification and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine

equivalency towards issuance of certifications through this subchapter. The subchapter proposes requirements upon all instructors, live fire training, training facilities, and equipment used for training sanctioned through this subchapter. The rules establish a minimum passing score of 70 percent for written and 80 percent for practical examinations. Students will have three opportunities to pass the exams. If upon failing the examination upon the third attempt, the student will be required to retake the training program. Learning disabilities accommodations have been established for the training program, which incorporate a requirement for a diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or a diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, and any subsequent amended version by the American Psychiatric Association. Additional time may be provided for students to complete a written exam, and may permit an oral delivery of the examination once qualified and accepted by the Office of Training and Certification. This subchapter authorizes the national credentialing of certifications issued in accordance with the adopted standard, which have been approved by the Pro Board and/or by the IFSAC. Processing of national credentials shall be through the Office of Training and Certification.

N.J.A.C. 5:73-6, Hazardous Materials Certification. The Department proposes to repeal and replace this subchapter. The subchapter has been reformatted and rewritten. The Incident Management System Certification rules previously established within this subchapter are relocated to Subchapter 3, as discussed above. The Department proposes to adopt the NFPA 472, 2013 Edition standard, Standard for Competence of Responders to Hazardous Materials/Weapons of Mass Destruction Incidents, which establishes 22 certification titles and/or competencies. The Department proposes to adopt the standard job performance requirements (JPRs) and components of requisite knowledge and skills associated with the standard. Upon a change to the adopted standard edition, the Office of Training and Certification shall have two years to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition. It is further established that the adopted standard will be incorporated herein by reference and any subsequent edition adopted by NFPA. The proposed rules authorize the Office of Training and Certification to adopt a training program, establish training policies, procedures, and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications through this subchapter. The subchapter establishes requirements upon training program instructors, and establishes a minimum passing score of 70 percent for written and 80 percent for practical examinations. Students will have three opportunities to pass the exams. If upon failing the examination upon the third attempt, the student will be required to retake the training program. Learning disabilities accommodations have been established for the training program, which incorporate a requirement for a diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or a diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, and any subsequent amended version by the American Psychiatric Association. Additional time may be provided for students to complete a written exam, and may permit an oral delivery of the examination once qualified and accepted by the Office of Training and Certification. This subchapter authorizes the national credentialing of certifications issued in accordance with the adopted standard, which have been approved by the Pro Board and/or by the IFSAC. Processing of national credentials shall be through the Office of Training and Certification.

N.J.A.C. 5:73-7, Fire Police Officer Training. The Department proposes to repeal and replace this subchapter, change the heading of the subchapter to delete "Training," and create a new fire police officer certification. This subchapter has been reformatted and rewritten. The proposed rules establish requirements upon training facilities, and present the requirements for appointment provisions for fire police officers. Those individuals who have previously served in the capacity of a fire police officer, or have completed the approved fire police officer training course will not be required to submit for certification. Certification will be required after January 1, 2019, for members of volunteer fire companies who are appointed or perform the duties of a fire police officer. The proposed rules authorize the Office of Training and Certification to adopt a training program, establish training policies, procedures, and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications through this subchapter. The rule establishes requirements upon training program instructors, and establishes a minimum passing score of 70 percent for written and 80 percent for practical examinations. Students will have three opportunities to pass the exams. If upon failing the examination upon the third attempt, the student will be required to retake the training program. Learning disabilities accommodations have been established for the training program, which incorporate a requirement for a diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or a diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, and any subsequent amended version by the American Psychiatric Association. Additional time may be provided for students to complete a written exam, and may permit an oral delivery of the examination once qualified and accepted by the Office of Training and Certification.

N.J.A.C. 5:73-8, Fire Officers. The Department proposes to repeal and replace this subchapter. The subchapter has been reformatted and rewritten. The Department proposes to adopt the NFPA 1021, 2014 edition standard, Standard for Fire Officer Professional Qualifications, its job performance requirements (JPRs) and components of requisite knowledge and skills. Upon a change to the adopted standard edition, the Office of Training and Certification shall have two years to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition. It is further established that the adopted standard will be incorporated herein by reference and any subsequent edition adopted by NFPA. Training content has been added to require completion of the National Fire Academy "Incident Safety Officer" course, 12 hours of "Principles of Building Construction," and 24 hours of "Fire Tactics" to specific credentialed certification titles. Instructor requirements have been added to require the adopted training program instructor to: be fire chief rank or have been a fire officer for at least a five-year period, have 10 years fire service experience as a structural firefighter, and pass a command interview by the sponsoring eligible training organization. The subchapter specifies that training programs be classroom instructor-led. The proposed rules authorize the Office of Training and Certification to adopt a training program, establish training policies, procedures, and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications through this subchapter. The subchapter establishes a minimum passing score of 70 percent for written and 80 percent for practical examinations. Students will have three opportunities to pass the exams. If upon failing the examination upon the third attempt, the student will be required to retake the training program. Learning disabilities accommodations have been established for the training program, which incorporate a requirement for a diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized

measure of achievement in reading decoding, reading comprehension, and/or written expression; or a diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, and any subsequent amended version by the American Psychiatric Association. Additional time may be provided for students to complete a written exam, and may permit an oral delivery of the examination once qualified and accepted by the Office of Training and Certification. This subchapter authorizes the national credentialing of certifications issued in accordance with the adopted standard, which have been approved by the Pro Board and/or by the IFSAC. Processing of national credentials shall be through the Office of Training and Certification.

N.J.A.C. 5:73-9, Facility Fire Brigades. The Department proposes this new subchapter for the purpose of training and credentialing all personnel who are engaged in, or to be engaged in, fire suppression activities within established industrial/facility fire brigades. The adoption of national standards promotes competency and safety, and provides for a better trained workforce to respond to emergency incidents. The Department proposes this new subchapter to train and credential various levels of Facility Fire Brigades members and leaders adopting the NFPA 600, 2015 edition standard, Standard on Industrial Fire Brigades; and the NFPA 1081, 2012 edition standard, Standard for Industrial Fire Brigade Member Professional Qualifications. The Department proposes to adopt the standard job performance requirements (JPR) and components of requisite knowledge and skills associated with the standards. Five certification titles will be credentialed within this subchapter. Upon a change to the adopted standard edition, the Office of Training and Certification shall have two years to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition. It is further established that the adopted standard will be incorporated herein by reference and any subsequent edition adopted by NFPA. The proposed subchapter authorizes the Office of Training and Certification to adopt a training program, establish training policies, procedures, and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications through this subchapter. The subchapter imposes requirements upon all instructors, live fire training, training facilities, and equipment used for training sanctioned through this subchapter. The rules establish a minimum passing score of 70 percent for written and 80 percent for practical examinations. Students will have three opportunities to pass the exams. If upon failing the examination upon the third attempt, the student will be required to retake the training program. Learning disabilities accommodations have been established for the training program, which incorporate a requirement for a diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or a diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, and any subsequent amended version by the American Psychiatric Association. Additional time may be provided for students to complete a written exam, and may permit an oral delivery of the examination once qualified and accepted by the Office of Training and Certification. This subchapter authorizes the national credentialing of certifications issued in accordance with the adopted standard, which have been approved by the Pro Board and/or by the IFSAC. Processing of national credentials shall be through the Office of Training and Certification.

N.J.A.C. 5:73-10, Airport Firefighter. The Department proposes this new subchapter for the purpose of training and credentialing all personnel who are engaged in, or to be engaged in, airport/aircraft fire suppression activities. The adoption of national standards promotes competency and safety, and provides for a better trained workforce to respond to emergency incidents. The Department proposes this new subchapter to train and credential an Airport Firefighter adopting the

NFPA 1003, 2015 edition standard, Standard for Airport Fire Fighter Professional Qualifications, its job performance requirements (JPRs), and components of requisite knowledge and skills. Upon a change to the adopted standard edition, the Office of Training and Certification shall have two years to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition. It is further established that the adopted standard will be incorporated herein by reference and any subsequent edition adopted by NFPA. The proposed rules authorize the Office of Training and Certification to adopt a training program, establish training policies, procedures, and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications through this subchapter. The subchapter places requirements upon all instructors, live fire training, training facilities, and equipment used for training sanctioned through this subchapter. The rules establish a minimum passing score of 70 percent for written and 80 percent for practical examinations. Students will have three opportunities to pass the exams. If upon failing the examination upon the third attempt, the student will be required to retake the training program. Learning disabilities accommodations have been established for the training program, which incorporate a requirement for a diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or a diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, and any subsequent amended version by the American Psychiatric Association. Additional time may be provided for students to complete a written exam, and may permit an oral delivery of the examination once qualified and accepted by the Office of Training and Certification. This subchapter authorizes the national credentialing of certifications issued in accordance with the adopted standard, which have been approved by the Pro Board, and/or by the IFSAC. Processing of national credentials shall be through the Office of Training and Certification.

N.J.A.C. 5:73-11, Marine Firefighter. The Department proposes this new subchapter for the purpose of training and credentialing all personnel who are engaged in, or to be engaged in, marine fire suppression activities. The adoption of national standards promotes competency and safety, and provides for a better trained workforce to respond to emergency incidents. The Department proposes this new subchapter to train and credential a Marine Firefighter adopting the NFPA 1005, 2014 edition standard, Standard for Professional Qualifications for Marine Fire Fighting for Land-Based Fire Fighters, its job performance requirements (JPRs), and components of requisite knowledge and skills. Upon a change to the adopted standard edition, the Office of Training and Certification shall have two years to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition. It is further established that the adopted standard will be incorporated herein by reference and any subsequent edition adopted by NFPA. The proposed rules authorize the Office of Training and Certification to adopt a training program, establish training policies, procedures, and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications through this subchapter. The subchapter imposes requirements upon all instructors, live fire training, training facilities, and equipment used for training sanctioned through this subchapter. The rules establish a minimum passing score of 70 percent for written and 80 percent for practical examinations. Students will have three opportunities to pass the exams. If upon failing the examination upon the third attempt, the student will be required to retake the training program. Learning disabilities accommodations have been established for the training program, which incorporate a requirement for a diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually

administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or a diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, and any subsequent amended version by the American Psychiatric Association. Additional time may be provided for students to complete a written exam, and may permit an oral delivery of the examination once qualified and accepted by the Office of Training and Certification. This subchapter authorizes the national credentialing of certifications issued in accordance with the adopted standard, which have been approved by the Pro Board and/or by the IFSAC. Processing of national credentials shall be through the Office of Training and Certification.

N.J.A.C. 5:73-12, Technical Rescuer. The Department proposes this new subchapter for the purpose of training and credentialing all personnel who are engaged in, or to be engaged in, technical rescue activities. The adoption of national standards promotes competency and safety, and provides for a better trained workforce to respond to emergency incidents. The Department proposes this new subchapter to train and credential a Technical Rescuer adopting the NFPA 1006, 2017 edition standard, Standard for Technical Rescue Professional Qualifications, its job performance requirements (JPRs), and components of requisite knowledge and skills. Upon a change to the adopted standard edition, the Office of Training and Certification shall have two years to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition. It is further established that the adopted standard will be incorporated herein by reference and any subsequent edition adopted by NFPA. The proposed rules authorize the Office of Training and Certification to adopt a training program, establish training policies, procedures, and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications through this subchapter. The subchapter imposes requirements upon all instructors, live fire training, training facilities, and equipment used for training sanctioned through this subchapter. The rules establish a minimum passing score of 70 percent for written and 80 percent for practical examinations. Students will have three opportunities to pass the exams. If upon failing the examination upon the third attempt, the student will be required to retake the training program. Learning disabilities accommodations have been established for the training program, which incorporate a requirement for a diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or a diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, and any subsequent amended version by the American Psychiatric Association. Additional time may be provided for students to complete a written exam, and may permit an oral delivery of the examination once qualified and accepted by the Office of Training and Certification. This subchapter authorizes the national credentialing of certifications issued in accordance with the adopted standard, which have been approved by the Pro Board and/or by the IFSAC. Processing of national credentials shall be through the Office of Training and Certification.

N.J.A.C. 5:73-13, Fire Service Rapid Intervention Crews. The Department proposes this new subchapter for the purpose of training and credentialing all personnel who are engaged in, or to be engaged in, fire suppression rapid intervention crew's rescue activities. The adoption of national standards promotes competency and safety, and provides for a better trained workforce to respond to emergency incidents. The Department proposes this new subchapter to train and credential Fire Service Rapid Intervention Crews adopting the NFPA 1407, 2015 edition standard, Standard for Training Fire Service Rapid Intervention Crews, its job performance requirements (JPRs), and components of requisite knowledge and skills. Upon a change to the adopted standard

edition, the Office of Training and Certification shall have two years to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition. It is further established that the adopted standard will be incorporated herein by reference and any subsequent edition adopted by NFPA. The proposed rules authorize the Office of Training and Certification to adopt a training program, establish training policies, procedures, and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications through this subchapter. The subchapter imposes requirements upon all instructors, live fire training, training facilities, and equipment used for training sanctioned through this subchapter. The rules establish a minimum passing score of 70 percent for written and 80 percent for practical examinations. Students will have three opportunities to pass the exams. If upon failing the examination upon the third attempt, the student will be required to retake the training program. Learning disabilities accommodations have been established for the training program, which incorporate a requirement for a diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or a diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, and any subsequent amended version by the American Psychiatric Association. Additional time may be provided for students to complete a written exam, and may permit an oral delivery of the examination once qualified and accepted by the Office of Training and Certification. This subchapter authorizes the national credentialing of certifications issued in accordance with the adopted standard, which have been approved by the Pro Board and/or by the IFSAC. Processing of national credentials shall be through the Office of Training and Certification.

N.J.A.C. 5:73-14, Fire Apparatus Driver/Operator. The Department proposes this new subchapter for the purpose of training and credentialing all personnel who are engaged in, or to be engaged in, fire apparatus driver/operator activities. The adoption of national standards promotes competency and safety, and provides for a better trained workforce to respond to emergency incidents. The Department proposes to create this new subchapter to train and credential Fire Apparatus Drivers/Operators adopting the NFPA 1002, 2017 edition standard, Standard for Fire Apparatus Driver/Operator Professional Qualifications; and the NFPA 1451, 2013 Edition standard, Standard for a Fire and Emergency Vehicle Operations Training Program, their job performance requirements (JPRs), and components of requisite knowledge and skills. Upon a change to the adopted standard edition, the Office of Training and Certification shall have two years to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition. It is further established that the adopted standard will be incorporated herein by reference and any subsequent edition adopted by NFPA. The proposed rules authorize the Office of Training and Certification to adopt a training program, establish training policies, procedures, and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications through this subchapter. The subchapter imposes requirements upon all instructors, live fire training, training facilities, and equipment used for training sanctioned through this subchapter. The rules establish a minimum passing score of 70 percent for written and 80 percent for practical examinations. Students will have three opportunities to pass the exams. If upon failing the examination upon the third attempt, the student will be required to retake the training program. Learning disabilities accommodations have been established for the training program, which incorporate a requirement for a diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension,

and/or written expression; or a diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, and any subsequent amended version by the American Psychiatric Association. Additional time may be provided for students to complete a written exam, and may permit an oral delivery of the examination once qualified and accepted by the Office of Training and Certification. This subchapter authorizes the national credentialing of certifications issued in accordance with the adopted standard, which have been approved by the Pro Board and/or by the IFSAC. Processing of national credentials shall be through the Office of Training and Certification.

N.J.A.C. 5:73-15, Fire and Life Safety Educator, Public Information Officer, Youth Firesetter Intervention Specialist, Youth Firesetter Program Manager. The Department proposes this new subchapter for the purpose of training and credentialing all personnel who are engaged in, or to be engaged in, fire service support activities regarding fire prevention education, public information, and communication, and providing for firesetter intervention programs. The adoption of national standards promotes competency and safety, provides for a better-informed public, and responds to youth firesetter incidents. The Department proposes this new subchapter to train and credential Fire and Life Safety Educators, Public Information Officers, Youth Firesetter Intervention Specialists, and Youth Firesetter Program Managers adopting the NFPA 1035, 2015 edition standard, Standard for Fire and Life Safety Educator, Public Information Officer, Youth Firesetter Intervention Specialist and Youth Firesetter Program Manager, its job performance requirements (JPRs), and components of requisite knowledge and skills. Upon a change to the adopted standard edition, the Office of Training and Certification shall have two years to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition. It is further established that the adopted standard will be incorporated herein by reference and any subsequent edition adopted by NFPA. The proposed rules authorize the Office of Training and Certification to adopt a training program, establish training policies, procedures, and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications through this subchapter. The subchapter imposes requirements upon all instructors, live fire training, training facilities, and equipment used for training sanctioned through this subchapter. The rules establish a minimum passing score of 70 percent for written and 80 percent for practical examinations. Students will have three opportunities to pass the exams. If upon failing the examination upon the third attempt, the student will be required to retake the training program. Learning disabilities accommodations have been established for the training program, which incorporate a requirement for a diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or a diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, and any subsequent amended version by the American Psychiatric Association. Additional time may be provided for students to complete a written exam, and may permit an oral delivery of the examination once qualified and accepted by the Office of Training and Certification. This subchapter authorizes the national credentialing of certifications issued in accordance with the adopted standard, which have been approved by the Pro Board and/or by the IFSAC. Processing of national credentials shall be through the Office of Training and Certification.

N.J.A.C. 5:73-16, Fire Department Safety Officer. The Department proposes this new subchapter for the purpose of training and credentialing all personnel who are engaged in, or to be engaged in, fire department safety operations and health/wellness program activities. The adoption of national standards promotes competency and safety, and provides for a better trained workforce to respond to emergency

incidents. The Department proposes this new subchapter to train and credential Fire Department Safety Officers adopting the NFPA 1521, 2015 edition standard, Standard for Fire Department Safety Officer Professional Qualifications, its job performance requirements (JPRs), and components of requisite knowledge and skills. Upon a change to the adopted standard edition, the Office of Training and Certification shall have two years to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition. It is further established that the adopted standard will be incorporated herein by reference and any subsequent edition adopted by NFPA. The proposed rules authorize the Office of Training and Certification to adopt a training program, establish training policies, procedures, and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications through this subchapter. The subchapter imposes requirements upon all instructors, live fire training, training facilities, and equipment used for training sanctioned through this subchapter. The rules establish a minimum passing score of 70 percent for written and 80 percent for practical examinations. Students will have three opportunities to pass the exams. If upon failing the examination upon the third attempt, the student will be required to retake the training program. Learning disabilities accommodations have been established for the training program, which incorporate a requirement for a diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or a diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, and any subsequent amended version by the American Psychiatric Association. Additional time may be provided for students to complete a written exam, and may permit an oral delivery of the examination once qualified and accepted by the Office of Training and Certification. This subchapter authorizes the national credentialing of certifications issued in accordance with the adopted standard, which have been approved by the Pro Board and/or by the IFSAC. Processing of national credentials shall be through the Office of Training and Certification.

N.J.A.C. 5:73-17, Wildland Firefighter, Wildland Fire Officer, Wildland/Urban Interface Protection Specialist, Wildland/Urban Interface Coordinator. The Department proposes this new subchapter for the purpose of training and credentialing all personnel who are engaged in, or to be engaged in, wildland fire suppression activities. The adoption of national standards promotes competency and safety, and provides for a better trained workforce to respond to emergency incidents. For the purposes of this subchapter, credentialing shall not apply to wildland and forestland firefighters in the State forest fire service. The Department proposes this new subchapter to train and credential Wildland Firefighters, Wildland Fire Officers, Wildland/Urban Interface Protection Specialist, Wildland/Urban Interface Coordinators adopting the NFPA 1051, 2016 edition standard, Standard for Wildland Fire Fighter Professional Qualifications, its job performance requirements (JPRs), and components of requisite knowledge and skills. Training programs adopted will be equivalent in design to the National Wildfire Coordination Group (NWCG) training curriculum and competencies. Upon a change to the adopted standard edition, the Office of Training and Certification shall have two years to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition. It is further established that the adopted standard will be incorporated herein by reference and any subsequent edition adopted by NFPA. The proposed rules authorize the Office of Training and Certification to adopt a training program, establish training policies, procedures, and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications through this subchapter. The subchapter imposes requirements upon all instructors, live fire training, training facilities and equipment used for training sanctioned through

this subchapter. The rules establish a minimum passing score of 70 percent for written and 80 percent for practical examinations. Students will have three opportunities to pass the exams. If upon failing the examination upon the third attempt, the student will be required to retake the training program. Learning disabilities accommodations have been established for the training program, which incorporate a requirement for a diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or a diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, and any subsequent amended version by the American Psychiatric Association. Additional time may be provided for students to complete a written exam, and may permit an oral delivery of the examination once qualified and accepted by the Office of Training and Certification. This subchapter authorizes the national credentialing of certifications issued in accordance with the adopted standard, which have been approved by the Pro Board and/or by the IFSAC. Processing of national credentials shall be through the Office of Training and Certification.

N.J.A.C. 5:73-18, Fire Investigator. The Department proposes this new subchapter for the purpose of training and credentialing all personnel who are engaged in, or to be engaged in, fire suppression activities and their investigation. The adoption of national standards promotes competency and safety, and provides for a better trained workforce to respond to emergency incidents and to investigate fires. The Department proposes this new subchapter to train and credential Fire Investigators adopting the NFPA 1033, 2014 Edition standard, Standard for Professional Qualifications for Fire Investigator; and the NFPA 921, 2017 Edition standard, Guide for Fire and Explosion Investigations, their job performance requirements (JPRs), and components of requisite knowledge and skills. Upon a change to the adopted standard edition, the Office of Training and Certification shall have two years to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition. It is further established that the adopted standard will be incorporated herein by reference and any subsequent edition adopted by NFPA. The proposed rules authorize the Office of Training and Certification to adopt a training program, establish training policies, procedures, and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications through this subchapter. The subchapter imposes requirements upon all instructors, live fire training, training facilities, and equipment used for training sanctioned through this subchapter. The rules establish a minimum passing score of 70 percent for written and 80 percent for practical examinations. Students will have three opportunities to pass the exams. If upon failing the examination upon the third attempt, the student will be required to retake the training program. Learning disabilities accommodations have been established for the training program, which incorporate a requirement for a diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or a diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, and any subsequent amended version by the American Psychiatric Association. Additional time may be provided for students to complete a written exam, and may permit an oral delivery of the examination once qualified and accepted by the Office of Training and Certification. This subchapter authorizes the national credentialing of certifications issued in accordance with the adopted standard, which have been approved by the Pro Board and/or by the IFSAC. Processing of national credentials shall be through the Office of Training and Certification.



As the Department has provided a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirement, pursuant to N.J.A.C. 1:30-3.3(a)5.

