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**DIVISION OF FIRE SAFETY****Standards for Fire Service Training and Certification****Adopted Amendments: N.J.A.C. 5:73-1.1 through 1.7, 1.9, 1.11, and 2.1 through 2.5****Adopted Repeals and New Rules: N.J.A.C. 5:73-4 through 8****Adopted New Rules: N.J.A.C. 5:73-3 and 9 through 18**

Proposed: August 21, 2017, at 49 N.J.R. 2629(a).

Adopted: January 9, 2018, by Charles A. Richman, Commissioner, Department of Community Affairs.

Filed: January 9, 2018, as R.2018 d.076, **with non-substantial changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

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).

Effective Date: February 5, 2018.

Expiration Date: June 29, 2018.

**Summary of Public Comments and Agency Responses**

Comments were received from Robert Steel, Clerk, Cinnaminson Fire District #1; Christopher Weniger, Chief Fire Marshal, Hillsborough Township; John Sabel, Fire Marshal, Deputy OEM Coordinator, Fire Prevention Bureau, Borough of Bernardsville; William Gee, President, Ocean County Fire Prevention & Protection Association; and Paul Roman.

1. COMMENT: Mr. Steel writes on behalf of the Cinnaminson Fire District #1 to support the rulemaking, and to adopt it as proposed. He writes that the adoption of training standards for virtually every position within the fire service will ensure that fire personnel earning the specific certifications will all meet the same minimum standards. This is vitally important as the fire service throughout New Jersey and the nation is increasingly required to rely on mutual aid. In addition, the inclusion in the proposed certifications as being recognized by IFSAC and ProBoard will ensure that New Jersey's fire personnel are recognized throughout the country as meeting these minimum standards. Mr. Steel states that employers are currently required to ensure that their employees are trained in their expected duties and responsibilities. The rulemaking will give the fire service and governing bodies the ability to meet existing training requirements through State certifications and training programs included in this rulemaking.

RESPONSE: The Department appreciates the commenter's affirmative comments, and thanks the commenter for his support of the rulemaking. The establishment of the proposed training programs and certifications will enable the New Jersey Fire Service to obtain State, national, and international accreditation in the titles proposed, and will benefit the public by promoting a better trained and credentialed fire service.

2. COMMENT: Mr. Weniger and Mr. Sabel have submitted suggestions to modify the fire investigator credentialing criteria found in N.J.A.C. 5:73-18, Fire Investigator. Specifically, to increase from three years to five years, the time permitted to apply courses completed towards issuance of a fire investigator certification found at N.J.A.C. 5:73-18.2(a)4i; and at N.J.A.C. 5:73-18.2(a)7, to accept the International Association of Arson Investigators (IAAI) Fire Investigator Technician (FIT) credential to meet the equivalency determination towards issuance of a fire investigator certification.

RESPONSE: The Department respectfully disagrees with the commenters' remarks regarding extending the three-year period to five years. The three-year period corresponds to the current active certification timeline of three years for other existing certification titles established by the Commissioner. The Fire Investigator Technician (FIT) equivalency determination is a substantive change to the notice of proposal that would require additional public notice and comment and cannot be completed upon adoption. The Department will support the

FIT equivalency determination in a future rulemaking, assuming such is approved by the Training and Education Advisory Council and the Fire Safety Commission.

3. COMMENT: Mr. Gee recommends that the Learning Disabilities, Examination Requirements, and National Credentialing statements located at the end of every subchapter should be placed in a lead administrative statement at the front of the chapter. The commenter asks how the Department will determine equivalency of IAAI and NAFI certifications towards issuance of a New Jersey Fire Investigator certification. The commenter further questions how continuing education units (CEUs) awarded by IAAI and NAFI will be accepted toward Fire Investigator certification renewal, and asks what will happen should a person not renew their IAAI and/or NAFI certifications. Additional statements supported the rulemaking to ensure that referenced standards do not become outdated. Any reference to NFPA, ASTM, UL, IAAI, NAFI etc., should just be references that are updated yearly or every two years.

RESPONSE: The Department appreciates the commenter's comments. The decision to place the Learning Disabilities and National Credentialing statements within each subchapter is intended to place all relevant requirements relating to the specific title(s) in the credentialing subchapter to be transparent and easily communicated to the public. Placing those statements in an administrative section outside of the specific subchapter may be problematic for the public to determine, since the public is not generally accustomed to Department rulemaking statements in regulatory language. The Department believes these statements within each subchapter present a more transparent statement to the public and communicate the intent of the Department more effectively than relocating those statements outside the subchapter. Therefore, the Department will not change the format of the proposed rules regarding these statements. The acceptance of valid IAAI and NAFI Fire Investigator credentials to be eligible for issuance of a New Jersey Fire Investigator certification established by this rulemaking is only valid at the time of issuance of the certification. Equivalency determination will be evaluated based upon the "job performance requirements" in the relevant adopted standard. No requirement has been created in this rulemaking to require an individual to maintain an IAAI or NAFI accreditation, once a New Jersey Fire Investigator certification is issued. This linkage falls outside the scope of this rulemaking. The granting of CEUs issued by the IAAI and NAFI to be accepted by the Office of Training and Certification towards the renewal requirements of a Fire Inspector certification will follow the criteria set forth in the proposed amendments. The Department agrees with the commenter that the automatic adoption of a new NFPA standards edition, upon adoption by NFPA, will strengthen the New Jersey Fire Service accreditation system. The ability to automatically adopt changes to standard editions, upon changes by the specific organization, will eliminate the need to constantly create administrative rules to reference changes to over 20 referenced standards, and other technical documents/publications adopted through this rulemaking.

4. COMMENT: Mr. Roman states that he congratulates the Department on its plan to update the Fire Service Training and Certification Standards, and supports this initiative. He further supports the effort to obtain national accreditation from ProBoard and IFSAC on the titles presented in the notice of proposal; supports the inclusion of credentialing for EMS personnel to obtain IMS Level 1 certification issued by the Office of Training and Certification; and the ability to automatically adopt any change in an NFPA standard edition, upon adoption by NFPA.

RESPONSE: The Department appreciates the commenter's affirmative comments, and thanks the commenter for his support of the rulemaking. The rulemaking is presented to benefit the credentialing of the New Jersey Fire Service and to assist communities to train their first responders to national standards. The adoption of NFPA standards and automatically adopting any changes to NFPA standard editions will strengthen the resiliency of the State's credentialing system for firefighters.

**Summary of Agency-Initiated Changes:**

The Department has identified changes that need to be made to the amendments upon adoption.

1. At N.J.A.C. 5:73-2.5(a)2i, due to a publication error, the phrase "and documented as specified in (a)3 below" was proposed for deletion. This language is being added back into the rule text upon adoption.

2. At N.J.A.C. 5:73-5.2(a), the cross-reference to the chapter appendix was mistakenly cited as "N.J.A.C. 73 Appendix," rather than "N.J.A.C. 5:73 Appendix." This error is corrected upon adoption.

3. Throughout the chapter, references to NFPA 472 and 1403, which were proposed to be updated to either the 2012 or 2013 edition, are changed to the 2018 edition, as that is the current edition of the two standards that should be followed. The standards was updated subsequent to the publication of the notice of proposal.

**Federal Standards Statement**

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

**Full text** of the adoption follows (additions to proposal indicated in boldface with asterisks \*thus\*; deletions from