#### Social Impact

The Department believes that the amendments, repeals, and proposed new rules will improve public safety and provide a positive social impact by ensuring that fire service and code enforcement personnel are adequately trained and credentialed to national standards and training programs. The benefit for adopting national standards and credentialing fire service and code enforcement personnel is to promote technical competency and to safeguard the lives and property of the citizens of New Jersey.

#### Economic Impact

The Department does not anticipate that the proposed amendments, repeals, and new rules would have any adverse economic impact. Fire departments are currently required to train employees to the level associated with their responsibilities. That being said, municipalities will now have State-sanctioned training and credentialing programs available to them through approved eligible training organizations that will lead to State credentialing and once approved to national credentialing. This presents a positive benefit to the citizens of the State to acquire national credentialing from recognized national credentialing organizations accepted by the fire service community at large. The approach will enhance the technical competency of fire service and code enforcement personnel and lead to a better trained and credentialed employee. The Department has established both a \$91.00 initial and renewal application fee for the fire investigator certification, which is deemed appropriate and has limited economic impact to conducting fire investigations that are the responsibility of the appointed fire official in accordance with the State Uniform Fire Safety Act, P.L. 1983, c. 383 (N.J.S.A. 52D:192-1 et seq.). The benefit of a better trained and credentialed fire service, and its associated ability to save lives and protect property stemming from a State-standardized training and credentialing system, would outweigh the costs for training within the municipalities.

#### Federal Standards Statement

No Federal standards analysis is required because the proposed amendments, repeals, and new rules are not being proposed in order to implement, comply with, or participate in any program established under Federal law or under a State law that incorporates or refers to Federal law, standards, or requirements.

#### Job Impact

The Department does not anticipate that any jobs would be created or lost as a result of the proposed amendments, repeals, and new rules.

#### Agriculture Industry Impact

The Department does not anticipate that the proposed amendments, repeals, or new rules would have any impact on the agriculture industry.

#### Regulatory Flexibility Statement

The Department expects that the proposed amendments, repeals, and new rules will not impose any added recordkeeping or reporting requirements on small businesses, as defined by the New Jersey Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. Fire departments are already required to train their employees in the technical competencies associated with specific duties and document training. Any new or existing reporting, recordkeeping, and compliance requirements are discussed in the Summary above. Since the proposed amendments, repeals, and new rules are designed to promote training and credentialing of the fire service, no reduction of requirements based upon size or form of organization would be incurred. The Department believes that no additional professional services would be required for any property owner or small business to comply with the adopted standards or training programs.

#### Housing Affordability Impact Analysis

The proposed amendments, repeals, and new rules concern the training and credentialing of the fire service, and as such, would be highly unlikely to have any impact upon housing production costs or affordability. The Department does not anticipate that the proposed

amendments, repeals, and new rules would have any effect upon the average cost of housing.

#### Smart Growth Development Impact

The proposed amendments, repeals, and new rules concern only the training and credentialing of the fire service, and as such, would be most unlikely to have any impact upon housing production within Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan.

**Full text** of the rules proposed for repeal may be found in the New Jersey Administrative Code at N.J.A.C. 5:73-4 through 8.

**Full text** of the proposed amendments and new rules follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

### SUBCHAPTER 1. GENERAL PROVISIONS

#### 5:73-1.1 Titles, division into subchapters

(a) The rules contained in this chapter shall be known as "Standards for Fire Service Training and Certification" and are referred to herein as the Standards.

(b) The Standards are divided into [seven] **18** parts:

1. Subchapter 1 is entitled "General Provisions" and may be cited throughout the Standards as N.J.A.C. 5:73-1, and when referred to in [subchapter] **Subchapter 1** of this chapter, may be referred to as this subchapter.

2. Subchapter 2 is entitled "Educational Programs and Facilities" and may be cited throughout the Standards as N.J.A.C. 5:73-2, and when referred to in [subchapter] **Subchapter 2** of this chapter, may be referred to as this subchapter.

3. Subchapter 3 is [reserved] **entitled "Incident Management System" and may be cited throughout the Standards as N.J.A.C. 5:73-3, and when referred to in Subchapter 3 of this chapter, may be referred to as this subchapter.**

4. Subchapter 4 is entitled "Firefighter I and II" and may be cited throughout the Standards as N.J.A.C. 5:73-4, and when referred to in [subchapter] **Subchapter 4** of this chapter, may be referred to as this subchapter.

5. Subchapter 5 is entitled "Instructors" and may be cited throughout the Standards as N.J.A.C. 5:73-5, and when referred to in [subchapter] **Subchapter 5** of this chapter, may be referred to as this subchapter.

6. Subchapter 6 is entitled "[Incident Management System Certification] **Hazardous Materials**" and may be cited throughout the Standards as N.J.A.C. 5:73-6, and when referred to in [subchapter] **Subchapter 6** of this [Chapter] **chapter**, may be referred to as this subchapter.

7. Subchapter 7 is entitled "Fire Police Officer [Training]" and may be cited throughout the Standards as N.J.A.C. 5:73-7, and when referred to in [subchapter] **Subchapter 7** of this chapter, may be referred to as this subchapter.

8. **Subchapter 8 is entitled "Fire Officers" and may be cited throughout the Standards as N.J.A.C. 5:73-8, and when referred to in Subchapter 8 of this chapter, may be referred to as this subchapter.**

9. **Subchapter 9 is entitled "Facility Fire Brigades" and may be cited throughout the Standards as N.J.A.C. 5:73-9, and when referred to in Subchapter 9 of this chapter, may be referred to as this subchapter.**

10. **Subchapter 10 is entitled "Airport Firefighter" and may be cited throughout the Standards as N.J.A.C. 5:73-10, and when referred to in Subchapter 10 of this chapter, may be referred to as this subchapter.**

11. **Subchapter 11 is entitled "Marine Firefighter" and may be cited throughout the Standards as N.J.A.C. 5:73-11, and when referred to in Subchapter 11 of this chapter, may be referred to as this subchapter.**

12. **Subchapter 12 is entitled "Technical Rescuer" and may be cited throughout the Standards as N.J.A.C. 5:73-12, and when referred to in Subchapter 12 of this chapter, may be referred to as this subchapter.**

13. Subchapter 13 is entitled “Fire Service Rapid Intervention Crews” and may be cited throughout the Standards as N.J.A.C. 5:73-13, and when referred to in Subchapter 13 of this chapter, may be referred to as this subchapter.

14. Subchapter 14 is entitled “Fire Apparatus Driver/Operator” and may be cited throughout the Standards as N.J.A.C. 5:73-14, and when referred to in Subchapter 14 of this chapter, may be referred to as this subchapter.

15. Subchapter 15 is entitled “Fire and Life Safety Educator, Public Information Officer, Youth Firesetter Intervention Specialist, Youth Firesetter Program Manager” and may be cited throughout the Standards as N.J.A.C. 5:73-15, and when referred to in Subchapter 15 of this chapter, may be referred to as this subchapter.

16. Subchapter 16 is entitled “Fire Department Safety Officer” and may be cited throughout the Standards as N.J.A.C. 5:73-16, and when referred to in Subchapter 16 of this chapter, may be referred to as this subchapter.

17. Subchapter 17 is entitled “Wildland Fire Fighter, Wildland Fire Officer, Wildland/Urban Interface Protection Specialist, Wildland/Urban Interface Coordinator” and may be cited throughout the Standards as N.J.A.C. 5:73-17, and when referred to in Subchapter 17 of this chapter, may be referred to as this subchapter.

18. Subchapter 18 is entitled “Fire Investigator” and may be cited throughout the Standards as N.J.A.C. 5:73-18, and when referred to in Subchapter 18 of this chapter, may be referred to as this subchapter.

#### 5:73-1.2 Authority

These standards are promulgated by the Commissioner of Community Affairs pursuant to the authority of the Uniform Fire Safety Act, [(P.L. 1983, [c.383] c. 383[.] (N.J.S.A. 52:27D-192 et seq., specifically 52:27D-198 and 52:27D-219) and of the [Act]act, which establishes a Division of Fire Safety in the Department of Community Affairs, [(P.L. 1983, [c.382] c. 382, amended by P.L. 1993, [c.218] c. 218[.] (N.J.S.A. 52:27D-25a et seq., specifically 52:27D-25d), and further amended by P.L. 1995, [c.266] c. 266[.] (N.J.S.A. 52:27D-25a et seq., specifically 52:27D-25i, j, k, and m) and P.L. 2013, c. 32 (N.J.S.A. 52:27D-25kk).

#### 5:73-1.3 Intent and purpose

(a) It is the intent of the Standards to control all matters relating to qualifications for, and the training and certification of all members of the fire service, including firefighters, and officers engaged in, or to be engaged in, fire suppression activities, [and] all fire service instructors, **and fire investigators**.

1. (No change.)

(b) The Uniform Fire Safety Act and related legislation, specifically N.J.S.A. 52:27D-25a et seq., have been adopted to ensure public safety and welfare. In order for fire suppression activities to be conducted adequately and effectively, members of the fire service will need to have sufficient knowledge and competence. This can best be achieved through the creation of an education and training program and the development of certification requirements.

1. It is the purpose of this chapter to establish standards and procedures for the certification of persons involved in fire suppression activities including but not limited to firefighter recruits, firefighters, fire officers, [and] fire service instructors, **and fire investigators**.

(c) (No change.)

#### 5:73-1.4 Definitions

The following terms shall have the meanings indicated, except where the context clearly requires otherwise.

...  
**“Fire investigator” means a qualified person who enters the fire scene after fire suppression has been completed, and through the use of a systematic and approved scientific methodology, determines the origin, cause, and responsibility of a fire.**

...  
**“Firefighter II” means any person who has the duty of performing fire suppression, rescue and hazardous material response for a public event,**

emergency management incident, fire, fire drill or any other similar occasion and who has completed a prescribed firefighter instructional program [consistent with N.J.A.C. 5:73-4.3(a) and (b)] **adopted by the Office of Training and Certification**. For purposes of this chapter, “firefighter II” shall not include State forest fire service firefighters.

**“International Fire Service Accreditation Congress (IFSAC)” means the non-profit organization that is a peer-driven, self-governing system of both fire service certification programs and higher education fire-related degree programs. IFSAC’s mission is to plan and administer a high-quality, uniformly delivered accreditation system with an international scope. The IFSAC administrative office may be contacted by writing to: IFSAC, 1812 Tyler Avenue, Stillwater, OK 74078.**

...  
**“National Board on Fire Service Professional Qualifications” (“NBFSPO” or “Pro Board”) means the non-profit organization, which was founded solely to enhance the job performance and credibility of those individuals within the fire service and allied professions. The Pro Board may be contacted by writing to: The Pro Board, PO Box 690632, Quincy, MA 02269.**

#### 5:73-1.5 Office established; hearings

(a)-(b) (No change.)

(c) Any person aggrieved by any notice, action, ruling, or order of the Commissioner, with respect to this chapter, shall have a right to a hearing before the Office of Administrative Law, in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., **and 52:14F-1 et seq.**, and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1. The final decision in any such case shall be issued by the Commissioner.

1. The aggrieved person must request a hearing. The request must be made within 15 days after receipt of the action or ruling being contested. The request shall be made to the Hearing Coordinator, Department of Community Affairs, **Division of Fire Safety**, PO Box [802] **809**, Trenton, NJ [08625-0802] **08625-0809**. The request for hearing shall raise all issues that will be set forth at the hearing.

#### 5:73-1.6 Certifications required

(a) (No change.)

(b) No person shall be promoted into a fire service position the duties of which require the management of emergency operations if such person has not first obtained, at least, an Incident Management Level 1 certification, per N.J.A.C. 5:73-[6.1(b)]**3.2(b)**.

(c) No fire service supervisor shall assume, nor be assigned to, any position the duties of which require the management of emergency operations unless such supervisor has obtained, at least, an Incident Management Level 1 certification, per N.J.A.C. 5:73-[6.1(b)]**3.2(b)**.

(d) Exception to (b) and (c) above: Fire service personnel whose supervisory or management responsibilities are defined in a written fire department policy as being restricted to non-fire related activities, non-fire related rescue, or emergency medical care shall not be required to obtain Firefighter [1] **I** certification as a prerequisite for Incident Management Level 1 certification.

#### 5:73-1.7 Requirements for certification or a certificate

(a) Any candidate for certification or a certificate in any of the fire service areas pursuant to this chapter shall submit an application to the Office of Training and Certification in the Division of Fire Safety, accompanied by the required fee [established at] **if one is required pursuant to** N.J.A.C. 5:73-1.10. The application shall include such information and documentation as the Office may require.

**1. Where a signature is required on an application, an electronic signature will be accepted.**

(b) (No change.)

#### 5:73-1.9 Revocation of certification or certificate and alternative sanctions

(a) The Division may suspend and/or revoke a certification or certificate if the Department has determined that the holder:

1. (No change.)

2. Has fraudulently or deceitfully practiced [as a certified or certificated firefighter or fire instructor] **in any of the credentialed titles found in this chapter;**

3.-7. (No change.)

(b) The Division, in addition or as an alternative, as the case may be, to revoking or suspending a certification or certificate, or assessing a penalty, may issue a letter of warning, reprimand or censure with regard to any conduct that, in the judgment of the Department, warrants a letter of warning, reprimand, or censure. Such letter, in addition to any other filing requirements, shall be made a part of the certification file of the individual.

1. In the case of [any instructor certified or certificated pursuant to] **anyone acting in any of the credentialed titles found in this chapter,** the Commissioner shall be authorized to:

i.-iv. (No change.)

2. (No change.)

(c) Conviction of a crime of **1st, 2nd, or 3rd degree,** or an offense in connection with the practice as a [certified firefighter, fire officer or fire service instructor] **credentialed title found in this chapter,** shall result in revocation of a certification.

5:73-1.11 Referenced standards and publications

(a) (No change.)

[(b) Copies of Thomson Delmar Learning publications incorporated by reference in this chapter may be obtained by writing to: Delmar Learning, 5 Maxwell Drive, Clifton Park, NY 12065-2919.]

(b) **Copies of the training programs and associated publications may be purchased through the specific publisher. Contact information may be obtained by writing to: New Jersey Division of Fire Safety, Office of Training and Certification, PO Box 809, Trenton, NJ 08625-0809.**

(c) Copies of Jones and Bartlett Publisher publications [incorporated by reference in this chapter] **adopted by the Office of Training and Certification** may be obtained by writing to: Jones and Bartlett Publishers, 40 Tall Pine Drive, Sudbury, MA 01776.

(d) **Copies of International Fire Service Training Association (IFSTA) publications adopted by the Office of Training and Certification may be obtained by writing to: Fire Protection Publications, Oklahoma State University, 930 North Willis, Stillwater, OK 74078-8045.**

(e) **Copies of the Federal Emergency Management Agency (FEMA) courses and publications, which are incorporated herein by reference, may be obtained by writing to: Federal Emergency Management Agency, 500 C Street, S.W., Washington, DC 20472.**

(f) **Copies of the National Fire Academy (NFA) courses, which are incorporated herein by reference, may be obtained by writing to: National Fire Academy, 16825 South Seton Avenue, Emmitsburg, MD 21727.**

(g) **Copies of the American Psychiatric Association Publishing Inc. publications, which are incorporated herein by reference, may be obtained by writing to: The American Psychiatric Association Publishing Inc., 1000 Wilson Boulevard, Arlington, VA 22209.**

(h) **Copies of International Association of Arson Investigators (IAAI) publications, guidelines, and training programs, which are incorporated herein by reference, may be obtained by writing to: IAAI, 2111 Baldwin Avenue, Suite 203, Crofton, MD 21114.**

(i) **Copies of National Association of Fire Investigators (NAFI) publications, guidelines, and training programs, which are incorporated herein by reference, may be obtained by writing to: NAFI, Suite 104, 4900 West Manatee Avenue, Bradenton, FL 34209.**

(j) Pursuant to P.L. 1983, c. 382, the Commissioner incorporates herein by reference the following training standards of the New Jersey Public Safety and Occupational Safety and Health Administration (PEOSHA), and the New Jersey Department of Environmental Protection (DEP), which are incorporated within the adopted training programs in this chapter:

1. PEOSHA Hazardous Materials Standard, 29 CFR 1910.120;

2. PEOSHA Eye and Face Protection Standard, 29 CFR 1910.133;

3. PEOSHA Respiratory Protection Standard, 29 CFR 1910.134;

4. PEOSHA Head Protection Standard, 29 CFR 1910.135;

5. PEOSHA Foot Protection Standard, 29 CFR 1910.136;

6. PEOSHA Hand Protection Standard, 29 CFR 1910.138;

7. PEOSHA Chapter 10 Standard for Firefighters, N.J.A.C. 12:100; and

8. DEP Right-to-Know Standard, N.J.A.C. 7:1G.

## SUBCHAPTER 2. EDUCATIONAL PROGRAMS AND FACILITIES

5:73-2.1 Standards for educational programs

(a) To carry out their responsibilities, fire service personnel must be fully knowledgeable and adequately prepared. This subchapter adopts standards for fire service training and education programs.

1.-2. (No change.)

3. **Programs for airport rescue and firefighting training must meet certain standards to ensure firefighters have the necessary skills and knowledge that the specialized and hazardous nature of airport rescue and firefighting requires.**

4. **Programs for marine firefighting training must meet certain standards to ensure firefighters have the necessary skills and knowledge that the specialized and hazardous nature of marine firefighting for land-based firefighters requires.**

5. **Programs for industrial fire brigade training must meet certain standards to ensure members have the necessary skills and knowledge that the specialized and hazardous nature of industrial firefighting requires.**

6. **Programs for live fire training must meet certain standards to ensure that training is conducted in a safe manner under live fire conditions that the specialized and hazardous nature of firefighting requires.**

7. **Programs for fire officers training must meet certain standards to ensure they have the knowledge and skills necessary to provide leadership and management of fire service members and resources, that the specialized and hazardous nature of firefighting requires.**

8. **Programs for fire department safety officer training must meet certain standards to ensure they have the knowledge and skills necessary to provide leadership and ensure the health and safety of fire service members during training, emergency incidents, and during non-emergency time periods.**

9. **Programs for hazardous materials training must meet certain standards to ensure safety and technical competency of first responders.**

10. **Programs for fire investigators training must meet certain standards to ensure they have the knowledge and skills necessary to investigate fires to determine the origin, cause, and responsibility of a fire.**

11. **Programs for fire apparatus driver/operator training must meet certain standards to ensure that apparatus is operated safely and that the services expected from the apparatus are delivered at an emergency incident.**

12. **Programs for technical rescuer training must meet certain standards to ensure the safety and technical competency of rescuers by rescue specialty.**

13. **Programs to train fire and life safety educators, public information officers, youth firesetter intervention specialists, and youth firesetter program managers must meet certain standards to ensure these positions are performed to national job performance requirements.**

14. **Programs for rapid intervention crews training must meet certain standards to ensure they have the knowledge and skills necessary to rescue firefighters who may become trapped or incapacitated during firefighting operations.**

15. **Programs for wildland firefighters training must meet certain standards to ensure firefighters have the necessary skills and knowledge that the specialized and hazardous nature of wildland firefighting requires.**

16. **Programs for fire police officer training must meet certain standards to ensure roadway safety during emergency incidents and fire department support operations.**

(b) Pursuant to P.L. 1983, c. 382, the Commissioner hereby adopts the following National Fire Protection Association (NFPA) Standards [1001, 2008 Edition, as the Firefighter I and II training standard in the State of New Jersey.], incorporated herein by reference, as amended and supplemented:

1. NFPA 472, 2013 Edition, Standard for Competence of Responders to Hazardous Materials/Weapons of Mass Destruction Incidents, as the training standard for Hazardous Materials Awareness, Hazardous Materials Operations, Mission-Specific Competencies, Hazardous Materials Incident Commanders, Hazardous Materials Specialist Employees, Hazardous Materials Officers, Hazardous Materials Safety Officers, Hazardous Materials Technician, and Hazardous Materials Technician in the State of New Jersey;

2. NFPA 600, 2015 Edition, Standard on Facility Fire Brigades, as the Fire Brigade standard that controls the organizing, operating, training, and equipping of industrial fire brigades in the State of New Jersey;

3. NFPA 921, 2017 Edition, Standard that establishes a Guide for Fire and Explosion Investigations, as a recommended guide and resource to conduct Fire and Explosion Investigations within the State of New Jersey;

4. NFPA 1001, 2013 Edition, Standard for Fire Fighter Professional Qualifications, as the Firefighter I and II training standard in the State of New Jersey;

5. NFPA 1002, 2017 Edition, Standard for Fire Apparatus Driver/Operator Professional Qualifications, as the Fire Apparatus Driver/Operator training standard in the State of New Jersey;

6. NFPA 1003, 2015 Edition, Standard for Airport Fire Fighter Professional Qualifications, as the Airport Firefighter training standard in the State of New Jersey;

7. NFPA 1005, 2014 Edition, Standard for Professional Qualifications for Marine Fire Fighting for Land-Based Fire Fighters, as the Marine Firefighting training standard in the State of New Jersey;

8. NFPA 1006, 2017 Edition, Standard for Technical Rescuer Professional Qualifications, as the Technical Rescue training standard in the State of New Jersey;

9. NFPA 1021, 2014 Edition, Standard for Fire Officer Professional Qualifications, as the Fire Officer training standard in the State of New Jersey;

10. NFPA 1031, 2014 Edition, Standard for Professional Qualifications for Fire Inspector and Plan Examiner, as the Fire Inspector (Uniform Fire Code) training standard in the State of New Jersey;

11. NFPA 1033, 2014 Edition, Standard for Professional Qualifications for Fire Investigator, as the Fire Investigator training standard in the State of New Jersey;

12. NFPA 1035, 2015 Edition, Standard for Professional Qualifications for Fire and Life Safety Educator, Public Information Officer, Youth Firesetter Intervention Specialist, and Youth Firesetter Program Manager, as the Fire and Life Safety Educator, Public Information Officer, Youth Firesetter Intervention Specialist, and Youth Firesetter Program Manager training standard in the State of New Jersey;

13. NFPA 1037, 2016 Edition, Standard for Professional Qualifications for Fire Marshal, as the Fire Marshal training standard in the State of New Jersey;

14. NFPA 1041, 2012 Edition, Standard for Fire Service Instructor Professional Qualifications, as the Fire Service Instructor training standard in the State of New Jersey;

15. NFPA 1081, 2012 Edition, Standard for Industrial Fire Brigade Member Professional Qualifications, as the Industrial Fire Brigade Member training standard for Industrial Fire Brigade Members and Leader in the State of New Jersey;

16. NFPA 1142, 2017 Edition, Standard on Water Supplies for Suburban and Rural Fire Fighting, as the Water Supplies for Suburban and Rural Fire Fighting training standard in the State of New Jersey;

17. NFPA 1403, 2012 Edition, Standard on Live Fire Training Evolutions, as the Live Fire Training standard in the State of New Jersey;

18. NFPA 1407, 2015 Edition, Standard for Training Fire Service Rapid Intervention Crews, as the Rapid Intervention Crews training standard in the State of New Jersey;

19. NFPA 1451, 2013 Edition, Standard for a Fire and Emergency Vehicle Operations Training Program, as the Fire and Emergency Vehicle Operations Training Program in the State of New Jersey; and

20. NFPA 1521, 2015 Edition, Standard for Fire Department Safety Officer Professional Qualifications, as the Safety Officer training standard in the State of New Jersey.

(c) Pursuant to P.L. 1983, c. 382, the Commissioner incorporates herein by reference, the following training standards of the New Jersey Public Safety and Occupational Safety and Health Administration (PEOSHA), and the New Jersey Department of Environmental Protection (DEP), incorporated within the adopted training programs of this chapter:

1. PEOSHA Hazardous Materials Standard, 29 CFR 1910.120;

2. PEOSHA Eye and Face Protection Standard, 29 CFR 1910.133;

3. PEOSHA Respiratory Protection Standard, 29 CFR 1910.134;

4. PEOSHA Head Protection Standard, 29 CFR 1910.135;

5. PEOSHA Foot Protection Standard, 29 CFR 1910.136;

6. PEOSHA Hand Protection Standard, 29 CFR 1910.138;

7. PEOSHA Chapter 10 Standard for Firefighters, N.J.A.C. 12:100; and

8. DEP Right-to-Know Standard, N.J.A.C. 7:1G.

5:73-2.2 Eligible organizations

(a)-(b) (No change.)

(c) Eligible organizations shall be grouped into a three-tier system.

1.-2. (No change.)

3. In order to qualify as a Tier-3 Eligible Organization, an organization must, at the minimum, provide Classroom Level A as specified in N.J.A.C. 5:73-2.4(b) and must be recognized by OSHA as an industrial fire brigade as described in NFPA 600, Standard on Industrial Fire Brigades, [2000] 2015 edition, incorporated herein by reference, as amended and supplemented.

(d) The Division shall restrict its testing to Tier-1 and Tier-3 Eligible Organizations, and Career Fire Departments.

(e) Eligible organizations shall implement all guidelines, directives, and standard operating procedures established by the Office of Training and Certification for any programs approved through this chapter.

5:73-2.3 Procedure for approving educational programs

(a)-(c) (No change.)

(d) Upon verification that the program or course will satisfy the educational program requirements, the Office of Training and Certification shall:

1. Issue a letter or e-mail of approval to the institution or organization, which [letter] shall identify the educational program identification number and contain any terms or conditions of such approval;

2. (No change.)

(e)-(g) (No change.)

5:73-2.4 Facility requirements

(a)-(b) (No change.)

(c) Drill Area [A] requirements are as follows:

1.-2. (No change.)

3. The following materials shall be available:

i. Fire hose, couplings and tools as specified in [N.J.A.C. 5:73-4.3(a)12vi] the adopted training program;

ii. Forcible entry tools as specified in [N.J.A.C. 5:73-4.3(a)3vi] the adopted training program;

iii. Salvage covers as specified in [N.J.A.C. 5:73-4.3(a)11 vi] the adopted training program;

iv. Lengths of rope as specified in [N.J.A.C. 5:73-4.3(a)8vi] **the adopted training program;**

v. Ladders as specified in [N.J.A.C. 5:73-4.3(a)18vi] **the adopted training program;**

vi.-vii. (No change.)

viii. Materials for rescue drills as specified in [N.J.A.C. 5:73-4.3(a)23vi:] **the adopted training program;** and

ix. Wedges or sprinkler tongs as specified in [ N.J.A.C. 5:73-4.3(a)25vi] **the adopted training program.**

(d)-(i) (No change.)

#### 5:73-2.5 Live fire training permit

(a) A permit shall be required and obtained from the Division of Fire Safety for live fire training in, or in any part of, any building, structure, motor vehicle, or any other training mock-up or area, or area of land or portion thereof, on which firefighters or industrial fire brigade members are to be trained.

1. Prior to conducting any fire training, including such training for industrial fire brigade members, the instructor-in-charge shall ensure that each participant is certified as Firefighter I in accordance with N.J.A.C. 5:73-4 or each participant has completed **the adopted State training** [modules 4a, 4b, 4c, 6a, 6b, 7a, 7b, 7c, 8a, 8b, 9a, 9b, 9c, 14a, 14b, 15, 16a, and 16b as specified in N.J.A.C. 5:73-4.3(a)33vi] **programs for: self-contained breathing apparatus, salvage and overhaul, fire hose, appliances and adapters, fire streams and nozzles, ladders, safety, fire behavior, portable fire extinguishers, and live fire evolution.**

i. In lieu of Firefighter I certification or completion of the required [modules] **training program content**, documentation of completion of prerequisite training as required by NFPA 1403, [1997] **2012** edition, incorporated herein by reference, **as amended and supplemented**, for the appropriate training facility, must be provided by the fire chief or industrial fire brigade chief.

ii. Industrial fire brigade members receiving training for incipient stage firefighting, advanced exterior firefighting, interior structural firefighting or advanced exterior and interior firefighting including pan fire extinguisher training as described in NFPA 600, Standard on Industrial Fire Brigades, [2000] **2015** edition, incorporated herein by reference, **as amended and supplemented**, must meet the requirements of [Section 3-2, 4-2, 5-2 or 6-1] **the components of requisite knowledge and skills contained in the standard** as appropriate, of NFPA 600, [2000] **2015** edition, and provide documentation as specified in (a)3 below.

2. Prior to conducting any live fire training for industrial fire brigade members, the industrial brigade must provide the eligible organization and/or the approved facility with a copy of the industrial brigade's Organizational Statement as required by the Federal Occupational Safety and Health Administration a minimum of two weeks prior to the scheduled training. Failure to provide this statement and supporting documents will prohibit the industrial brigade members from participating in live fire training.

i. All live fire training provided to industrial fire brigades must be conducted in accordance with NFPA 600, Standard on Industrial Fire Brigades, [2000] **2015** edition, NFPA 1403, Standard on Live Fire Training Evolutions, [1997] **2012** edition, [and documented as specified in (a)3 below.] **from the chief of the industrial fire brigade, in writing, on industry letterhead. Such verification shall become part of the written record as required by (e)6 below.**

3. The instructor-in-charge shall accept verification of certification or training, or the completion of the necessary training modules, from an officer of the participant's fire department or industrial fire brigade, in writing, on fire department or industry letterhead or as part of the application to use the approved facility. Such verification shall become part of the written record required by (e)6 below.

i. The eligible organization shall accept verification that all live fire training provided to industrial fire brigade members will be conducted in accordance with NFPA 600, [2000] **2015** edition, and NFPA 1403, Standard on Live Fire Training Evolutions, [1997] **2012** edition, **as amended and supplemented**, from the chief of the industrial fire brigade, in writing, on industry letterhead. Such verification shall become part of the written record as required by (e)6 below.

(b)-(d) (No change.)

(e) Requirements for live fire training exercises are as follows:

1. Applications shall certify that all live fire training exercises shall be conducted in accordance with NFPA 1403, Standard on Live Fire Training Evolutions, [1997 ed.] **2012** edition, for the type of facility as described in that standard, where the live fire training will be conducted. In the event of any conflict between this section and the NFPA standards, the provisions of this section shall apply.

2. The instructor-in-charge of the live fire training exercise shall meet the requirements of N.J.A.C. 5:73-5.3 and hold valid certification issued by the Division as [a Fire Service] **an Instructor** [Level 2, SCBA/Smokehouse Instructor] **II** and [Live Burn] **Drill Ground** Instructor.

i. All other instructors utilized for the live fire training exercise shall hold valid certification, at a minimum, as [Fire Service] **an Instructor** [level 1, SCBA/Smokehouse Instructor and Live Burn] **I and Drill Ground** Instructor.

3.-6. (No change.)

(f)-(h) (No change.)

### SUBCHAPTER 3. [(RESERVED)] INCIDENT MANAGEMENT SYSTEM CERTIFICATION

#### 5:73-3.1 General provisions

(a) It is the purpose of this subchapter to establish criteria for certifying various levels of Incident Management System certification. For purposes of this subchapter, credentialing shall not apply to wildland firefighters in the State of New Jersey Forest Fire Service.

(b) Copies of Federal Emergency Management Agency (FEMA) national incident management system training programs and courses referenced in this subchapter may be obtained by writing to: Federal Emergency Management Agency, 500 C Street, S.W., Washington, DC 20472.

#### 5:73-3.2 Incident management system certification

(a) All fire service personnel shall satisfactorily complete the following training programs: "I-100 Introduction to Incident Command System" and "I-700 National Incident Management System (NIMS), An Introduction."

(b) A certification for Incident Management Level 1 shall be granted to a member of the fire service who meets the following requirements, he or she shall:

1. Have been a member of a fire department who has been qualified and performed as a "structural firefighter" for at least three years prior to application. Proof of structural firefighting experience shall be verified in writing by the chief of department on fire department letterhead. Experience as a junior firefighter shall not count for structural firefighter verification;

2. Be at least 21 years of age;

3. Have obtained Firefighter I certification per N.J.A.C. 5:73-4; and

4. Have satisfactorily completed a classroom instructor-led program of the Federal Emergency Management Agency (FEMA) course titled "I-200 ICS for Single Resources and Initial Action Incidents."

(c) A certification for Incident Management Level 2 shall be granted to a member of the fire service who meets the following requirements, he or she shall:

1. Have obtained Incident Management Level 1 certification under (b) above; and

2. Have satisfactorily completed a classroom instructor-led program of the Federal Emergency Management Agency (FEMA) course titled "I-300 Intermediate ICS for Expanding Incidents."

(d) A certification for Incident Management Level 3 shall be granted to a member of the fire service who meets the following requirements, he or she shall:

1. Have obtained Incident Management Level 2 certification under (c) above; and

2. Have satisfactorily completed a classroom instructor-led program of the Federal Emergency Management Agency (FEMA)

course titled "I-400 Advanced ICS for Command and General Staff."

(e) A classroom instructor-led program of instruction that is considered by the applicant to be substantially the same as the training program may be submitted for review and approval by the Office of Training and Certification. The Office of Training and Certification shall maintain a list of reviewed and approved substitute courses.

(f) Incident management system certification is permitted for Emergency Medical Service (EMS) response personnel who meet the following criteria: Personnel whose role and duty is exclusively limited to emergency medical services response may substitute a current valid Emergency Medical Technician-Basic (EMT-B) certificate or Emergency Medical Technician-Paramedic (EMT-P) license issued by the New Jersey Department of Health, Office of Emergency Medical Services in lieu of the Firefighter I certification as specified in (b)3 above. Proof of three years experience as a credentialed EMT-B or EMT-P shall be verified in writing by the EMS chief/captain on organizational/department letterhead, which shall substitute for the firefighter experience requirement established in (b)1 above.

#### SUBCHAPTER 4. FIREFIGHTER I AND II

##### 5:73-4.1 General provisions

(a) It is the purpose of this subchapter to establish criteria for certifying various levels of Firefighter. For purposes of this subchapter, credentialing shall not apply to wildland firefighters in the State of New Jersey Forest Fire Service.

1. Duties and responsibilities of Firefighter I and II are as follows:

i. A certified Firefighter I and II shall work under direct supervision.

(b) Copies of National Fire Protection Association (NFPA) standards, incorporated herein by reference, may be obtained by writing to: NFPA, 1 Batterymarch Park, Quincy, MA 02169.

(c) Copies of the N.J.A.C. 5:73 Appendix, incorporated herein by reference, may be obtained by writing to: New Jersey Division of Fire Safety, Office of Training and Certification, PO Box 809, Trenton, NJ 08625-0809.

(d) Copies of the Developmental Disabilities Awareness Act (N.J.S.A. 26:2-189), incorporated herein by reference, may be obtained by writing to: New Jersey Division of Developmental Disabilities, PO Box 726, Trenton, NJ 08625-0726.

(e) Copies of the adopted training program may be purchased through the specific publisher. Contact information may be obtained by writing to: New Jersey Division of Fire Safety, Office of Training and Certification, PO Box 809, Trenton, NJ 08625-0809.

(f) Copies of the Pro Board accreditation policies and procedures, incorporated herein by reference, may be obtained by writing to: The Pro Board, PO Box 690632, Quincy, MA 02269.

(g) Copies of the IFSAC accreditation policies and procedures, incorporated herein by reference, may be obtained by writing to: IFSAC, 1812 West Tyler Avenue, Stillwater, OK 74078.

##### 5:73-4.2 Certification and adopted training programs

(a) Certification for Firefighter shall be granted to an individual who has submitted an application for certification to the Office of Training and Certification; is at least 18 years of age; has successfully completed the adopted State instructional program for the certification title applied; and successfully passed the State exams that evaluate the Job Performance Requirements (JPRs) and components of requisite knowledge and skills contained in the NFPA 1001, 2013 Edition, Standard for Fire Fighter Professional Qualifications, and NFPA 472, 2013 Edition, Standard for Competence of Responders to Hazardous Materials/Weapons of Mass Destruction Incidents, incorporated herein by reference, as amended and supplemented.

1. Upon successful completion of the adopted training program, or a program recognized as equivalent by the Office of Training and Certification, an individual shall be eligible to apply for State

certification and may perform interior structural firefighting under direct supervision.

(b) The following firefighter titles, which are associated with the adopted standard, shall be issued by the Office of Training and Certification:

1. Firefighter I; and
2. Firefighter II.

(c) Prior to receiving a certification as Firefighter I, firefighter candidates grade 1 and grade 2 may perform the designated functions after completing training topics within the adopted training program.

##### 1. Firefighter Candidate Grade I.

i. Successful completion of the Firefighter I adopted training program content: Orientation/Fire Department Organization; Self-contained Breathing Apparatus; Self-contained Breathing Apparatus Drill; Fire Hose, Appliances and Adapters; Fire Hose, Appliances and Adapters Drill; Ladders; Ladders Drill; Safety; Safety Drill; and Fire Behavior.

ii. Fire departments shall be authorized to permit the firefighter candidate grade I to respond to fire alarms, and under direct supervision, assist in exterior firefighting involving laying and connecting hose lines and raising ladders.

##### 2. Firefighter Candidate Grade II.

i. Successful completion of the Firefighter I adopted training program content as established for firefighter candidate grade I, and additional instruction in: Forcible Entry; Forcible Entry Drill; Ropes and Knots; Ropes and Knots Drill; Salvage and Overhaul; Salvage and Overhaul Drill; Sprinklers; Sprinkler Drill; Fire Alarms and Communications; Portable Fire Extinguishers; and Fire Extinguisher Drill.

ii. Fire departments shall be authorized to permit the firefighter candidate grade II to respond to fire alarms, and under direct supervision, assist in all exterior firefighting operations.

(d) The Office of Training and Certification within the Division of Fire Safety shall be permitted to adopt a training program, establish training policies, procedures, and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications.

1. The adopted training program and equivalency determination shall comply with the current edition of the adopted NFPA 1001 standard. Upon an NFPA standard edition change, the Office of Training and Certification shall have two years from the NFPA adoption date to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition.

2. Additional instruction shall be incorporated into the adopted training program utilizing:

i. The N.J.A.C. 5:73 Appendix, which includes topics in fire service organization, pertinent Federal and State standards, rules, and regulations, overview of public utilities, propane, and carbon monoxide hazards;

ii. The Developmental Disabilities Awareness Act, N.J.S.A. 26:2-189, which provides instruction in autism and intellectual developmental disabilities awareness for first responders; and

iii. Any additional instructional topics approved and/or directed by the Office of Training and Certification.

3. All live fire training conducted in the adopted training program shall be conducted in accordance with NFPA 1403, 2012 Edition, Standard on Live Fire Training Evolutions, incorporated herein by reference, as amended and supplemented.

i. Live burn instruction shall be conducted through a Tier-1 eligible organization, as specified in N.J.A.C. 5:73-2.2; using approved facilities, as specified in N.J.A.C. 5:73-2.4; and which possess a valid live burn Type A permit as specified in N.J.A.C. 5:73-2.5 issued by the Office of Training and Certification.

4. Facilities and props used for non-live burn training shall meet the specifications in N.J.A.C. 5:73-2.4, specific to its designated use and design, and shall be approved by the Office of Training and Certification.

5. Tier-1 eligible organizations and their facilities shall be permitted to establish additional local jurisdiction operational requirements regarding the use and training conducted in accordance with this subchapter. Local jurisdiction requirements shall not conflict with the intent of the training procedures or forms adopted by the Office of Training and Certification.

#### 5:73-4.3 Training program instructor requirements

(a) Instructors of the adopted training program shall be certified by the Office of Training and Certification as an Instructor Level I or II or Adjunct Instructor, and shall meet the instructional competency requirements of the adopted training program. The overall program delivered shall be supervised by an Instructor Level II with a Drill Ground Instructor Certificate.

(b) All drill ground and live fire training provided in the adopted training program shall require certified instructors to possess a Drill Ground Instructor Certificate issued by the Office of Training and Certification. Live fire training shall be supervised by an Instructor Level II with a Drill Ground Certificate.

(c) Adjunct instructors shall be permitted for specialized instruction in: hazardous materials, utilities, wildland/urban interface, first aid, cardio-pulmonary resuscitation, incident command system, burn education, and bloodborne pathogens. Additional topics of instruction shall be permitted upon approval of the Office of Training and Certification. Approved Adjunct Instructors shall be competent in the area of specialty and be accredited by other professional organizations at a state or national certification level.

#### 5:73-4.4 Examination requirements

(a) Applicants for the Firefighter certifications shall demonstrate competency of the adopted standard by successful completion of written and practical examinations administered through the Office of Training and Certification.

1. Applicants shall have three opportunities to successfully pass the written and practical examinations for each title tested. If an applicant fails the third attempt to pass an examination, he or she shall be required to repeat the adopted training program in its entirety before additional examinations will be administered to the individual for the title tested.

2. Written and practical exams must be passed with a minimum score of 70 percent for written and 80 percent for practical.

#### 5:73-4.5 Learning disabilities accommodations

(a) Accommodations for persons with documented learning disabilities will be established for written examinations as follows:

1. The Office of Training and Certification within the Division of Fire Safety and eligible institutions or organizations approved through this chapter shall offer reasonable and appropriate accommodations for those persons with learning disabilities in reading decoding, reading comprehension, and/or written expression.

2. A person requesting accommodations for written examinations shall make the request to the instructor of the training program, at least 30 calendar days prior to the examination date.

3. Documentation of the learning disability shall include one of the following:

i. A diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or

ii. A diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, as amended and supplemented. This manual may be obtained by contacting the American Psychiatric Association, Suite 1825, 1000 Wilson Boulevard, Arlington, VA 22209 or at [www.psychiatry.org](http://www.psychiatry.org).

(b) All diagnoses shall have been made within five years of the date of the written examination.

(c) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted a total of three hours to complete a 100-question exam, one and one-half hours for a 50-question exam, and 45 minutes for a 25-question exam. Variations of these written examinations that use different quantities of examination questions shall be adjusted at the discretion of the instructor to reflect a comparable accommodation.

(d) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted to receive the written examination by oral delivery from the training program staff. Oral examinations shall be delivered using the ratio of 1:1 (one instructor to one student).

(e) A maximum of three attempts per examination title shall be provided for a student to pass written examinations. A minimum passing score shall be 70 percent correct.

(f) All attempts to successfully pass written examinations shall be completed by the student according to the eligible training organization's policies and course completion timeline requirements.

#### 5:73-4.6 National credentialing of certifications issued

(a) Certifications issued pursuant to this subchapter, which have been accredited by the Pro Board, and/or by the IFSAC, shall be processed through the Office of Training and Certification.

1. Applicants seeking national credentialing of certifications issued through this subchapter shall meet the policies and procedures established by the Office of Training and Certification.

(b) National credentialing shall conform to the policies and procedures of the Pro Board and IFSAC, incorporated herein by reference, and any subsequent adoption by either organization.

(c) The payment of a certificate registration fee established through the Pro Board and/or IFSAC for each certification issued may be required, as established or amended by these independent credentialing organizations. The specific fees applied shall be set forth in the application form established by the Office of Training and Certification.

### SUBCHAPTER 5. INSTRUCTORS

#### 5:73-5.1 General provisions

(a) It is the purpose of this subchapter to establish criteria for certifying various levels of instructors of fire service courses. For purposes of this subchapter, credentialing shall not apply to wildland firefighters in the State of New Jersey Forest Fire Service.

(b) Copies of the adopted training program may be purchased through the specific publisher. Contact information may be obtained by writing to: New Jersey Division of Fire Safety, Office of Training and Certification, PO Box 809, Trenton, NJ 08625-0809.

(c) Copies of the N.J.A.C. 5:73 Appendix, incorporated herein by reference, may be obtained by writing to: New Jersey Division of Fire Safety, Office of Training and Certification, PO Box 809, Trenton, NJ 08625-0809.

(d) Copies of the Pro Board accreditation policies and procedures, incorporated herein by reference, may be obtained by writing to: The Pro Board, PO Box 690632, Quincy, MA 02269.

(e) Copies of the IFSAC accreditation policies and procedures, incorporated herein by reference, may be obtained by writing to: IFSAC, 1812 West Tyler Avenue, Stillwater, OK 74078.

#### 5:73-5.2 Certification and adopted training programs

(a) Certification for Instructor shall be granted to an individual who:

1. Has submitted an application for certification to the Office of Training and Certification;
2. Is at least 21 years of age;
3. Obtained prerequisite certification and experience as specified in (d) below;
4. Has successfully completed the adopted State instructional program for the certification title applied; and
5. Successfully passed the State exams that evaluate the Job Performance Requirements (JPRs) and components of requisite

knowledge and skills contained in the NFPA 1041, 2012 Edition, Standard for Fire Service Instructor Professional Qualifications, NFPA 1403, 2012 Edition, Standard on Live Fire Training Evolutions, and N.J.A.C. 73 Appendix, incorporated herein by reference, as amended and supplemented.

(b) The following instructor titles, which are associated with the adopted standard, and the Drill Ground and Adjunct Instructor certification programs, shall be issued by the Office of Training and Certification:

1. Instructor I;
2. Instructor II;
3. Drill Ground Instructor; and
4. Adjunct Instructor.

(c) The Office of Training and Certification shall not require previously issued instructor certifications to be resubmitted. The previously issued Instructor Level 1 and Instructor Level 2 certifications shall be deemed valid and equivalent to the associated instructor certifications of this subchapter.

(d) Prerequisite certification titles issued by the Office of Training and Certification and experience shall apply to Instructor certification levels adopted by this subchapter:

1. Instructor I shall have obtained Fire Fighter I certification in accordance with this chapter and verify a minimum of three years experience as a certified Fire Fighter I.

2. Instructor II shall have obtained Instructor I certification in accordance with this subchapter and provide documentation of at least two years experience as an instructor, by providing a letter from the fire chief, training officer, or training academy director attesting to the number of courses taught, hours taught, and listing of topics taught.

3. Drill Ground Instructor shall have obtained Instructor I or II certifications in accordance with this subchapter.

4. Adjunct Instructor shall be certified by another jurisdiction/agency to instruct a specific topic, such as public education, professional development, safety, management, emergency medical services, or similar specialized topics; have completed the train-the-trainer program, if adopted by the Office of Training and Certification; and have two years instructional experience in the subject areas to be instructed, along with extensive knowledge and experience in the subject.

(e) The following certificates, courses, or experience will be accepted as substitutes for the Instructor I and II adopted program:

1. A valid New Jersey Teacher's Certificate or equivalent;
2. A valid Instructional Certificate with an endorsement for a teacher of skilled trades in fire science; or
3. Any other course taken can be submitted by the candidate to the Office of Training and Certification for an evaluation by the Office as equivalent.

(f) The Office of Training and Certification within the Division of Fire Safety shall be permitted to adopt a training program, establish training procedures and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications and continuing education credit.

1. The adopted training program and equivalency determination shall comply with the current edition of the adopted NFPA 1041 and 1403 standards. Upon an NFPA standard edition change, the Office of Training and Certification shall have two years from the NFPA adoption date to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition.

2. Additional instruction shall be incorporated into the adopted training program if approved and/or directed by the Office of Training and Certification.

(g) Only educational programs completed within the three years prior to, or at the time of, application shall be accepted toward fulfilling the requirements for certification. The use of the exception provision below shall be restricted to a one-time issuance by certification title, and shall not be used if a certification once issued is permitted to lapse.

1. Exceptions shall be under (d) above or other equivalent educational programs from organizations accredited by Pro Board or IFSAC.

#### 5:73-5.3 Training program instructor requirements

(a) Instructors of the adopted training program shall be certified by the Office of Training and Certification as an Instructor Level I, II, or Adjunct Instructor, and shall meet the instructional competency requirements of the adopted training program. Instructors shall have completed the train-the-trainer program if adopted by the Office of Training and Certification. The overall program delivered shall be supervised by an Instructor Level II with a Drill Ground Instructor Certificate.

(b) All drill ground and live fire training content provided in the adopted training program shall require certified instructors to possess a Drill Ground Instructor Certificate issued by the Office of Training and Certification.

(c) Adjunct instructors shall be permitted for specialized instruction in: public education, professional development, safety, management, emergency medical services, or similar specialized topics. Instructors shall be competent in the area of specialty and be accredited by other professional organizations at a state or national certification level.

#### 5:73-5.4 Renewal of certification

(a) Beginning January 1, 1999, and every three years thereafter, any instructor certification already issued shall be renewed upon submission of an application and verification by the Office of Training and Certification that the applicant has met the continuing education requirements established by this subchapter. The Office of Training and Certification shall renew, for a term of three years, the certification previously issued. The expiration date of the certification shall be April 30, if all documentation is completed and received between November 1 and April 30, or October 31, if all documentation is completed and received between May 1 and October 31.

(b) Continuing education requirements, as follows, shall be met for renewal of certification. The requirements are based upon the type(s) of certification(s) held and not upon employment position held. Continuing education units (CEUs) shall be approved by the Office of Training and Certification for various certifications (1.0 CEU equals 10 contact hours).

1. Instructor I—1.5 CEUs;
2. Instructor II—1.5 CEUs; and
3. Drill Ground Instructor—0.5 CEUs.

(c) Continuing education credit obtained in a certification cycle shall not carry over into the next cycle.

(d) Where the holder of a certification has allowed the certification to lapse by failing to renew the certification as provided for in (a) above, a new application, and certification shall be required.

1. If such application is made within six months of the certification having lapsed, then application may be made in the same manner as a renewal.

i. Continuing education credit shall not be applied to more than one certification cycle.

2. Upon a finding that a certification was previously held and that any applicable continuing education requirements have been satisfied the certification shall be issued.

3. Where the former certification has lapsed for a period exceeding six months, a new application shall be required in accordance with this subchapter.

i. A medical accommodation shall be made for individuals who document a serious medical condition and/or treatment that prevents him or her from obtaining the required CEUs within a three-year certification cycle. The Office of Training and Certification shall review and determine justification for the medical accommodation, and shall be authorized to extend the renewal period for a length that accommodates the medical condition and/or treatment. During the medical accommodation time period, the previously issued certification will be invalid until renewed. Upon



the individual satisfying the CEUs required to renew a certification, the Office of Training and Certification shall renew the certification.

#### 5:73-5.5 Continuing education program approval and credit

(a) Any organization or institution may submit any course that complies with the requirements of this subchapter for credit as a continuing education program. A "course delivery form" adopted by the Office of Training and Certification shall be required for each program delivery, and must be submitted to the Office of Training and Certification within 10 working days of the completion date of the program.

(b) Any certified instructor may submit any course that complies with the requirements of this chapter for credit as a continuing education program. The submittal shall include: the program delivery sponsoring organization or institution name, title of the course or program, date(s) of the program, the course or program completion certificate, program description/syllabus, the total hours of the program, and the requested type of CEU credit to be issued.

(c) Continuing education units (CEUs) shall be approved by the Office of Training and Certification for various course durations using the following guide: one-half day programs will receive 0.25 CEUs (2.5 hours); a full-day program shall receive 0.5 CEUs (5 hours); all other durations shall be calculated accordingly.

#### 5:73-5.6 Examination requirements

(a) Applicants for the Instructor certifications shall demonstrate competency of the adopted standard by successful completion of written and practical examinations administered through the Office of Training and Certification.

1. Applicants shall have three opportunities to successfully pass the written and practical examinations for each title tested. If an applicant fails upon the third attempt to pass an examination, he or she shall be required to repeat the adopted training program in its entirety before additional examinations will be administered to the individual for the title tested.

2. Written and practical exams must be passed with a minimum score of 70 percent for written and 80 percent for practical.

3. Only examinations passed within the three years prior to, or at the time of, application shall be accepted toward fulfilling the requirements for certification.

#### 5:73-5.7 Learning disabilities accommodations

(a) Accommodations for persons with documented learning disabilities will be established for written examinations as follows:

1. The Office of Training and Certification within the Division of Fire Safety and eligible institutions or organizations approved through this chapter shall offer reasonable and appropriate accommodations for those persons with learning disabilities in reading decoding, reading comprehension, and/or written expression.

2. A person requesting accommodations for written examinations shall make the request to the instructor of the training program, at least 30 calendar days prior to the examination date.

3. Documentation of the learning disability shall include one of the following:

i. A diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or

ii. A diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, as amended and supplemented by the American Psychiatric Association. This manual may be obtained by contacting the American Psychiatric Association, Suite 1825, 1000 Wilson Boulevard, Arlington, VA 22209 or at [www.psychiatry.org](http://www.psychiatry.org).

(b) All diagnoses shall have been made within five years of the date of the written examination.

(c) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted a total of three hours to complete a 100-question exam, one and one-half hours for a 50-question exam, and 45 minutes for a 25-question exam. Variations of these written examinations that use different quantities of examination questions shall be adjusted at the discretion of the instructor to reflect a comparable accommodation.

(d) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted to receive the written examination by oral delivery from the training program staff. Oral examinations shall be delivered using the ratio of 1:1 (one instructor to one student).

(e) A maximum of three attempts per examination title shall be provided for a student to pass written examinations. A minimum passing score shall be 70 percent correct.

(f) All attempts to successfully pass written examinations shall be completed by the student according to the eligible training organization's policies and course completion timeline requirements.

#### 5:73-5.8 National credentialing of certifications issued

(a) Certifications issued pursuant to this subchapter that have been accredited by the Pro Board and/or by the IFSAC, shall be processed through the Office of Training and Certification.

1. Applicants seeking national credentialing of certifications issued through this subchapter shall meet the policies and procedures established by the Office of Training and Certification.

(b) National credentialing shall conform to the policies and procedures of the Pro Board and IFSAC, incorporated herein by reference, as amended and supplemented.

(c) The payment of a certificate registration fee established through the Pro Board and/or IFSAC for each certification issued may be required, as established or amended by these independent credentialing organizations. The specific fees applied shall be set forth in the application form established by the Office of Training and Certification.

### SUBCHAPTER 6. HAZARDOUS MATERIALS

#### 5:73-6.1 General provisions

(a) It is the purpose of this subchapter to establish criteria for certifying various levels of Hazardous Materials/Weapons of Mass Destruction Incidents responders. For purposes of this subchapter, credentialing shall not apply to wildland firefighters in the State of New Jersey Forest Fire Service.

(b) Copies of National Fire Protection Association (NFPA) standards, incorporated by reference in this subchapter, may be obtained by writing to: NFPA, 1 Batterymarch Park, Quincy, MA 02169.

(c) Copies of the Public Employees Occupational Safety and Health Act (PEOSHA), reference to 29 CFR 1910.120 Hazardous Waste Operations and Emergency Response, may be obtained by writing to: New Jersey Department of Health, PEOSH, PO Box 369, Trenton, NJ 08625-0369.

(d) Copies of the adopted training program may be purchased through the specific publisher. Contact information may be obtained by writing to: New Jersey Division of Fire Safety, Office of Training and Certification, PO Box 809, Trenton, NJ 08625-0809.

(e) Copies of the Pro Board accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: The Pro Board, PO Box 690632, Quincy, MA 02269.

(f) Copies of the IFSAC accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: IFSAC, 1812 West Tyler Avenue, Stillwater, OK 74078.

#### 5:73-6.2 Certification and adopted training programs

(a) Certification of Hazardous Materials/Weapons of Mass Destruction Incidents responders shall be granted to an individual who: has submitted an application for certification to the Office of Training and Certification, is at least 18 years of age, has been issued a Fire Fighter I certification, has successfully completed the

adopted State instructional program for the certification title applied, and successfully passed the State exams that evaluate the Job Performance Requirements (JPRs), specific competencies, requisite knowledge, and skills contained in the NFPA 472, 2013 Edition, Standard for Competence of Responders to Hazardous Materials/Weapons of Mass Destruction Incidents, incorporated herein by reference, as amended and supplemented.

1. The following hazardous materials titles, which are associated with the adopted standard, shall be issued by the Office of Training and Certification:

- i. Hazardous Materials-Awareness Level;
- ii. Hazardous Materials-Operations Level;
- iii. Mission-Specific Competencies: Personal Protective Equipment;
- iv. Mission-Specific Competencies: Mass Decontamination;
- v. Mission-Specific Competencies: Technical Decontamination;
- vi. Mission-Specific Competencies: Evidence Preservation and Sampling;
- vii. Mission-Specific Competencies: Product Control;
- viii. Mission-Specific Competencies: Air Monitoring and Sampling;
- ix. Mission-Specific Competencies: Victim Rescue and Recovery;
- x. Mission-Specific Competencies: Response to Illicit Laboratory Incidents;
- xi. Hazardous Materials-Incident Commander;
- xii. Hazardous Materials-Specialist Employees;
- xiii. Hazardous Materials Officer;
- xiv. Hazardous Materials Safety Officer;
- xv. Hazardous Materials-Technician Level;
- xvi. Hazardous Materials Technician-Tank Car Specialty;
- xvii. Hazardous Materials Technician-Cargo Tank Specialty;
- xviii. Hazardous Materials Technician-Intermodal Tank Specialty;
- xix. Hazardous Materials Technician-Marine Tank and Non-Tank Vessel Specialty;
- xx. Hazardous Materials Technician-Flammable Liquids Bulk Storage Specialty;
- xxi. Hazardous Materials Technician-Flammable Gases Bulk Storage Specialty; and
- xxii. Hazardous Materials Technician-Radioactive Material Specialty.

2. The Office of Training and Certification shall not require previously issued hazardous materials certifications to be resubmitted. The previously issued Hazardous Materials-Awareness, Hazardous Materials-Operations, and Hazardous Materials On-Scene Incident Commander certifications shall be deemed valid and equivalent to the associated hazardous materials certifications of this subchapter.

(b) The Office of Training and Certification within the Division of Fire Safety shall be permitted to adopt a training program, establish training policies, procedures, and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications.

1. The adopted training program and equivalency determination shall comply with the current edition of the adopted NFPA 472 standard. Upon an NFPA standard edition change, the Office of Training and Certification shall have two years from the NFPA adoption date to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition.

2. Additional instruction shall be incorporated into the adopted training program when approved and/or directed by the Office of Training and Certification.

#### 5:73-6.3 Training program instructor requirements

(a) Instructors of the adopted training program shall be certified by the Office of Training and Certification as an Instructor Level I or II, or Adjunct Instructor and be competent in the subject material being presented. The Office of Training and Certification

shall be permitted to determine equivalency of instructional credentials that are established in the adopted standard.

(b) Subject matter experts can be used to “augment” instructional delivery in specialized hazardous materials topics and content approved by the Office of Training and Certification.

#### 5:73-6.4 Examination requirements

(a) Applicants for the hazardous materials certifications shall demonstrate competency of the adopted standard by successful completion of written and practical examinations administered through the Office of Training and Certification.

1. Applicants shall have three opportunities to successfully pass the written and practical examinations for each title tested. If an applicant fails upon the third attempt to pass an examination, he or she shall be required to repeat the adopted training program in its entirety before additional examinations will be administered to the individual for the title tested.

2. Written and practical exams must be passed with a minimum score of 70 percent for written and 80 percent for practical.

#### 5:73-6.5 Learning disabilities accommodations

(a) Accommodations for persons with documented learning disabilities will be established for written examinations as follows:

1. The Office of Training and Certification within the Division of Fire Safety and eligible institutions or organizations approved through this chapter shall offer reasonable and appropriate accommodations for those persons with learning disabilities in reading decoding, reading comprehension, and/or written expression;

2. A person requesting accommodations for written examinations shall make the request to the instructor of the training program, at least 30 calendar days prior to the examination date; and

3. Documentation of the learning disability shall include one of the following:

i. A diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or

ii. A diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association’s Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, as amended and supplemented by the American Psychiatric Association. This manual may be obtained by contacting the American Psychiatric Association, Suite 1825, 1000 Wilson Boulevard, Arlington, VA 22209 or at [www.psychiatry.org](http://www.psychiatry.org).

(b) All diagnoses shall have been made within five years of the date of the written examination.

(c) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted a total of three hours to complete a 100-question exam, one and one-half hours for a 50-question exam, and 45 minutes for a 25-question exam. Variations of these written examinations that use different quantities of examination questions shall be adjusted at the discretion of the instructor to reflect a comparable accommodation.

(d) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted to receive the written examination by oral delivery from the training program staff. Oral examinations shall be delivered using the ratio of 1:1 (one instructor to one student).

(e) A maximum of three attempts per examination title shall be provided for a student to pass written examinations. A minimum passing score shall be 70 percent correct.

(f) All attempts to successfully pass written examinations shall be completed by the student according to the eligible training organization’s policies and course completion timeline requirements.

**5:73-6.6 National credentialing of certifications issued**

(a) Certifications issued pursuant to this subchapter which have been accredited by the Pro Board and/or by the IFSAC, shall be processed through the Office of Training and Certification.

1. Applicants seeking national credentialing of certifications issued through this subchapter shall meet the policies and procedures established by the Office of Training and Certification.

(b) National credentialing shall conform to the policies and procedures of the Pro Board and IFSAC, incorporated herein by reference, as amended and supplemented.

(c) The payment of a certificate registration fee established through the Pro Board and/or IFSAC for each certification issued may be required, as established or amended by these independent credentialing organizations. The specific fees applied shall be set forth in the application form established by the Office of Training and Certification.

**SUBCHAPTER 7. FIRE POLICE OFFICER****5:73-7.1 General provisions**

(a) It is the purpose of this subchapter to establish criteria for certifying personnel who are appointed to the position of Fire Police Officer. For purposes of this subchapter, credentialing shall not apply to wildland firefighters in the State of New Jersey Forest Fire Service.

(b) Copies of the adopted training program may be obtained by writing to: New Jersey Division of Fire Safety, Office of Training and Certification, PO Box 809, Trenton, NJ 08625-0809.

(c) Copies of the N.J.A.C. 5:73 Appendix, incorporated by reference in this subchapter, may be obtained by writing to: New Jersey Division of Fire Safety, Office of Training and Certification, PO Box 809, Trenton, NJ 08625-0809.

(d) Copies of the Developmental Disabilities Awareness Act (N.J.S.A. 26:2-189), incorporated by reference in this subchapter, may be obtained by writing to: New Jersey Division of Developmental Disabilities, PO Box 726, Trenton, NJ 08625-0726.

**5:73-7.2 Certification and adopted training programs**

(a) Certification for Fire Police Officer shall be granted to an individual who: has submitted an application for certification to the Office of Training and Certification; is at least 18 years of age; is a member of a duly organized volunteer fire company; successfully completed the adopted State instructional program for the certification title applied; successfully passed the State exams that evaluate the Job Performance Requirements (JPRs), and components of requisite knowledge and skills contained in the training program adopted by the Office of Training and Certification; and has subscribed an oath administered by the municipal clerk.

(b) The following fire police title, which is associated with this subchapter, shall be issued by the Office of Training and Certification:

**1. Fire Police Officer.**

(c) The Office of Training and Certification within the Division of Fire Safety shall be permitted to adopt a training program, establish training policies, procedures, and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications.

1. Additional instruction shall be incorporated into the adopted training program utilizing:

i. The N.J.A.C. 5:73 Appendix, which includes topics in fire service organization; pertinent Federal and State standards, rules, and regulations, overview of public utilities, propane, and carbon monoxide hazards;

ii. The Developmental Disabilities Awareness Act (N.J.S.A. 26:2-189), which provides instruction in autism and intellectual developmental disabilities awareness for first responders; and

iii. Any additional instructional topics approved and/or directed by the Office of Training and Certification.

**5:73-7.3 Training program instructor requirements**

(a) Instructors of the adopted training program shall be certified by the Office of Training and Certification as an Instructor Level I, II, or Adjunct Instructor, and shall meet the instructional competency requirements of the adopted training program.

(b) All drill ground training provided in the adopted training program shall require certified instructors to possess a Drill Ground Instructor certificate issued by the Office of Training and Certification.

(c) Adjunct instructors shall be permitted for specialized instruction in: local law enforcement procedures, evidence preservation, traffic safety, scene management, communication, report writing, incident command system, burn education, and bloodborne pathogens. Additional topics of instruction shall be permitted upon approval of the Office of Training and Certification. Approved adjunct instructors shall be competent in the area of specialty and be accredited by other professional organizations at a State or national certification level.

**5:73-7.4 Facilities and training procedures**

(a) Facilities and props used for non-live burn training shall meet the specifications in N.J.A.C. 5:73-2.4 specific to its designated use and design, and shall be approved by the Office of Training and Certification.

(b) Eligible organizations and their facilities shall be permitted to establish additional local jurisdiction operational requirements regarding the use and training conducted in accordance with this subchapter. Local jurisdiction requirements shall not conflict with the intent of the training procedures or forms adopted by the Office of Training and Certification.

**5:73-7.5 Appointment provisions**

(a) No member of a volunteer fire company shall be appointed or perform the duties of a fire police officer unless the member is properly certified by the Office of Training and Certification.

1. Exceptions to this specification are set forth in N.J.A.C. 5:73-7.6.

(b) Candidates for fire police officer shall:

1. Be a member of a duly organized volunteer fire company;

2. Document the successful completion of the "New Jersey Fire Police Basic Training Course" or an equivalent course approved by the Office of Training and Certification; and

3. Take and subscribe an oath administered by the municipal clerk and subscribed to in triplicate.

i. The original copy of the oath shall be filed with the municipal clerk.

ii. A copy of the oath shall be filed with the secretary of the fire company making the appointment.

(c) Qualified members shall serve for a term of office not exceeding five years from the date of appointment.

(d) After proper training and appointment, a qualified member shall be recognized as a fire police officer and shall serve in such a capacity anywhere in the county in which he or she is appointed or in any other county where the member is called upon to act.

**5:73-7.6 Exceptions**

(a) Any person serving as a fire police officer on or before July 30, 1998, the effective date of P.L. 1998, c. 61, may continue to serve in that capacity.

(b) Any person serving as a fire police officer prior to January 1, 2019, may continue to serve in that capacity, without becoming certified in accordance with this subchapter. After January 1, 2019, newly appointed fire police officers shall be certified in accordance with this subchapter.

**5:73-7.7 Examination requirements**

(a) Applicants for the Fire Police Officer certification shall demonstrate competency of the adopted training program by successful completion of written and practical examinations administered through the Office of Training and Certification.

1. Applicants shall have three opportunities to successfully pass the written and practical examinations. If an applicant fails upon

the third attempt to pass an examination, he or she shall be required to repeat the adopted training program in its entirety before additional examinations will be administered to the individual.

2. Written and practical exams must be passed with a minimum score of 70 percent for written and 80 percent for practical.

#### 5:73-7.8 Learning disabilities accommodations

(a) Accommodations for persons with documented learning disabilities will be established for written examinations as follows:

1. The Office of Training and Certification within the Division of Fire Safety and eligible institutions or organizations approved through this chapter shall offer reasonable and appropriate accommodations for those persons with learning disabilities in reading decoding, reading comprehension; and/or written expression.

2. A person requesting accommodations for written examinations shall make the request to the instructor of the training program, at least 30 calendar days prior to the examination date.

3. Documentation of the learning disability shall include one of the following:

i. A diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or

ii. A diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, as amended and supplemented by the American Psychiatric Association. This manual may be obtained by contacting the American Psychiatric Association, Suite 1825, 1000 Wilson Boulevard, Arlington, VA 22209 or at [www.psychiatry.org](http://www.psychiatry.org).

(b) All diagnoses shall have been made within five years of the date of the written examination.

(c) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted a total of three hours to complete a 100-question exam, one and one-half hours for a 50-question exam, and 45 minutes for a 25-question exam. Variations of these written examinations which use different quantities of examination questions shall be adjusted at the discretion of the instructor to reflect a comparable accommodation.

(d) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted to receive the written examination by oral delivery from the training program staff. Oral examinations shall be delivered using the ratio of 1:1 (one instructor to one student).

(e) A maximum of three attempts per examination title shall be provided for a student to pass written examinations. A minimum passing score shall be 70 percent correct.

(f) All attempts to successfully pass written examinations shall be completed by the student according to the eligible training organization's policies and course completion timeline requirements.

### SUBCHAPTER 8. FIRE OFFICERS

#### 5:73-8.1 General provisions

(a) It is the purpose of this subchapter to establish criteria for certifying various levels of fire officers. For purposes of this subchapter, credentialing shall not apply to wildland firefighters in the State of New Jersey Forest Fire Service.

(b) Copies of National Fire Protection Association (NFPA) standards, incorporated by reference in this subchapter, may be obtained by writing to: NFPA, 1 Batterymarch Park, Quincy, MA 02169.

(c) Copies of the N.J.A.C. 5:73 Appendix, incorporated by reference in this subchapter, may be obtained by writing to: New Jersey Division of Fire Safety, Office of Training and Certification, PO Box 809, Trenton, NJ 08625-0809.

(d) Copies of the adopted training program may be purchased through the specific publisher. Contact information may be obtained by writing to: New Jersey Division of Fire Safety, Office of Training and Certification, PO Box 809, Trenton, NJ 08625-0809.

(e) Copies of the National Fire Academy courses incorporated by reference in this subchapter, may be obtained by writing to: National Fire Academy, 16825 South Seton Avenue, Emmitsburg, MD 21727.

(f) Copies of the Pro Board accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: The Pro Board, PO Box 690632, Quincy, MA 02269.

(g) Copies of the IFSAC accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: IFSAC, 1812 West Tyler Avenue, Stillwater, OK 74078.

#### 5:73-8.2 Certification and adopted training programs

(a) Certification for fire officer shall be granted to an individual who:

1. Has submitted an application for certification to the Office of Training and Certification;

2. Is at least 21 years of age;

3. Obtained prerequisite certification and completed educational programs as specified in (c) below;

4. Has successfully completed the adopted State instructional program for the certification title applied; and

5. Successfully passed the State exams that evaluate the Job Performance Requirements (JPRs) and components of requisite knowledge and skills contained in the NFPA 1021, 2014 Edition, Standard for Fire Officer Professional Qualifications, and N.J.A.C. 5:73 Appendix, incorporated herein by reference, as amended and supplemented.

(b) The following fire officer titles, which are associated with the adopted standard, shall be issued by the Office of Training and Certification:

1. Fire Officer I;

2. Fire Officer II;

3. Fire Officer III; and

4. Fire Officer IV.

(c) The following certifying criteria shall be established for Fire Officer certification levels adopted by this subchapter:

1. Fire Officer I, as follows:

i. Has successfully completed the adopted State instructional program for the Fire Officer I certification title;

ii. Has successfully passed the State Fire Officer I exams that evaluate the Job Performance Requirements (JPRs) and components of requisite knowledge and skills contained in the NFPA 1021, 2014 Edition, Standard for Fire Officer Professional Qualifications, as amended and supplemented, and N.J.A.C. 5:73 Appendix, both of which are incorporated herein by reference;

iii. Has been issued certifications in Fire Fighter II; Hazardous Materials: Operations Level; and Incident Management Level 1 in accordance with this chapter;

iv. Shall have satisfactorily completed the course of instruction for Fire Instructor I set forth at N.J.A.C. 5:73-5.2, or equivalent, as determined by the Office of Training and Certification;

v. Shall have completed a classroom instructor-led course endorsed by the National Fire Academy titled "Incident Safety Officer" of at least 16 hours in length, or equivalent, as determined by the Office of Training and Certification;

vi. Shall have completed classroom instructor-led courses endorsed by the National Fire Academy Principles of Building Construction Series, of at least 12 hours in length, or equivalent, as determined by the Office of Training and Certification; and

vii. Shall have completed classroom instructor-led courses endorsed by the National Fire Academy Fire Tactics Series, of at least 24 hours in length total, or equivalent, as determined by the Office of Training and Certification.

2. Fire Officer II, as follows:

i. Has successfully completed the adopted State instructional program for the Fire Officer II certification title;

ii. Has successfully passed the State Fire Officer II exams that evaluate the Job Performance Requirements (JPRs) and components of requisite knowledge and skills contained in the NFPA 1021, 2014 Edition, Standard for Fire Officer Professional Qualifications, as amended and supplemented, and N.J.A.C. 5:73 Appendix, both of which are incorporated herein by reference;

iii. Shall have obtained Fire Officer I certification in accordance with this subchapter; and

iv. Shall have obtained Incident Management Level 2 certification under this chapter.

3. Fire Officer III, as follows:

i. Has successfully completed the adopted State instructional program for the Fire Officer III certification title;

ii. Has successfully passed the State Fire Officer III exams that evaluate the Job Performance Requirements (JPRs) and components of requisite knowledge and skills contained in the NFPA 1021, 2014 Edition, Standard for Fire Officer Professional Qualifications, as amended and supplemented, and N.J.A.C. 5:73 Appendix, both of which are incorporated herein by reference; and

iii. Shall have obtained Fire Officer II certification in accordance with this subchapter.

4. Fire Officer IV, as follows:

i. Has successfully completed the adopted State instructional program for the Fire Officer IV certification title;

ii. Has successfully passed the State Fire Officer IV exams that evaluate the Job Performance Requirements (JPRs) and components of requisite knowledge and skills contained in the NFPA 1021, 2014 Edition, Standard for Fire Officer Professional Qualifications, as amended and supplemented, and N.J.A.C. 5:73 Appendix, both of which are incorporated herein by reference; and

iii. Shall have obtained Fire Officer III certification in accordance with this subchapter.

(d) The Office of Training and Certification within the Division of Fire Safety shall be permitted to adopt a training program, establish training procedures and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications.

1. The adopted training program and equivalency determination shall comply with the current edition of the adopted NFPA 1021 standard. Upon an NFPA standard edition change, the Office of Training and Certification shall have two years from the NFPA adoption date to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition.

2. Additional instruction shall be incorporated into the adopted training program when approved and/or directed by the Office of Training and Certification.

(e) Training program instructor requirements are as follows:

1. Instructors of the adopted training program shall be certified by the Office of Training and Certification as an Instructor Level II, Incident Management Level 2, and meet the following criteria:

i. Be fire chief rank or have been a fire officer for at least a five-year period; and

ii. Have 10 years fire service experience as a structural firefighter; and

iii. Pass a command interview by the eligible organization that is sponsoring the training program; and

2. Subject matter experts can be used to "augment" instructional delivery in specialized management topics, such as: government, budgeting, planning, law, human resources, and workforce diversity.

5:73-8.3 Examination requirements

(a) Applicants for the fire officer certifications shall demonstrate competency of the adopted standard by successful completion of written and practical examinations administered through the Office of Training and Certification.

1. Applicants shall have three opportunities to successfully pass the written and practical examinations for each title tested. If an applicant fails upon the third attempt to pass an examination, he or

she shall be required to repeat the adopted training program in its entirety before additional examinations will be administered to the individual for the title tested.

2. Written and practical exams must be passed with a minimum score of 70 percent for written and 80 percent for practical.

5:73-8.4 Learning disabilities accommodations

(a) Accommodations for persons with documented learning disabilities will be established for written examinations as follows:

1. The Office of Training and Certification within the Division of Fire Safety and eligible institutions or organizations approved through this chapter shall offer reasonable and appropriate accommodations for those persons with learning disabilities in reading decoding, reading comprehension, and/or written expression.

2. A person requesting accommodations for written examinations shall make the request to the instructor of the training program, at least 30 calendar days prior to the examination date.

3. Documentation of the learning disability shall include one of the following:

i. A diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or

ii. A diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, as amended and supplemented by the American Psychiatric Association. This manual may be obtained by contacting the American Psychiatric Association, Suite 1825, 1000 Wilson Boulevard, Arlington, VA 22209 or at [www.psychiatry.org](http://www.psychiatry.org).

(b) All diagnoses shall have been made within five years of the date of the written examination.

(c) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted a total of three hours to complete a 100-question exam, one and one-half hours for a 50-question exam, and 45 minutes for a 25-question exam. Variations of these written examinations that use different quantities of examination questions shall be adjusted at the discretion of the instructor to reflect a comparable accommodation.

(d) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted to receive the written examination by oral delivery from the training program staff. Oral examinations shall be delivered using the ratio of 1:1 (one instructor to one student).

(e) A maximum of three attempts per examination title shall be provided for a student to pass written examinations. A minimum passing score shall be 70 percent correct.

(f) All attempts to successfully pass written examinations shall be completed by the student according to the eligible training organization's policies and course completion timeline requirements.

5:73-8.5 National credentialing of certifications issued

(a) Certifications issued pursuant to this subchapter that have been accredited by the Pro Board and/or by the IFSAC, shall be processed through the Office of Training and Certification.

1. Applicants seeking national credentialing of certifications issued through this subchapter shall meet the policies and procedures established by the Office of Training and Certification.

(b) National credentialing shall conform to the policies and procedures of the Pro Board and IFSAC, incorporated herein by reference, as amended and supplemented.

(c) The payment of a certificate registration fee established through the Pro Board and/or IFSAC for each certification issued may be required, as established or amended by these independent credentialing organizations. The specific fees applied shall be set forth in the application form established by the Office of Training and Certification.

## SUBCHAPTER 9. FACILITY FIRE BRIGADES

## 5:73-9.1 General provisions

(a) It is the purpose of this subchapter to establish criteria for certifying various levels of facility fire brigade members and leaders. For purposes of this subchapter, credentialing shall not apply to wildland firefighters in the State of New Jersey Forest Fire Service.

(b) Copies of National Fire Protection Association (NFPA) standards, incorporated by reference in this subchapter, may be obtained by writing to: NFPA, 1 Batterymarch Park, Quincy, MA 02169.

(c) Copies of the adopted training program may be purchased through the specific publisher. Contact information may be obtained by writing to: New Jersey Division of Fire Safety, Office of Training and Certification, PO Box 809, Trenton, NJ 08625-0809.

(d) Copies of the Pro Board accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: The Pro Board, PO Box 690632, Quincy, MA 02269.

(e) Copies of the IFSAC accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: IFSAC, 1812 West Tyler Avenue, Stillwater, OK 74078.

## 5:73-9.2 Certification and adopted training programs

(a) Certification for Facility Fire Brigade Leader and/or Member shall be granted to an individual who:

1. Has submitted an application for certification to the Office of Training and Certification;
2. Is at least 18 years of age;
3. Has successfully completed the adopted State instructional program for the certification title applied; and

4. Successfully passed the State exams that evaluate the Job Performance Requirements (JPRs) and components of requisite knowledge and skills contained in the NFPA 1081, 2012 Edition, Standard for Industrial Fire Brigade Member Professional Qualifications, and NFPA 600, 2015 Edition, Standard on Facility Fire Brigades, incorporated herein by reference, as amended and supplemented.

(b) The following fire brigade titles, which are associated with the adopted standards, shall be issued by the Office of Training and Certification:

1. Incipient Industrial Fire Brigade Member;
2. Advanced Exterior Industrial Fire Brigade Member;
3. Interior Structural Industrial Fire Brigade Member;
4. Industrial Fire Brigade Leader; and
5. Industrial Fire Brigade Support Member.

(c) The Office of Training and Certification within the Division of Fire Safety shall be permitted to adopt a training program, establish training procedures and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications.

1. The adopted training program and equivalency determination shall comply with the current edition of the adopted NFPA 1081 and NFPA 600 standards. Upon an NFPA standard edition change, the Office of Training and Certification shall have two years from the NFPA adoption date to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition.

2. Additional instruction shall be incorporated into the adopted training program utilizing:

- i. The N.J.A.C. 5:73 Appendix, which includes topics in fire service organization, pertinent Federal and State standards, rules, and regulations; and
- ii. Any additional instructional topics approved and/or directed by the Office of Training and Certification.

3. Training facilities and props used for non-live burn training shall meet the specifications in N.J.A.C. 5:73-2.4, and shall be approved by the Office of Training and Certification.

4. All live fire training conducted in the adopted training program shall be conducted in accordance with NFPA 1403, 2012

Edition, Standard on Live Fire Training Evolutions, incorporated herein by reference, as amended and supplemented.

i. Live burn instruction shall be conducted through a Tier-1 or Tier-3 eligible organization, as specified in N.J.A.C. 5:73-2.2; using approved facilities, as specified in N.J.A.C. 5:73-2.4; and which possess a valid live burn Type A permit as specified in N.J.A.C. 5:73-2.5 issued by the Office of Training and Certification.

5. Tier-1 and Tier-3 eligible organizations and their facilities shall be permitted to establish additional local jurisdiction operational requirements regarding the use and training conducted in accordance with this subchapter. Local jurisdiction requirements shall not conflict with the intent of the training procedures or forms adopted by the Office of Training and Certification.

## 5:73-9.3 Training program instructor requirements

(a) Instructors of the adopted training program shall be certified by the Office of Training and Certification as an Instructor Level I, II, or Adjunct Instructor, and shall meet the instructional competency requirements of the adopted training program. The overall program delivered shall be supervised by an Instructor Level II with a Drill Ground Instructor Certificate. The Office of Training and Certification shall be permitted to allow employees of facility fire brigades to administer and manage training programs.

(b) All drill ground and live fire training provided in the adopted training program shall require certified instructors to possess a Drill Ground Instructor Certificate issued by the Office of Training and Certification. Live fire training shall be supervised by an Instructor Level II with a Drill Ground Certificate.

(c) Adjunct instructors shall be permitted for specialized instruction in: hazardous materials, utilities, wildland/urban interface, first aid, cardio-pulmonary resuscitation, incident command system, burn education, and bloodborne pathogens. Instructors shall be competent in the area of specialty, and be accredited by other professional organizations at a state or national certification level.

## 5:73-9.4 Examination requirements

(a) Applicants for the facility fire brigades member and leader certifications shall demonstrate competency of the adopted standard by successful completion of written and practical examinations administered through the Office of Training and Certification.

1. Applicants shall have three opportunities to successfully pass the written and practical examinations for each title tested. If an applicant fails upon the third attempt to pass an examination, he or she shall be required to repeat the adopted training program in its entirety before additional examinations will be administered to the individual for the title tested.

2. Written and practical exams must be passed with a minimum score of 70 percent for written and 80 percent for practical.

## 5:73-9.5 Learning disabilities accommodations

(a) Accommodations for persons with documented learning disabilities will be established for written examinations as follows:

1. The Office of Training and Certification within the Division of Fire Safety and eligible institutions or organizations approved through this chapter shall offer reasonable and appropriate accommodations for those persons with learning disabilities in reading decoding, reading comprehension, and/or written expression.

2. A person requesting accommodations for written examinations shall make the request to the instructor of the training program, at least 30 calendar days prior to the examination date.

3. Documentation of the learning disability shall include one of the following:

i. A diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or

ii. A diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's

Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, as amended and supplemented by the American Psychiatric Association. This manual may be obtained by contacting the American Psychiatric Association, Suite 1825, 1000 Wilson Boulevard, Arlington, VA 22209 or at [www.psychiatry.org](http://www.psychiatry.org).

(b) All diagnoses shall have been made within five years of the date of the written examination.

(c) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted a total of three hours to complete a 100-question exam, one and one-half hours for a 50-question exam, and 45 minutes for a 25-question exam. Variations of these written examinations that use different quantities of examination questions shall be adjusted at the discretion of the instructor to reflect a comparable accommodation.

(d) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted to receive the written examination by oral delivery from the training program staff. Oral examinations shall be delivered using the ratio of 1:1 (one instructor to one student).

(e) A maximum of three attempts per examination title shall be provided for a student to pass written examinations. A minimum passing score shall be 70 percent correct.

(f) All attempts to successfully pass written examinations shall be completed by the student according to the eligible training organization's policies and course completion timeline requirements.

#### 5:73-9.6 National credentialing of certifications issued

(a) Certifications issued pursuant to this subchapter which have been accredited by the Pro Board and/or by the IFSAC, shall be processed through the Office of Training and Certification.

1. Applicants seeking national credentialing of certifications issued through this subchapter shall meet the policies and procedures established by the Office of Training and Certification.

(b) National credentialing shall conform to the policies and procedures of the Pro Board and IFSAC, incorporated herein by reference, as amended and supplemented.

(c) The payment of a certificate registration fee established through the Pro Board and/or IFSAC for each certification issued may be required, as established or amended by these independent credentialing organizations. The specific fees applied shall be set forth in the application form established by the Office of Training and Certification.

### SUBCHAPTER 10. AIRPORT FIRE FIGHTER

#### 5:73-10.1 General provisions

(a) It is the purpose of this subchapter to establish criteria for certifying an airport firefighter. For purposes of this subchapter, credentialing shall not apply to wildland firefighters in the State of New Jersey Forest Fire Service.

(b) Copies of National Fire Protection Association (NFPA) standards, incorporated by reference in this subchapter, may be obtained by writing to: NFPA, 1 Batterymarch Park, Quincy, MA 02169.

(c) Copies of the adopted training program may be purchased through the specific publisher. Contact information may be obtained by writing to: New Jersey Division of Fire Safety, Office of Training and Certification, PO Box 809, Trenton, NJ 08625-0809.

(d) Copies of the N.J.A.C. 5:73 Appendix, incorporated by reference in this subchapter, may be obtained by writing to: New Jersey Division of Fire Safety, Office of Training and Certification, PO Box 809, Trenton, NJ 08625-0809.

(e) Copies of the Pro Board accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: The Pro Board, PO Box 690632, Quincy, MA 02269.

(f) Copies of the IFSAC accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: IFSAC, 1812 West Tyler Avenue, Stillwater, OK 74078.

#### 5:73-10.2 Certification and adopted training programs

(a) Certification for airport firefighter shall be granted to an individual who:

1. Has submitted an application for certification to the Office of Training and Certification;

2. Is at least 18 years of age;

3. Has successfully completed the adopted State instructional program for the certification title applied; and

4. Successfully passed the State exams that evaluate the Job Performance Requirements (JPRs) and components of requisite knowledge and skills contained in the NFPA 1003, 2015 Edition, Standard for Airport Fire Fighter Professional Qualifications, incorporated herein by reference, as amended and supplemented.

(b) The following airport firefighter title, which is associated with the adopted standard, shall be issued by the Office of Training and Certification:

1. Airport Fire Fighter.

(c) The Office of Training and Certification within the Division of Fire Safety shall be permitted to adopt a training program, establish training procedures and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications.

1. The adopted training program and equivalency determination shall comply with the current edition of the adopted NFPA 1003 standard. Upon an NFPA standard edition change, the Office of Training and Certification shall have two years from the NFPA adoption date to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition.

2. Additional instruction shall be incorporated into the adopted training program when approved and/or directed by the Office of Training and Certification.

3. All live fire training conducted in the training program shall be conducted in accordance with NFPA 1403, 2012 Edition, Standard on Live Fire Training Evolutions, incorporated herein by reference, as amended and supplemented.

i. Live burn instruction shall be conducted through a Tier-1 eligible organization, as specified in N.J.A.C. 5:73-2.2; using approved facilities, as specified in N.J.A.C. 5:73-2.4; and which possess a valid live burn Type A permit as specified in N.J.A.C. 5:73-2.5 issued by the Office of Training and Certification.

4. Facilities and props used for non-live burn training shall meet the specifications in N.J.A.C. 5:73-2.4, specific to its designated use and design, and shall be approved by the Office of Training and Certification.

5. Tier-1 eligible organizations and their facilities shall be permitted to establish additional local jurisdiction operational requirements regarding the use and training conducted in accordance with this subchapter. Local jurisdiction requirements shall not conflict with the intent of the training procedures or forms adopted by the Office of Training and Certification.

#### 5:73-10.3 Training program instructor requirements

(a) Instructors of the adopted training program shall be certified by the Office of Training and Certification as an Instructor Level I, II, or Adjunct Instructor, and shall meet the instructional competency requirements of the adopted training program. The overall program delivered shall be supervised by an Instructor Level II with a Drill Ground Instructor Certificate.

(b) All drill ground and live fire training provided in the adopted training program shall require certified instructors to possess a Drill Ground Instructor Certificate issued by the Office of Training and Certification. Live fire training shall be supervised by an Instructor Level II with a Drill Ground Certificate.

(c) Adjunct instructors shall be permitted for specialized instruction in: advanced aircraft rescue and firefighting, hazardous materials, utilities, first aid, cardio-pulmonary resuscitation, incident command system, burn education, and bloodborne pathogens. Additional topics of instruction shall be permitted upon approval of the Office of Training and Certification. Approved

adjunct instructors shall be competent in the area of specialty and be accredited by other professional organizations at a state or national certification level.

#### 5:73-10.4 Examination requirements

(a) Applicants for the airport firefighter certification shall demonstrate competency of the adopted standard by successful completion of written and practical examinations administered through the Office of Training and Certification.

1. Applicants shall have three opportunities to successfully pass the written and practical examinations for each title tested. If an applicant fails upon the third attempt to pass an examination, he or she shall be required to repeat the adopted training program in its entirety before additional examinations will be administered to the individual for the title tested.

2. Written and practical exams must be passed with a minimum score of 70 percent for written and 80 percent for practical.

#### 5:73-10.5 Learning disabilities accommodations

(a) Accommodations for persons with documented learning disabilities will be established for written examinations as follows:

1. The Office of Training and Certification within the Division of Fire Safety and eligible institutions or organizations approved through this chapter shall offer reasonable and appropriate accommodations for those persons with learning disabilities in reading decoding, reading comprehension, and/or written expression.

2. A person requesting accommodations for written examinations shall make the request to the instructor of the training program, at least 30 calendar days prior to the examination date.

3. Documentation of the learning disability shall include one of the following:

i. A diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or

ii. A diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, as amended and supplemented by the American Psychiatric Association. This manual may be obtained by contacting the American Psychiatric Association, Suite 1825, 1000 Wilson Boulevard, Arlington, VA 22209 or at [www.psychiatry.org](http://www.psychiatry.org).

(b) All diagnoses shall have been made within five years of the date of the written examination.

(c) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted a total of three hours to complete a 100-question exam, one and one-half hours for a 50-question exam, and 45 minutes for a 25-question exam. Variations of these written examinations that use different quantities of examination questions shall be adjusted at the discretion of the instructor to reflect a comparable accommodation.

(d) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted to receive the written examination by oral delivery from the training program staff. Oral examinations shall be delivered using the ratio of 1:1 (one instructor to one student).

(e) A maximum of three attempts per examination title shall be provided for a student to pass written examinations. A minimum passing score shall be 70 percent correct.

(f) All attempts to successfully pass written examinations shall be completed by the student according to the eligible training organization's policies and course completion timeline requirements.

#### 5:73-10.6 National credentialing of certifications issued

(a) Certifications issued pursuant to this subchapter that have been accredited by the Pro Board and/or by the IFSAC, shall be processed through the Office of Training and Certification.

1. Applicants seeking national credentialing of certifications issued through this subchapter shall meet the policies and procedures established by the Office of Training and Certification.

(b) National credentialing shall conform to the policies and procedures of the Pro Board and IFSAC, incorporated herein by reference, as amended and supplemented.

(c) The payment of a certificate registration fee established through the Pro Board and/or IFSAC for each certification issued may be required, as established or amended by these independent credentialing organizations. The specific fees applied shall be set forth in the application form established by the Office of Training and Certification.

### SUBCHAPTER 11. MARINE FIREFIGHTER

#### 5:73-11.1 General provisions

(a) It is the purpose of this subchapter to establish criteria for certifying a Marine Firefighter. The intent is to provide credentialing for marine firefighting for land-based firefighters. For purposes of this subchapter, credentialing shall not apply to wildland firefighters in the State of New Jersey Forest Fire Service.

(b) Copies of National Fire Protection Association (NFPA) standards, incorporated by reference in this subchapter, may be obtained by writing to: NFPA, 1 Batterymarch Park, Quincy, MA 02169.

(c) Copies of the adopted training program may be purchased through the specific publisher. Contact information may be obtained by writing to: New Jersey Division of Fire Safety, Office of Training and Certification, PO Box 809, Trenton, NJ 08625-0809.

(d) Copies of the Pro Board accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: The Pro Board, PO Box 690632, Quincy, MA 02269.

(e) Copies of the IFSAC accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: IFSAC, 1812 West Tyler Avenue, Stillwater, OK 74078.

#### 5:73-11.2 Certification and adopted training programs

(a) Certification for marine firefighter shall be granted to an individual who:

1. Has submitted an application for certification to the Office of Training and Certification;

2. Is at least 18 years of age;

3. Has successfully completed the adopted State instructional program for the certification title applied; and

4. Successfully passed the State exams that evaluate the Job Performance Requirements (JPRs) and components of requisite knowledge and skills contained in the NFPA 1005, 2014 Edition, Standard for Professional Qualifications for Marine Fire Fighting for Land-Based Fire Fighters, incorporated herein by reference, as amended and supplemented.

(b) The following marine firefighter title, which is associated with the adopted standard, shall be issued by the Office of Training and Certification:

1. Marine Fire Fighter.

(c) The Office of Training and Certification within the Division of Fire Safety shall be permitted to adopt a training program, establish training procedures and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications.

1. The adopted training program and equivalency determination shall comply with the current edition of the adopted NFPA 1005 standard. Upon an NFPA standard edition change, the Office of Training and Certification shall have two years from the NFPA adoption date to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition.

2. Additional instruction shall be incorporated into the adopted training program when approved and/or directed by the Office of Training and Certification.



3. All live fire training conducted in the adopted training program shall be conducted in accordance with NFPA 1403, 2012 Edition, Standard on Live Fire Training Evolutions, incorporated herein by reference, as amended and supplemented.

i. Live burn instruction shall be conducted through a Tier-1 eligible organization, as specified in N.J.A.C. 5:73-2.2; using approved facilities, as specified in N.J.A.C. 5:73-2.4; and which possess a valid live burn Type A permit as specified in N.J.A.C. 5:73-2.5 issued by the Office of Training and Certification.

4. Facilities and props used for non-live burn training shall meet the specifications in N.J.A.C. 5:73-2.4, specific to its designated use and design, and shall be approved by the Office of Training and Certification.

5. Tier-1 eligible organizations and their facilities shall be permitted to establish additional local jurisdiction operational requirements regarding the use and training conducted in accordance with this subchapter. Local jurisdiction requirements shall not conflict with the intent of the training procedures or forms adopted by the Office of Training and Certification.

#### 5:73-11.3 Training program instructor requirements

(a) Instructors of the adopted training program shall be certified by the Office of Training and Certification as an Instructor Level I, II, or Adjunct Instructor, and shall meet the instructional competency requirements of the adopted training program. The overall program delivered shall be supervised by an Instructor Level II with a Drill Ground Instructor Certificate.

(b) All drill ground and live fire training provided in the adopted training program shall require certified instructors to possess a Drill Ground Instructor Certificate issued by the Office of Training and Certification. Live fire training shall be supervised by an Instructor Level II with a Drill Ground Certificate.

(c) Adjunct instructors shall be permitted for specialized instruction in: advanced marine firefighting, hazardous materials, utilities, first aid, cardio-pulmonary resuscitation, incident command system, burn education, and bloodborne pathogens. Additional topics of instruction shall be permitted upon approval of the Office of Training and Certification. Approved adjunct instructors shall be competent in the area of specialty and be accredited by other professional organizations at a state or national certification level.

#### 5:73-11.4 Examination requirements

(a) Applicants for the marine firefighter certification shall demonstrate competency of the adopted standard by successful completion of written and practical examinations administered through the Office of Training and Certification.

i. Applicants shall have three opportunities to successfully pass the written and practical examinations for each title tested. If an applicant fails upon the third attempt to pass an examination, he or she shall be required to repeat the adopted training program in its entirety before additional examinations will be administered to the individual for the title tested.

ii. Written and practical exams must be passed with a minimum score of 70 percent for written and 80 percent for practical.

#### 5:73-11.5 Learning disabilities accommodations

(a) Accommodations for persons with documented learning disabilities will be established for written examinations as follows:

1. The Office of Training and Certification within the Division of Fire Safety and eligible institutions or organizations approved through this chapter shall offer reasonable and appropriate accommodations for those persons with learning disabilities in reading decoding, reading comprehension, and/or written expression.

2. A person requesting accommodations for written examinations shall make the request to the instructor of the training program, at least 30 calendar days prior to the examination date.

3. Documentation of the learning disability shall include one of the following:

i. A diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or

ii. A diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, as amended and supplemented by the American Psychiatric Association. This manual may be obtained by contacting the American Psychiatric Association, Suite 1825, 1000 Wilson Boulevard, Arlington, VA 22209 or at [www.psychiatry.org](http://www.psychiatry.org).

(b) All diagnoses shall have been made within five years of the date of the written examination.

(c) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted a total of three hours to complete a 100-question exam, one and one-half hours for a 50-question exam, and 45 minutes for a 25-question exam. Variations of these written examinations that use different quantities of examination questions shall be adjusted at the discretion of the instructor to reflect a comparable accommodation.

(d) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted to receive the written examination by oral delivery from the training program staff. Oral examinations shall be delivered using the ratio of 1:1 (one instructor to one student).

(e) A maximum of three attempts per examination title shall be provided for a student to pass written examinations. A minimum passing score shall be 70 percent correct.

(f) All attempts to successfully pass written examinations shall be completed by the student according to the eligible training organization's policies and course completion timeline requirements.

#### 5:73-11.6 National credentialing of certifications issued

(a) Certifications issued pursuant to this subchapter that have been accredited by the Pro Board and/or by the IFSAC, shall be processed through the Office of Training and Certification.

1. Applicants seeking national credentialing of certifications issued through this subchapter shall meet the policies and procedures established by the Office of Training and Certification.

(b) National credentialing shall conform to the policies and procedures of the Pro Board and IFSAC, incorporated herein by reference, as amended and supplemented.

(c) The payment of a certificate registration fee established through the Pro Board and/or IFSAC for each certification issued may be required, as established or amended by these independent credentialing organizations. The specific fees applied shall be set forth in the application form established by the Office of Training and Certification.

### SUBCHAPTER 12. TECHNICAL RESCUER

#### 5:73-12.1 General provisions

(a) It is the purpose of this subchapter to establish criteria for certifying various levels of technical rescuer. For purposes of this subchapter, credentialing shall not apply to wildland firefighters in the State of New Jersey Forest Fire Service.

(b) Copies of National Fire Protection Association (NFPA) standards, incorporated by reference in this subchapter, may be obtained by writing to: NFPA, 1 Batterymarch Park, Quincy, MA 02169.

(c) Copies of the adopted training program may be purchased through the specific publisher. Contact information may be obtained by writing to: New Jersey Division of Fire Safety, Office of Training and Certification, PO Box 809, Trenton, NJ 08625-0809.

(d) Copies of the Pro Board accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: The Pro Board, PO Box 690632, Quincy, MA 02269.

(e) Copies of the IFSAC accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: IFSAC, 1812 West Tyler Avenue, Stillwater, OK 74078.

#### 5:73-12.2 Certification and adopted training programs

(a) Certification for technical rescuer shall be granted to an individual who:

1. Has submitted an application for certification to the Office of Training and Certification;
2. Is at least 18 years of age;
3. Has successfully completed the adopted State instructional program for the certification title applied; and
4. Successfully passed the State exams that evaluate the Job Performance Requirements (JPRs) and components of requisite knowledge and skills contained in the NFPA 1006, 2017 Edition, Standard for Technical Rescue Professional Qualifications, incorporated herein by reference, as amended and supplemented.

(b) The following technical rescue titles, which are associated with the adopted standard, shall be issued by the Office of Training and Certification:

1. Technical Rescue-Tower Rescue Awareness;
2. Technical Rescue-Tower Rescue Operations;
3. Technical Rescue-Tower Rescue Technician;
4. Technical Rescue-Rope Rescue Awareness;
5. Technical Rescue-Rope Rescue Operations;
6. Technical Rescue-Rope Rescue Technician;
7. Technical Rescue-Structural Collapse Rescue Awareness;
8. Technical Rescue-Structural Collapse Rescue Operations;
9. Technical Rescue-Structural Collapse Rescue Technician;
10. Technical Rescue-Confined Space Rescue Awareness;
11. Technical Rescue-Confined Space Rescue Operations;
12. Technical Rescue-Confined Space Rescue Technician;
13. Technical Rescue-Vehicle Rescue Awareness;
14. Technical Rescue-Vehicle Rescue Operations;
15. Technical Rescue-Vehicle Rescue Technician;
16. Technical Rescue-Animal Technical Rescue Awareness;
17. Technical Rescue-Animal Technical Rescue Operations;
18. Technical Rescue-Animal Technical Rescue Technician;
19. Technical Rescue-Wilderness Search and Rescue Awareness;
20. Technical Rescue-Wilderness Search and Rescue Operations;
21. Technical Rescue-Wilderness Search and Rescue Technician;
22. Technical Rescue-Trench Rescue Awareness;
23. Technical Rescue-Trench Rescue Operations;
24. Technical Rescue-Trench Rescue Technician;
25. Technical Rescue-Mine and Tunnel Rescue Awareness;
26. Technical Rescue-Mine and Tunnel Rescue Operations;
27. Technical Rescue-Mine and Tunnel Rescue Technician;
28. Technical Rescue-Helicopter Rescue Awareness;
29. Technical Rescue-Helicopter Rescue Operations;
30. Technical Rescue-Helicopter Rescue Technician;
31. Technical Rescue-Surface Water Rescue Awareness;
32. Technical Rescue-Surface Water Rescue Operations;
33. Technical Rescue-Surface Water Rescue Technician;
34. Technical Rescue-Swiftwater Rescue Awareness;
35. Technical Rescue-Swiftwater Rescue Operations;
36. Technical Rescue-Swiftwater Rescue Technician;
37. Technical Rescue-Dive Rescue Awareness;
38. Technical Rescue-Dive Rescue Operations;
39. Technical Rescue-Dive Rescue Technician;
40. Technical Rescue-Ice Rescue Awareness;
41. Technical Rescue-Ice Rescue Operations;
42. Technical Rescue-Ice Rescue Technician;
43. Technical Rescue-Surf Rescue Awareness;
44. Technical Rescue-Surf Rescue Operations;
45. Technical Rescue-Surf Rescue Technician;
46. Technical Rescue-Watercraft Rescue Awareness;
47. Technical Rescue-Watercraft Rescue Operations;
48. Technical Rescue-Watercraft Rescue Technician;
49. Technical Rescue-Floodwater Rescue Awareness;
50. Technical Rescue-Floodwater Rescue Operations; and

#### 51. Technical Rescue-Floodwater Rescue Technician.

(c) The Office of Training and Certification within the Division of Fire Safety shall be permitted to adopt a training program, establish training procedures and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications.

1. The adopted training program and equivalency determination shall comply with the current edition of the adopted NFPA 1006 standard. Upon an NFPA standard edition change, the Office of Training and Certification shall have two years from the NFPA adoption date to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition.

2. Additional instruction shall be incorporated into the adopted training program when approved and/or directed by the Office of Training and Certification.

#### 5:73-12.3 Training program instructor requirements

(a) Instructors of the adopted training program shall be certified by the Office of Training and Certification as an Instructor Level I, II, or Adjunct Instructor, and shall meet the instructional competency requirements of the adopted training program. The overall program delivered shall be supervised by an Instructor Level II with a Drill Ground Instructor Certificate.

(b) All drill ground and live fire training provided in the adopted training program shall require certified instructors to possess a Drill Ground Instructor Certificate issued by the Office of Training and Certification. Live fire training shall be supervised by an Instructor Level II with a Drill Ground Certificate.

(c) Adjunct instructors shall be permitted for specialized instruction in all topics associated with the technical rescue training program competencies. Additional topics of instruction shall be permitted upon approval of the Office of Training and Certification. Approved adjunct instructors shall be competent in the area of specialty and be accredited by other professional organizations at a state or national certification level.

#### 5:73-12.4 Examination requirements

(a) Applicants for the technical rescuer certifications shall demonstrate competency of the adopted standard by successful completion of written and practical examinations administered through the Office of Training and Certification.

1. Applicants shall have three opportunities to successfully pass the written and practical examinations for each title tested. If an applicant fails upon the third attempt to pass an examination, he or she shall be required to repeat the adopted training program in its entirety before additional examinations will be administered to the individual for the title tested.

2. Written and practical exams must be passed with a minimum score of 70 percent for written and 80 percent for practical.

#### 5:73-12.5 Learning disabilities accommodations

(a) Accommodations for persons with documented learning disabilities will be established for written examinations as follows:

1. The Office of Training and Certification within the Division of Fire Safety and eligible institutions or organizations approved through this chapter shall offer reasonable and appropriate accommodations for those persons with learning disabilities in reading decoding, reading comprehension, and/or written expression.

2. A person requesting accommodations for written examinations shall make the request to the instructor of the training program, at least 30 calendar days prior to the examination date.

3. Documentation of the learning disability shall include one of the following:

i. A diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or

ii. A diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, as amended and supplemented by the American Psychiatric Association. This manual may be obtained by contacting the American Psychiatric Association, Suite 1825, 1000 Wilson Boulevard, Arlington, VA 22209 or at [www.psychiatry.org](http://www.psychiatry.org).

(b) All diagnoses shall have been made within five years of the date of the written examination.

(c) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted a total of three hours to complete a 100-question exam, one and one-half hours for a 50-question exam, and 45 minutes for a 25-question exam. Variations of these written examinations which use different quantities of examination questions shall be adjusted at the discretion of the instructor to reflect a comparable accommodation.

(d) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted to receive the written examination by oral delivery from the training program staff. Oral examinations shall be delivered using the ratio of 1:1 (one instructor to one student).

(e) A maximum of three attempts per examination title shall be provided for a student to pass written examinations. A minimum passing score shall be 70 percent correct.

(f) All attempts to successfully pass written examinations shall be completed by the student according to the eligible training organization's policies and course completion timeline requirements.

#### 5:73-12.6 National credentialing of certifications issued

(a) Certifications issued pursuant to this subchapter that have been accredited by the Pro Board and/or by the IFSAC, shall be processed through the Office of Training and Certification.

1. Applicants seeking national credentialing of certifications issued through this subchapter shall meet the policies and procedures established by the Office of Training and Certification.

(b) National credentialing shall conform to the policies and procedures of the Pro Board and IFSAC, incorporated herein by reference, as amended and supplemented.

(c) The payment of a certificate registration fee established through the Pro Board and/or IFSAC for each certification issued may be required, as established or amended by these independent credentialing organizations. The specific fees applied shall be set forth in the application form established by the Office of Training and Certification.

### SUBCHAPTER 13. FIRE SERVICE RAPID INTERVENTION CREWS

#### 5:73-13.1 General provisions

(a) It is the purpose of this subchapter to establish criteria for certifying various levels of fire service rapid intervention crews personnel. For purposes of this subchapter, credentialing shall not apply to wildland firefighters in the State of New Jersey Forest Fire Service.

(b) Copies of National Fire Protection Association (NFPA) standards, incorporated by reference in this subchapter, may be obtained by writing to: NFPA, 1 Batterymarch Park, Quincy, MA 02169.

(c) Copies of the adopted training program may be purchased through the specific publisher. Contact information may be obtained by writing to: New Jersey Division of Fire Safety, Office of Training and Certification, PO Box 809, Trenton, NJ 08625-0809.

(d) Copies of the Pro Board accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: The Pro Board, PO Box 69063, Quincy, MA 02269.

(e) Copies of the IFSAC accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: IFSAC, 1812 West Tyler Avenue, Stillwater, OK 74078.

#### 5:73-13.2 Certification and adopted training programs

(a) Certification for Rapid Intervention Crew Leader, Instructor, and/or Member shall be granted to an individual who:

1. Has submitted an application for certification to the Office of Training and Certification;

2. Is at least 18 years of age;

3. Has successfully completed the adopted State instructional program for the certification title applied; and

4. Successfully passed the State exams that evaluate the Job Performance Requirements (JPRs) and components of requisite knowledge and skills contained in the NFPA 1407, 2015 Edition, Standard for Training Fire Service Rapid Intervention Crews, incorporated herein by reference, as amended and supplemented.

(b) The following rapid intervention crew titles, which are associated with the adopted standard, shall be issued by the Office of Training and Certification:

1. Rapid Intervention Crew Member;

2. Rapid Intervention Crew Instructor; and

3. Rapid Intervention Crew Leader.

(c) The Office of Training and Certification within the Division of Fire Safety shall be permitted to adopt a training program, establish training procedures and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications.

1. The adopted training program and equivalency determination shall comply with the current edition of the adopted NFPA 1407 standard. Upon an NFPA standard edition change, the Office of Training and Certification shall have two years from the NFPA adoption date to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition.

2. Additional instruction shall be incorporated into the adopted training program when approved and/or directed by the Office of Training and Certification.

3. All live fire training conducted in the adopted training program shall be conducted in accordance with NFPA 1403, 2012 Edition, Standard on Live Fire Training Evolutions, incorporated herein by reference, as amended and supplemented.

i. Live burn instruction shall be conducted through a Tier-1 eligible organization, as specified in N.J.A.C. 5:73-2.2; using approved facilities, as specified in N.J.A.C. 5:73-2.4; and which possess a valid live burn Type A permit as specified in N.J.A.C. 5:73-2.5 issued by the Office of Training and Certification.

4. Facilities and props used for non-live burn training shall meet the specifications in N.J.A.C. 5:73-2.4, specific to its designated use and design, and shall be approved by the Office of Training and Certification.

5. Tier-1 eligible organizations and their facilities shall be permitted to establish additional local jurisdiction operational requirements regarding the use and training conducted in accordance with this subchapter. Local jurisdiction requirements shall not conflict with the intent of the training procedures or forms adopted by the Office of Training and Certification.

#### 5:73-13.3 Training program instructor requirements

(a) Instructors of the adopted training program shall be certified by the Office of Training and Certification as an Instructor Level I, II, or Adjunct Instructor, and shall meet the instructional competency requirements of the adopted training program. The overall program delivered shall be supervised by an Instructor Level II with a Drill Ground Instructor Certificate.

(b) All drill ground and live fire training provided in the adopted training program shall require certified instructors to possess a Drill Ground Instructor Certificate issued by the Office of Training and Certification. Live fire training shall be supervised by an Instructor Level II with a Drill Ground Certificate.

(c) Adjunct instructors shall be permitted for specialized instruction in: construction, rescue methods and tools, communication, incident management system, hazardous materials, utilities, first aid, cardio-pulmonary resuscitation, burn education,

and bloodborne pathogens. Additional topics of instruction shall be permitted upon approval of the Office of Training and Certification. Approved adjunct instructors shall be competent in the area of specialty and be accredited by other professional organizations at a state or national certification level.

#### 5:73-13.4 Examination requirements

(a) Applicants for the fire service rapid intervention crew certifications shall demonstrate competency of the adopted standard by successful completion of written and practical examinations administered through the Office of Training and Certification.

1. Applicants shall have three opportunities to successfully pass the written and practical examinations for each title tested. If an applicant fails upon the third attempt to pass an examination, he or she shall be required to repeat the adopted training program in its entirety before additional examinations will be administered to the individual for the title tested.

2. Written and practical exams must be passed with a minimum score of 70 percent for written and 80 percent for practical.

#### 5:73-13.5 Learning disabilities accommodations

(a) Accommodations for persons with documented learning disabilities will be established for written examinations as follows:

1. The Office of Training and Certification within the Division of Fire Safety and eligible institutions or organizations approved through this chapter shall offer reasonable and appropriate accommodations for those persons with learning disabilities in reading decoding, reading comprehension, and/or written expression.

2. A person requesting accommodations for written examinations shall make the request to the instructor of the training program, at least 30 calendar days prior to the examination date.

3. Documentation of the learning disability shall include one of the following:

i. A diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or

ii. A diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, as amended and supplemented by the American Psychiatric Association. This manual may be obtained by contacting the American Psychiatric Association, Suite 1825, 1000 Wilson Boulevard, Arlington, VA 22209 or through their website at [www.psychiatry.org](http://www.psychiatry.org).

(b) All diagnoses shall have been made within five years of the date of the written examination.

(c) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted a total of three hours to complete a 100-question exam, one and one-half hours for a 50-question exam, and 45 minutes for a 25-question exam. Variations of these written examinations which use different quantities of examination questions shall be adjusted at the discretion of the instructor to reflect a comparable accommodation.

(d) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted to receive the written examination by oral delivery from the training program staff. Oral examinations shall be delivered using the ratio of 1:1 (one instructor to one student).

(e) A maximum of three attempts per examination title shall be provided for a student to pass written examinations. A minimum passing score shall be 70 percent correct.

(f) All attempts to successfully pass written examinations shall be completed by the student according to the eligible training organization's policies and course completion timeline requirements.

#### 5:73-13.6 National credentialing of certifications issued

(a) Certifications issued pursuant to this subchapter that have been accredited by the Pro Board and/or by the IFSAC, shall be processed through the Office of Training and Certification.

1. Applicants seeking national credentialing of certifications issued through this subchapter shall meet the policies and procedures established by the Office of Training and Certification.

(b) National credentialing shall conform to the policies and procedures of the Pro Board and IFSAC, incorporated herein by reference, as amended and supplemented.

(c) The payment of a certificate registration fee established through the Pro Board and/or IFSAC for each certification issued may be required, as established or amended by these independent credentialing organizations. The specific fees applied shall be set forth in the application form established by the Office of Training and Certification.

### SUBCHAPTER 14. FIRE APPARATUS DRIVER/OPERATOR

#### 5:73-14.1 General provisions

(a) It is the purpose of this subchapter to establish criteria for certifying various levels of fire apparatus driver/operator. For purposes of this subchapter, credentialing shall not apply to wildland firefighters in the State of New Jersey Forest Fire Service.

(b) Copies of National Fire Protection Association (NFPA) standards, incorporated by reference in this subchapter, may be obtained by writing to: NFPA, 1 Batterymarch Park, Quincy, MA 02169.

(c) Copies of the adopted training program may be purchased through the specific publisher. Contact information may be obtained by writing to: New Jersey Division of Fire Safety, Office of Training and Certification, PO Box 809, Trenton, NJ 08625-0809.

(d) Copies of the Pro Board accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: The Pro Board, PO Box 690632, Quincy, MA 02269.

(e) Copies of the IFSAC accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: IFSAC, 1812 West Tyler Avenue, Stillwater, OK 74078.

#### 5:73-14.2 Certification and adopted training programs

(a) Certification for fire apparatus drivers and operators shall be granted to an individual who:

1. Has submitted an application for certification to the Office of Training and Certification;

2. Is at least 18 years of age;

3. Has successfully completed the adopted State instructional program for the certification title applied; and

4. Successfully passed the State exams that evaluate the Job Performance Requirements (JPRs) and components of requisite knowledge and skills contained in the NFPA 1002, 2017 Edition, Standard for Fire Apparatus Driver/Operator Professional Qualifications, and NFPA 1451, 2013 Edition, Standard for a Fire and Emergency Vehicle Operations Training Program, incorporated herein by reference, as amended and supplemented.

(b) The following apparatus driver/operator titles, which are associated with the adopted standard, shall be issued by the Office of Training and Certification:

1. Driver/Operator-Apparatus Equipped with Fire Pump;

2. Driver/Operator-Apparatus Equipped with an Aerial Device;

3. Driver/Operator-Apparatus Equipped with a Tiller;

4. Driver/Operator-Wildland Fire Apparatus;

5. Driver/Operator-Aircraft Rescue and Fire-Fighting Apparatus; and

6. Driver/Operator-Mobile Water Supply Apparatus.

(c) The Office of Training and Certification within the Division of Fire Safety shall be permitted to adopt a training program, establish training procedures and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications.

1. The adopted training program and equivalency determination shall comply with the current edition of the adopted NFPA 1002 and 1451 standards. Upon an NFPA standard edition change, the Office of Training and Certification shall have two years from the NFPA adoption date to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition.

2. Additional instruction shall be incorporated into the adopted training program when approved and/or directed by the Office of Training and Certification.

3. All live fire training conducted in the adopted training program shall be conducted in accordance with NFPA 1403, 2012 Edition, Standard on Live Fire Training Evolutions, incorporated herein by reference, as amended and supplemented.

i. Live burn instruction shall be conducted through a Tier-1 eligible organization, as specified in N.J.A.C. 5:73-2.2; using approved facilities, as specified in N.J.A.C. 5:73-2.4; and which possess a valid live burn Type A permit as specified in N.J.A.C. 5:73-2.5 issued by the Office of Training and Certification.

4. Facilities and props used for non-live burn training shall meet the specifications in N.J.A.C. 5:73-2.4, specific to its designated use and design, and shall be approved by the Office of Training and Certification.

5. Eligible organizations and their facilities shall be permitted to establish additional local jurisdiction operational requirements regarding the use and training conducted in accordance with this subchapter. Local jurisdiction requirements shall not conflict with the intent of the training procedures or forms adopted by the Office of Training and Certification.

#### 5:73-14.3 Training program instructor requirements

(a) Instructors of the adopted training program shall be certified by the Office of Training and Certification as an Instructor Level I, II, or Adjunct Instructor, and shall meet the instructional competency requirements of the adopted training program. The overall program delivered shall be supervised by an Instructor Level II with a Drill Ground Instructor Certificate.

(b) All drill ground and live fire training provided in the adopted training program shall require certified instructors to possess a Drill Ground Instructor Certificate issued by the Office of Training and Certification. Live fire training shall be supervised by an Instructor Level II with a Drill Ground Certificate.

(c) Adjunct instructors shall be permitted for specialized instruction in: apparatus design and operation, water supply, driver education and safety, hydraulics, air and breathing systems, rescue methods and tools, highway safety and guidelines, communication, incident management system, hazardous materials, utilities, hazard materials, wildland/urban interface, first aid, cardio-pulmonary resuscitation, burn education, and bloodborne pathogens. Additional topics of instruction shall be permitted upon approval of the Office of Training and Certification. Approved adjunct instructors shall be competent in the area of specialty and be accredited by other professional organizations at a state or national certification level.

#### 5:73-14.4 Examination requirements

(a) Applicants for the fire apparatus driver/operator certifications shall demonstrate competency of the adopted standards by successful completion of written and practical examinations administered through the Office of Training and Certification.

1. Applicants shall have three opportunities to successfully pass the written and practical examinations for each title tested. If an applicant fails upon the third attempt to pass an examination, he or she shall be required to repeat the adopted training program in its entirety before additional examinations will be administered to the individual for the title tested.

2. Written and practical exams must be passed with a minimum score of 70 percent for written and 80 percent for practical.

#### 5:73-14.5 Learning disabilities accommodations

(a) Accommodations for persons with documented learning disabilities will be established for written examinations as follows:

1. The Office of Training and Certification within the Division of Fire Safety and eligible institutions or organizations approved through this chapter shall offer reasonable and appropriate accommodations for those persons with learning disabilities in reading decoding, reading comprehension, and/or written expression.

2. A person requesting accommodations for written examinations shall make the request to the instructor of the training program, at least 30 calendar days prior to the examination date.

3. Documentation of the learning disability shall include one of the following:

i. A diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or

ii. A diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DSM-5) (5th Edition), incorporated herein by reference, as amended and supplemented by the American Psychiatric Association. This manual may be obtained by contacting the American Psychiatric Association, Suite 1825, 1000 Wilson Boulevard, Arlington, VA 22209 or at [www.psychiatry.org](http://www.psychiatry.org).

(b) All diagnoses shall have been made within five years of the date of the written examination.

(c) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted a total of three hours to complete a 100-question exam, one and one-half hours for a 50-question exam, and 45 minutes for a 25-question exam. Variations of these written examinations that use different quantities of examination questions shall be adjusted at the discretion of the instructor to reflect a comparable accommodation.

(d) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted to receive the written examination by oral delivery from the training program staff. Oral examinations shall be delivered using the ratio of 1:1 (one instructor to one student).

(e) A maximum of three attempts per examination title shall be provided for a student to pass written examinations. A minimum passing score shall be 70 percent correct.

(f) All attempts to successfully pass written examinations shall be completed by the student according to the eligible training organization's policies and course completion timeline requirements.

#### 5:73-14.6 National credentialing of certifications issued

(a) Certifications issued pursuant to this subchapter that have been accredited by the Pro Board and/or by the IFSAC, shall be processed through the Office of Training and Certification.

1. Applicants seeking national credentialing of certifications issued through this subchapter shall meet the policies and procedures established by the Office of Training and Certification.

(b) National credentialing shall conform to the policies and procedures of the Pro Board and IFSAC, incorporated herein by reference, as amended and supplemented.

(c) The payment of a certificate registration fee established through the Pro Board and/or IFSAC for each certification issued may be required, as established or amended by these independent credentialing organizations. The specific fees applied shall be set forth in the application form established by the Office of Training and Certification.

**SUBCHAPTER 15. FIRE AND LIFE SAFETY EDUCATOR,  
PUBLIC INFORMATION OFFICER,  
YOUTH FIRESSETTER INTERVENTION  
SPECIALIST, YOUTH FIRESSETTER  
PROGRAM MANAGER**

**5:73-15.1 General provisions**

(a) It is the purpose of this subchapter to establish criteria for certifying various levels of fire and life safety educator, public information officer, youth firesetter intervention specialist, and youth firesetter program manager. For purposes of this subchapter, credentialing shall not apply to wildland firefighters in the State of New Jersey Forest Fire Service.

(b) Copies of National Fire Protection Association (NFPA) standards, incorporated by reference in this subchapter, may be obtained by writing to: NFPA, 1 Batterymarch Park, Quincy, MA 02169.

(c) Copies of the adopted training program may be purchased through the specific publisher. Contact information may be obtained by writing to: New Jersey Division of Fire Safety, Office of Training and Certification, PO Box 809, Trenton, NJ 08625-0809.

(d) Copies of the Pro Board accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: The Pro Board, PO Box 690632, Quincy, MA 02269.

(e) Copies of the IFSAC accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: IFSAC, 1812 West Tyler Avenue, Stillwater, OK 74078.

**5:73-15.2 Certification and adopted training programs**

(a) Certification for fire and life safety educator, public information officer, youth firesetter intervention specialist, and youth firesetter program manager shall be granted to an individual who:

1. Has submitted an application for certification to the Office of Training and Certification;
2. Is at least 18 years of age;
3. Has successfully completed the adopted State instructional program for the certification title applied; and
4. Successfully passed the State exams that evaluate the Job Performance Requirements (JPRs) and components of requisite knowledge and skills contained in the NFPA 1035, 2015 Edition, Standard for Fire and Life Safety Educator, Public Information Officer, Youth Firesetter Intervention Specialist and Youth Firesetter Program Manager, incorporated herein by reference, as amended and supplemented.

(b) The following fire and life safety educators, public information officer, and youth firesetter intervention personnel titles, which are associated with the adopted standard, shall be issued by the Office of Training and Certification:

1. Fire and Life Safety Educator I;
2. Fire and Life Safety Educator II;
3. Fire and Life Safety Educator III;
4. Public Information Officer;
5. Youth Firesetter Intervention Specialist; and
6. Youth Firesetter Program Manager.

(c) The Office of Training and Certification within the Division of Fire Safety shall be permitted to adopt a training program, establish training procedures and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications.

1. The adopted training program and equivalency determination shall comply with the current edition of the adopted NFPA 1035 standard. Upon an NFPA standard edition change, the Office of Training and Certification shall have two years from the NFPA adoption date to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition.

2. Additional instruction shall be incorporated into the adopted training program when approved and/or directed by the Office of Training and Certification.

3. Eligible organizations and their facilities shall be permitted to establish additional local jurisdiction operational requirements regarding the use and training conducted in accordance with this subchapter. Local jurisdiction requirements shall not conflict with the intent of the training procedures or forms adopted by the Office of Training and Certification.

**5:73-15.3 Training program instructor requirements**

(a) Instructors of the adopted training program shall be certified by the Office of Training and Certification as an Instructor Level I, II, or Adjunct Instructor, and shall meet the instructional competency requirements of the adopted training program. The overall program delivered shall be supervised by an Instructor Level II with a Drill Ground Instructor Certificate.

(b) Adjunct instructors shall be permitted for specialized instruction in: interview techniques, psychological profiling, medical, law enforcement, social work, gangs, criminal justice, and fire investigation. Additional topics of instruction shall be permitted upon approval of the Office of Training and Certification. Approved adjunct instructors shall be competent in the area of specialty and be accredited by other professional organizations at a state or national certification level.

**5:73-15.4 Examination requirements**

(a) Applicants for the Fire and Life Safety Educator, Public Information Officer, Youth Firesetter Intervention Specialist, Youth Firesetter Program Manager certifications shall demonstrate competency of the adopted standards by successful completion of written and practical examinations administered through the Office of Training and Certification.

1. Applicants shall have three opportunities to successfully pass the written and practical examinations for each title tested. If an applicant fails upon the third attempt to pass an examination, he or she shall be required to repeat the adopted training program in its entirety before additional examinations will be administered to the individual for the title tested.

2. Written and practical exams must be passed with a minimum score of 70 percent for written and 80 percent for practical.

**5:73-15.5 Learning disabilities accommodations**

(a) Accommodations for persons with documented learning disabilities will be established for written examinations as follows:

1. The Office of Training and Certification within the Division of Fire Safety and eligible institutions or organizations approved through this chapter shall offer reasonable and appropriate accommodations for those persons with learning disabilities in reading decoding, reading comprehension, and/or written expression.

2. A person requesting accommodations for written examinations shall make the request to the instructor of the training program, at least 30 calendar days prior to the examination date.

3. Documentation of the learning disability shall include one of the following:

i. A diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or

ii. A diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, as amended and supplemented by the American Psychiatric Association. This manual may be obtained by contacting the American Psychiatric Association, Suite 1825, 1000 Wilson Boulevard, Arlington, VA 22209 or at [www.psychiatry.org](http://www.psychiatry.org).

(b) All diagnosis shall have been made within five years of the date of the written examination.

(c) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted a total of three hours to complete a 100-question exam, one and one-half hours for a 50-question exam, and 45 minutes for a 25-question exam. Variations of these written examinations that use different quantities of examination questions shall be adjusted at the discretion of the instructor to reflect a comparable accommodation.

(d) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted to receive the written examination by oral delivery from the training program staff. Oral examinations shall be delivered using the ratio of 1:1 (one instructor to one student).

(e) A maximum of three attempts per examination title shall be provided for a student to pass written examinations. A minimum passing score shall be 70 percent correct.

(f) All attempts to successfully pass written examinations shall be completed by the student according to the eligible training organization's policies and course completion timeline requirements.

#### 5:73-15.6 National credentialing of certifications issued

(a) Certifications issued pursuant to this subchapter that have been accredited by the Pro Board and/or by the IFSAC, shall be processed through the Office of Training and Certification.

1. Applicants seeking national credentialing of certifications issued through this subchapter shall meet the policies and procedures established by the Office of Training and Certification.

(b) National credentialing shall conform to the policies and procedures of the Pro Board and IFSAC, incorporated herein by reference, as amended and supplemented.

(c) The payment of a certificate registration fee established through the Pro Board and/or IFSAC for each certification issued may be required, as established or amended by these independent credentialing organizations. The specific fees applied shall be set forth in the application form established by the Office of Training and Certification.

### SUBCHAPTER 16. FIRE DEPARTMENT SAFETY OFFICER

#### 5:73-16.1 General provisions

(a) It is the purpose of this subchapter to establish criteria for certifying various levels of fire department safety officer. For purposes of this subchapter, credentialing shall not apply to wildland firefighters in the State of New Jersey Forest Fire Service.

(b) Copies of National Fire Protection Association (NFPA) standards, incorporated by reference in this subchapter, may be obtained by writing to: NFPA, 1 Batterymarch Park, Quincy, MA 02169.

(c) Copies of the adopted training program may be purchased through the specific publisher. Contact information may be obtained by writing to: New Jersey Division of Fire Safety, Office of Training and Certification, PO Box 809, Trenton, NJ 08625-0809.

(d) Copies of the Pro Board accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: The Pro Board, PO Box 690632, Quincy, MA 02269.

(e) Copies of the IFSAC accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: IFSAC, 1812 West Tyler Avenue, Stillwater, OK 74078.

#### 5:73-16.2 Certification and adopted training programs

(a) Certification for fire department safety officer shall be granted to an individual who:

1. Has submitted an application for certification to the Office of Training and Certification;
2. Is at least 18 years of age;
3. Has successfully completed the adopted State instructional program for the certification title applied; and
4. Successfully passed the State exams that evaluate the Job Performance Requirements (JPRs) and components of requisite knowledge and skills contained in the NFPA 1521, 2015 Edition,

Standard for Fire Department Safety Officer Professional Qualifications, incorporated herein by reference, as amended and supplemented.

(b) The following health and safety officer titles, which are associated with the adopted standard, shall be issued by the Office of Training and Certification:

1. Health and Safety Officer; and
2. Incident Safety Officer.

(c) The Office of Training and Certification within the Division of Fire Safety shall be permitted to adopt a training program, establish training procedures and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications.

1. The adopted training program and equivalency determination shall comply with the current edition of the adopted NFPA 1521 standard. Upon an NFPA standard edition change, the Office of Training and Certification shall have two years from the NFPA adoption date to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition.

2. Additional instruction shall be incorporated into the adopted training program when approved and/or directed by the Office of Training and Certification.

3. Facilities and props used for non-live burn training shall meet the specifications in N.J.A.C. 5:73-2.4, specific to its designated use and design, and shall be approved by the Office of Training and Certification.

4. Eligible organizations and their facilities shall be permitted to establish additional local jurisdiction operational requirements regarding the use and training conducted in accordance with this subchapter. Local jurisdiction requirements shall not conflict with the intent of the training procedures or forms adopted by the Office of Training and Certification.

#### 5:73-16.3 Training program instructor requirements

(a) Instructors of the adopted training program shall be certified by the Office of Training and Certification as an Instructor Level I, II, or Adjunct Instructor, and shall meet the instructional competency requirements of the adopted training program. The overall program delivered shall be supervised by an Instructor Level II with a Drill Ground Instructor Certificate.

(b) Adjunct instructors shall be permitted for specialized instruction in: organized fire department health and safety programs, physical fitness, medical deceases, stress, and suicide prevention. Additional topics of instruction shall be permitted upon approval of the Office of Training and Certification. Approved adjunct instructors shall be competent in the area of specialty and be accredited by other professional organizations at a state or national certification level.

#### 5:73-16.4 Examination requirements

(a) Applicants for the Fire Department Safety Officer Certification shall demonstrate competency of the adopted standards by successful completion of written and practical examinations administered through the Office of Training and Certification.

1. Applicants shall have three opportunities to successfully pass the written and practical examinations for each title tested. If an applicant fails upon the third attempt to pass an examination, he or she shall be required to repeat the adopted training program in its entirety before additional examinations will be administered to the individual for the title tested.

2. Written and practical exams must be passed with a minimum score of 70 percent for written and 80 percent for practical.

#### 5:73-16.5 Learning disabilities accommodations

(a) Accommodations for persons with documented learning disabilities will be established for written examinations as follows:

1. The Office of Training and Certification within the Division of Fire Safety and eligible institutions or organizations approved through this chapter shall offer reasonable and appropriate

accommodations for those persons with learning disabilities in reading decoding, reading comprehension, and/or written expression.

2. A person requesting accommodations for written examinations shall make the request to the instructor of the training program, at least 30 calendar days prior to the examination date.

3. Documentation of the learning disability shall include one of the following:

i. A diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or

ii. A diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, as amended and supplemented by the American Psychiatric Association. This manual may be obtained by contacting the American Psychiatric Association, Suite 1825, 1000 Wilson Boulevard, Arlington, VA 22209 or at [www.psychiatry.org](http://www.psychiatry.org).

(b) All diagnoses shall have been made within five years of the date of the written examination.

(c) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted a total of three hours to complete a 100-question exam, one and one-half hours for a 50-question exam, and 45 minutes for a 25-question exam. Variations of these written examinations that use different quantities of examination questions shall be adjusted at the discretion of the instructor to reflect a comparable accommodation.

(d) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted to receive the written examination by oral delivery from the training program staff. Oral examinations shall be delivered using the ratio of 1:1 (one instructor to one student).

(e) A maximum of three attempts per examination title shall be provided for a student to pass written examinations. A minimum passing score shall be 70 percent correct.

(f) All attempts to successfully pass written examinations shall be completed by the student according to the eligible training organization's policies and course completion timeline requirements.

#### 5:73-16.6 National credentialing of certifications issued

(a) Certifications issued pursuant to this subchapter that have been accredited by the Pro Board and/or by the IFSAC, shall be processed through the Office of Training and Certification.

1. Applicants seeking national credentialing of certifications issued through this subchapter shall meet the policies and procedures established by the Office of Training and Certification.

(b) National credentialing shall conform to the policies and procedures of the Pro Board and IFSAC, incorporated herein by reference, as amended and supplemented.

(c) The payment of a certificate registration fee established through the Pro Board and/or IFSAC for each certification issued may be required, as established or amended by these independent credentialing organizations. The specific fees applied shall be set forth in the application form established by the Office of Training and Certification.

#### SUBCHAPTER 17. WILDLAND FIRE FIGHTER, WILDLAND FIRE OFFICER, WILDLAND/URBAN INTERFACE PROTECTION SPECIALIST, WILDLAND/URBAN INTERFACE COORDINATOR

##### 5:73-17.1 General provisions

(a) It is the purpose of this subchapter to establish criteria for certifying various levels of wildland firefighter, wildland fire officer, wildland/urban interface protection specialist, wildland/urban

interface coordinator. For purposes of this subchapter, credentialing shall not apply to wildland firefighters in the State of New Jersey Forest Fire Service.

(b) Copies of National Fire Protection Association (NFPA) standards, incorporated by reference in this subchapter, may be obtained by writing to: NFPA, 1 Batterymarch Park, Quincy, MA 02269.

(c) Copies of the adopted training program may be purchased through the specific publisher. Contact information may be obtained by writing to: New Jersey Division of Fire Safety, Office of Training and Certification, PO Box 809, Trenton, NJ 08625-0809.

(d) Copies of the Pro Board accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: The Pro Board, PO Box 690632, Quincy, MA 02269.

(e) Copies of the IFSAC accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: IFSAC, 1812 West Tyler Avenue, Stillwater, OK 74078.

##### 5:73-17.2 Certification and adopted training programs

(a) Certification for wildland firefighter, wildland fire officer, wildland/urban interface protection specialist, wildland/urban interface coordinator shall be granted to an individual who:

1. Has submitted an application for certification to the Office of Training and Certification;

2. Is at least 18 years of age;

3. Has successfully completed the adopted State instructional program for the certification title applied; and

4. Successfully passed the State exams that evaluate the Job Performance Requirements (JPRs) and components of requisite knowledge and skills contained in the NFPA 1051, 2016 Edition, Standard for Wildland Fire Fighter Professional Qualifications, incorporated herein by reference, as amended and supplemented.

(b) The following wildland fire fighters, wildland fire officers, and wildland/urban interface personnel titles, that are associated with the adopted standard, shall be issued by the Office of Training and Certification:

1. Wildland Fire Fighter I;

2. Wildland Fire Fighter II;

3. Wildland Fire Officer I;

4. Wildland Fire Officer II;

5. Wildland/Urban Interface Protection Specialist; and

6. Wildland/Urban Interface Coordinator.

(c) The Office of Training and Certification within the Division of Fire Safety shall be permitted to adopt a training program, establish training procedures and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications.

1. The adopted training program and equivalency determination shall comply with the current edition of the adopted NFPA 1051 standard. Upon an NFPA standard edition change, the Office of Training and Certification shall have two years from the NFPA adoption date to modify existing training programs, or adopt new training programs to comply with the new NFPA standard edition.

2. Additional instruction shall be incorporated into the adopted training program when approved and/or directed by the Office of Training and Certification.

(d) Eligible organizations and their facilities shall be permitted to establish additional local jurisdiction operational requirements regarding the use and training conducted in accordance with this subchapter. Local jurisdiction requirements shall not conflict with the intent of the training procedures or forms adopted by the Office of Training and Certification.

##### 5:73-17.3 Training program instructor requirements

(a) Instructors of the adopted training program shall be certified by the Office of Training and Certification as an Instructor Level I, II, or Adjunct Instructor, and shall meet the instructional competency requirements of the adopted training program. The



overall program delivered shall be supervised by an Instructor Level II with a Drill Ground Instructor Certificate.

(b) Adjunct instructors shall be permitted for specialized instruction in: expanded wildland/urban interface topics, State forestry fire service, national wildfire coordinating group organization and operations, water supply, planning and coordination, mutual-aid plans, strike team and task force management, communication, computers, finance, NJ State government and emergency response agencies, emergency incident command, and multi-agency coordination. Additional topics of instruction shall be permitted upon approval of the Office of Training and Certification. Approved adjunct instructors shall be competent in the area of specialty and be accredited by other professional organizations at a state or national certification level.

#### 5:73-17.4 Examination requirements

(a) Applicants for the Wildland Fire Fighter, Wildland Fire Officer, Wildland/Urban Interface Protection Specialist, and Wildland/Urban Interface Coordinator certifications shall demonstrate competency of the adopted standards by successful completion of written and practical examinations administered through the Office of Training and Certification.

1. Applicants shall have three opportunities to successfully pass the written and practical examinations for each title tested. If an applicant fails upon the third attempt to pass an examination, he or she shall be required to repeat the adopted training program in its entirety before additional examinations will be administered to the individual for the title tested.

2. Written and practical exams must be passed with a minimum score of 70 percent for written and 80 percent for practical.

#### 5:73-17.5 Learning disabilities accommodations

(a) Accommodations for persons with documented learning disabilities will be established for written examinations as follows:

1. The Office of Training and Certification within the Division of Fire Safety and eligible institutions or organizations approved through this chapter shall offer reasonable and appropriate accommodations for those persons with learning disabilities in reading decoding, reading comprehension and/or written expression.

2. A person requesting accommodations for written examinations shall make the request to the instructor of the training program, at least 30 calendar days prior to the examination date.

3. Documentation of the learning disability shall include one of the following:

i. A diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or

ii. A diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, as amended and supplemented by the American Psychiatric Association. This manual may be obtained by contacting the American Psychiatric Association, Suite 1825, 1000 Wilson Boulevard, Arlington, VA 22209 or at [www.psychiatry.org](http://www.psychiatry.org).

(b) All diagnoses shall have been made within five years of the date of the written examination.

(c) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted a total of three hours to complete a 100-question exam, one and one-half hours for a 50-question exam, and 45 minutes for a 25-question exam. Variations of these written examinations that use different quantities of examination questions shall be adjusted at the discretion of the instructor to reflect a comparable accommodation.

(d) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted to receive the written examination by oral delivery from the training

program staff. Oral examinations shall be delivered using the ratio of 1:1 (one instructor to one student).

(e) A maximum of three attempts per examination title shall be provided for a student to pass written examinations. A minimum passing score shall be 70 percent correct.

(f) All attempts to successfully pass written examinations shall be completed by the student according to the eligible training organization's policies and course completion timeline requirements.

#### 5:73-17.6 National credentialing of certifications issued

(a) Certifications issued pursuant to this subchapter that have been accredited by the Pro Board and/or by the IFSAC, shall be processed through the Office of Training and Certification.

1. Applicants seeking national credentialing of certifications issued through this subchapter shall meet the policies and procedures established by the Office of Training and Certification.

(b) National credentialing shall conform to the policies and procedures of the Pro Board and IFSAC, incorporated herein by reference, as amended and supplemented.

(c) The payment of a certificate registration fee established through the Pro Board and/or IFSAC for each certification issued may be required, as established or amended by these independent credentialing organizations. The specific fees applied shall be set forth in the application form established by the Office of Training and Certification.

### SUBCHAPTER 18. FIRE INVESTIGATOR

#### 5:73-18.1 General provisions

(a) It is the object of this subchapter to establish criteria for certifying Fire Investigators. This certification shall not supersede the statutory authority of the New Jersey Department of Law and Public Safety, Division of Criminal Justice through N.J.S.A. 40A:14-7.1 to train and credential fire personnel assigned to certified arson investigation units in municipal fire departments. For purposes of this subchapter, credentialing shall not apply to wildland firefighters in the State of New Jersey Forest Fire Service.

(b) Copies of the adopted training program may be purchased through the specific publisher. Contact information may be obtained by writing to: New Jersey Division of Fire Safety, Office of Training and Certification, PO Box 809, Trenton, NJ 08625-0809.

(c) Copies of National Fire Protection Association (NFPA) standards incorporated by reference in this subchapter may be obtained by writing to: NFPA, 1 Batterymarch Park, Quincy, MA 02269.

(d) Copies of International Association of Arson Investigators (IAAI) publications, guidelines, and training programs incorporated by reference in this chapter may be obtained by writing to: IAAI, Suite 203, 2111 Baldwin Avenue, Crofton, MD 21114.

(e) Copies of National Association of Fire Investigators (NAFI) publications, guidelines, and training programs incorporated by reference in this chapter may be obtained by writing to: NAFI, Suite 104, 4900 West Manatee Avenue, Bradenton, FL 34209.

(f) Copies of the National Fire Academy courses incorporated by reference in this subchapter, may be obtained by writing to: National Fire Academy, 16825 South Seton Avenue, Emmitsburg, MD 21727.

(g) Copies of the Pro Board accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: The Pro Board, PO Box 690632, Quincy, MA 02269.

(h) Copies of the IFSAC accreditation policies and procedures, incorporated by reference in this subchapter, may be obtained by writing to: IFSAC, 1812 West Tyler Avenue, Stillwater, OK 74078.

#### 5:73-18.2 Certification and adopted training programs

(a) Certification for Fire Investigator shall be granted to an individual who meets the following requirements:

1. Be at least 18 years of age;
2. Has a high school diploma or equivalent;
3. Holds one of the following certifications, licenses or titles:

- i. Firefighter I;
- ii. Fire Inspector or Fire Official;
- iii. Police Officer or Police Detective or Police Investigator;
- iv. Certified Fire Investigator (CFI) through IAAI;
- v. Certified Fire and Explosion Investigator (CFEI) through NAFI; or

vi. Certified Fire Investigator designated by the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives (U.S. ATF);

4. Satisfactorily completes a Basic Fire Investigation course of at least 80 hours of instruction that meets the requirements of NFPA 1033, 2014 Edition, Standard for Professional Qualifications for Fire Investigator; and NFPA 921, 2017 Edition, Guide for Fire and Explosion Investigations, incorporated herein by reference, as amended and supplemented;

i. Only an educational program completed within the three years prior to, or at the time of, application shall be accepted toward fulfilling the education program requirements for Fire Investigator certification.

5. Satisfactorily pass a written and skills exams specified in (c) below;

i. Only exam results passed within three years prior to, or at the time of, application shall be accepted toward fulfilling the examination requirements of the Fire Investigator Certification; and

6. Submits an application to the Office of Training and Certification within the Division of Fire Safety, accompanied by the required fee established at N.J.A.C. 5:73-18.6. The application shall include such information and documentation as the Office of Training and Certification may require.

7. The Office of Training and Certification shall be authorized to determine equivalency to (a)4 and 5 above to accommodate previously credentialed individuals from government and private industry. The three-year course and examination completion date requirement of (a)4 and 5 above of this subchapter shall not apply to individuals who fall under this equivalency determination. The Office of Training and Certification shall issue a Fire Investigator Certification where the applicant has previously passed an examination and received certification as a Certified Fire Investigator (CFI), Basic Arson Investigator (BAI), or Certified Fire Explosive Investigator (CFEI), and has paid the application fee established in N.J.A.C. 5:73-18.6.

i. The issuance of a Fire Investigator certification through this equivalency provision shall be restricted to a one-time issuance, and shall not be applied to a Fire Investigator certification, which has lapsed.

ii. The subsequent renewal of a certification issued shall be compliant to this subchapter.

(b) The following training curriculum shall be required to satisfy the requirements of (a)4 above:

- 1. The minimum hours required is 80;
- 2. The instructional curriculum must cover the following subject areas:
  - i. Chemistry of Fire;
  - ii. Accidental Origin & Cause/Incendiary Fires;
  - iii. Documenting the Fire Scene;
  - iv. Legal Aspects;
  - v. Report Writing;
  - vi. Fire Origin and Cause/Burn Patterns;
  - vii. Wildland Fires;
  - viii. Motives/Juvenile Firesetters;
  - ix. Interview & Interrogation;
  - x. Fatal Fire Investigations;
  - xi. Appliances as Fire Starters;
  - xii. Building Construction for the Fire Investigator;
  - xiii. Electrical Systems and Their Involvement;
  - xiv. Insurance Aspects;
  - xv. Vehicular Theft and Arson Investigations;
  - xvi. Planning and Managing the Investigation;
  - xvii. Fire Investigator Safety;
  - xviii. Post Blast/Explosives Recognition;
  - xix. Evidence Handling;

xx. Depositions/Expert Testimony;

xxi. Field Operations/Actual Fire Scene Examination; and

xxii. Examinations and quizzes.

3. The following courses can be substituted for the Basic Fire Investigation course as specified in this subchapter:

i. A Basic Fire/Arson Investigator course administered through the New Jersey Division of Criminal Justice, the National Fire Academy, or sanctioned through the International Association of Arson Investigators (IAAI) or the National Association of Fire Investigators (NAFI); or

ii. Any other course taken can be submitted by the candidate to the Office of Training and Certification for evaluation as an equivalent. The Office will maintain a list of reviewed and approved courses.

(c) Applicants for the Fire Investigator Certification shall demonstrate knowledge of the subject areas by successful completion of the fire investigator written and skills examinations administered through the Office of Training and Certification. A successful minimum passing score of the written and skills examinations shall be 80 percent correct.

1. Only examination results passed within three years prior to, or at the time of, application shall be accepted toward fulfilling the examination requirements of the Fire Investigator Certification.

2. An applicant who fails the fire investigator examination during three attempts shall be required to retake the basic fire investigation program of instruction.

(d) The Office of Training and Certification within the Division of Fire Safety shall be permitted to adopt a training program, establish training procedures and forms, establish and administer exams, establish instructor qualifications and train-the-trainer programs, and evaluate educational programs submitted by applicants to determine equivalency towards issuance of certifications.

#### 5:73-18.3 Renewal of certification

(a) Once a Fire Investigator Certification is issued, and every three years thereafter, any Fire Investigator Certification already issued shall be renewed upon submission of an application and verification by the Office of Training and Certification that the applicant has met the continuing education requirements established by this subchapter. The Division shall renew, for a term of three years, the certification previously issued. The expiration date of the certification shall be April 30, if all documentation is completed and received between November 1 and April 30, or October 31, if all documentation is completed and received between May 1 and October 31. If the applicant holds other renewable certifications that have established a cycle expiration date, the date established shall reflect the current cycle expiration date. Where the expiration lapse date provides less than six months to obtain the required CEU requirements, the CEU requirements to renew the Fire Investigator Certification shall be viewed as being met.

(b) Continuing education requirements, as follows, shall be met for renewal of certification. The requirements are based upon the type(s) of certification(s) held and not upon employment position held. Continuing education units (CEUs) shall be approved by the Office of Training and Certification using the formula of one CEU equals 10 contact hours of instruction.

1. Fire Investigator-1.5 CEUs.

(c) Continuing education credit obtained in a certification cycle shall not carry over into the next cycle.

(d) Where the holder of a certification has allowed the certification to lapse by failing to renew the certification as provided for in (a) above, a new application and certification shall be required.

1. If such application is made within six months of the certification having lapsed, then application may be made in the same manner as a renewal.

i. Continuing education credit shall not be applied to more than one certification cycle.

2. Upon a finding that a certification was previously held and that any applicable continuing education requirements have been satisfied, the certification shall be issued.

3. Where the former certification has lapsed for a period exceeding six months, a new application shall be required in accordance with this subchapter.

i. A medical accommodation shall be made for individuals who document a serious medical condition and/or treatment which prevents them from obtaining the required CEUs within a three-year certification cycle. The Office of Training and Certification shall review and determine justification for the medical accommodation, and shall be authorized to extend the renewal period for a length which accommodates the medical condition and/or treatment. During the medical accommodation time period, the previously issued certification will be invalid until renewed. Upon the individual satisfying the CEUs required to renew a certification, the Office of Training and Certification shall renew the certification.

#### 5:73-18.4 Organizational, administrative, and operational functions for fire investigator educational and preparation programs

(a) Programs for effective education of fire investigators shall be structured to achieve the appropriate purposes and objectives. An institution or organization seeking initial and continuing approval of educational programs shall include in its application clearly defined statements of such purposes and objectives.

(b) Continuing education programs for fire investigator shall be completed within the three-year period immediately preceding the renewal date and shall include any of the following topics:

1. Chemistry of fire;
2. Building construction for fire investigators;
3. Note taking for fire investigators;
4. Legal courses designed for fire investigators;
5. Incendiary fire indicators;
6. Origin and cause determination;
7. Report writing;
8. Sources of information for the fire investigator;
9. Documenting the fire scene;
10. Insurance aspects at a fire loss;
11. Fatal fire investigations;
12. Electrical involvement in fire starting;
13. Evidence handling at an arson fire;
14. Vehicle fire investigations;
15. Interpretation of burn patterns;
16. Testifying as an expert witness;
17. Boat fires;
18. Arson laws and interpretation;
19. Accelerant Detection K-9s;
20. The Scientific Method;
21. NFPA 921 and/or NFPA 1033; and
22. Any other related topics approved by the Office of Training and Certification.

(c) Applicants for renewal may submit for consideration the syllabus of any course of study completed during the three-year period. Once a course of study has been evaluated and accepted, the Office of Training and Certification shall add it to a list of approved courses.

#### 5:73-18.5 Procedures for applying for continuing education approval

(a) Any organization, institution, or instructor may submit any course that complies with the requirements of this subchapter for credit as a continuing education program. The application shall be on a form provided by the Office of Training and Certification and shall be submitted within 10 working days of the completion of the program. The form shall contain the following information:

1. The organization or institution name;
2. The education, certifications/licenses, and professional credentials of the instructor(s);
3. The title of the course or program;

4. An outline of the program;
5. The date(s) of the program;
6. The duration of the program in hours and tenths of hours;
7. The certification(s) for which the training is intended;
8. The location of the course delivery;
9. The name and certification number of each fire investigator attending; and
10. The signature of the authorized signatory and instructor.

#### 5:73-18.6 Fees

(a) No application for a fire investigator certification shall be acted upon unless the application is accompanied by a fee as follows:

1. The initial application fee shall be \$91.00.
2. The three-year renewal application fee shall be \$91.00.

(b) The application fee shall be made payable to "Treasurer, State of New Jersey."

#### 5:73-18.7 Examination requirements

(a) Examinations shall be administered by the Office of Training and Certification to establish eligibility for certification as a fire investigator.

1. Applicants for fire investigator certification shall demonstrate competence by successful completion of a fire investigator written and skills examination, with a minimum passing score of 80 percent correct.

i. Only examination results passed within three years prior to, or at the time of, application shall be accepted toward fulfilling the examination requirements of the fire investigator certification.

(A) The exception to this provision shall be N.J.A.C. 5:73-18.2(a)7.

2. An applicant who fails the fire investigator examination during three attempts shall be required to retake the Basic Fire Investigation program of instruction.

#### 5:73-18.8 Learning disabilities accommodations

(a) Accommodations for persons with documented learning disabilities will be established for written examinations as follows:

1. The Office of Training and Certification within the Division of Fire Safety and eligible institutions or organizations approved through this chapter shall offer reasonable and appropriate accommodations for those persons with learning disabilities in reading decoding, reading comprehension, and/or written expression.

2. A person requesting accommodations for written examinations shall make the request to the instructor of the training program, at least 30 calendar days prior to the examination date.

3. Documentation of the learning disability shall include one of the following:

i. A diagnosis based upon the results of a standardized psycho-educational assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension, and/or written expression; or

ii. A diagnosis made by a qualified professional, according to the criteria outlined in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DMS-5) (5th Edition), incorporated herein by reference, as amended and supplemented by the American Psychiatric Association. This manual may be obtained by contacting the American Psychiatric Association, Suite 1825, 1000 Wilson Boulevard, Arlington, VA 22209 or at [www.psychiatry.org](http://www.psychiatry.org).

(b) All diagnosis shall have been made within five years of the date of the written examination.

(c) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted a total of three hours to complete a 100-question exam, one and one-half hours for a 50-question exam, and 45 minutes for a 25-question exam. Variations of these written examinations that use different quantities of examination questions shall be adjusted at the discretion of the instructor to reflect a comparable accommodation.

(d) A person who qualifies for accommodations, as reviewed and determined by the training program staff, shall be permitted to receive the written examination by oral delivery from the training program staff. Oral examinations shall be delivered using the ratio of 1:1 (one instructor to one student).

(e) A maximum of three attempts per examination title shall be provided for a student to pass written examinations. A minimum passing score shall be 80 percent correct.

(f) All attempts to successfully pass written examinations shall be completed by the student according to the eligible training organization's policies and course completion timeline requirements.

#### 5:73-18.9 National credentialing of certifications issued

(a) Certifications issued pursuant to this subchapter that have been accredited by the Pro Board and/or by the IFSAC, shall be processed through the Office of Training and Certification.

1. Applicants seeking national credentialing of certifications issued through this subchapter shall meet the policies and procedures established by the Office of Training and Certification.

(b) National credentialing shall conform to the policies and procedures of the Pro Board and IFSAC, incorporated herein by reference, as amended and supplemented.

(c) The payment of a certificate registration fee established through the Pro Board and/or IFSAC for each certification issued may be required, as established or amended by these independent credentialing organizations. The specific fees applied shall be set forth in the application form established by the Office of Training and Certification.

## EDUCATION

### (a)

#### COMMISSIONER OF EDUCATION

#### Renaissance Schools

**Proposed Amendments: N.J.A.C. 6A:31-1.2, 2.1, 3.1, 3.2, 4.1, 4.2, 4.3, 4.4, 5.1, and 6.1**

**Proposed Repeal: N.J.A.C. 6A:31-5.2**

**Proposed New Rules: N.J.A.C. 6A:31-3.3, 4.5, 7.1, 7.2, 7.3, 8.1, 8.2, and 8.3**

Authorized By: Kimberley Harrington, Commissioner, Department of Education.

Authority: N.J.S.A. 18A:36C-1 et seq.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2017-194.

Submit written comments by October 20, 2017, to:

Colleen Schulz-Eskow, Director of Government Affairs  
New Jersey Department of Education  
100 River View Executive Plaza  
PO Box 500  
Trenton, New Jersey 08625-0500  
E-mail: [Chapter31@doe.state.nj.us](mailto:Chapter31@doe.state.nj.us)

The agency proposal follows:

#### Summary

The Department of Education (Department) proposes to amend N.J.A.C. 6A:31, Renaissance Schools. The proposed amendments were developed to operationalize amendments to N.J.S.A. 18A:36C-1 et seq., the Urban Hope Act (UHA), and to ensure the implementation of renaissance school projects.

The UHA, which was enacted in January 2012 and amended in July 2013 and August 2014, establishes a process to permit authorized nonprofit entities to partner with qualified school districts to provide students with new or significantly reconstructed high-quality schools.

The most recent amendments to the UHA included an expanded definition of "renaissance school project" to incorporate schools that have undergone "substantial reconstruction." The proposed amendments to N.J.A.C. 6A:31 will provide additional guidance for the development of renaissance school projects aligned to the revised statutory definition.

The recent amendments to the UHA also defer to the rules that govern charter schools unless otherwise stated in N.J.S.A. 18A:36C-1 et seq. The proposed amendments to N.J.A.C. 6A:31 seek to better align renaissance school projects with charter schools to reflect this change. The Department also proposes to add subchapters on governance and finance to provide additional detail in these areas.

The Department proposes throughout the chapter to add or delete "project" after "renaissance school" or to replace "renaissance school's" with "renaissance school project's" in sections the Department identified as needing the clarification between a renaissance school facility and an entire renaissance school project.

The following summary provides an overview of the proposed amendments. If not explained in the summary, amendments are proposed to improve style, clarity, or grammar.

#### Subchapter 1. Purpose and Definitions

##### N.J.A.C. 6A:31-1.2 Definitions

The Department proposes a definition for "attendance area" to mean the geographic area delineated for each renaissance school facility property by the renaissance school district or as identified in the application approved by the Commissioner in the case of land not owned by the New Jersey Schools Development Authority or the renaissance school district.

The Department proposes a definition for "board of trustees" to mean the public agents authorized by the renaissance school district board of education through a contract approved by the Commissioner to govern a renaissance school project.

The Department proposes to delete the definition for "comprehensive school facilities plan," as the term does not appear elsewhere in the chapter. The current definition refers to N.J.A.C. 6A:26, Educational Facilities, which no longer is relevant pursuant to N.J.S.A. 18A:36C-19. The revised law exempts renaissance school projects from certain facility efficiency standards and from public school facility regulations, except those pertaining to student health and safety.

The Department proposes to amend the definition of "contract," which means an agreement between the nonprofit and the school district that has been submitted to the Department and approved by the Commissioner to enable a renaissance school project pursuant to N.J.S.A. 18A:36C-6. The Department proposes to insert "entity" after "nonprofit" to align with the definition of "nonprofit entity."

The Department proposes a definition for "development budget" to mean the total of all costs associated with the completion of a substantial reconstruction to support the definition of "substantial reconstruction."

The Department proposes to amend the definition of "district contingency plan," which means an agreement between the renaissance school district and the nonprofit(s) determining how students enrolled in the renaissance school will be educated if the renaissance school is unable to open as determined during the preparedness assessments, by replacing "nonprofit(s)" with "nonprofit entity(ies)" to align with the definition of "nonprofit entity."

The Department proposes to amend the definition for "newly constructed school," which means either a new school facility or a significant refurbishment of an existing facility, such that most or all of the building has been reconstructed to build the renaissance school. The proposed amendment will delete "either" and "or a significant refurbishment of an existing facility, such that most or all of the building has been reconstructed to build the renaissance school." The definition of a renaissance school project was changed, pursuant to N.J.S.A. 18A:36C-3, to include schools undergoing substantial reconstruction; therefore, the Department will also add a new definition for "substantial reconstruction" as described below.

The Department proposes to amend the definition of "nonprofit entity," which means a nonprofit educational organization that is either applying to establish or is currently operating a public school in a renaissance school district. The proposed amendment will replace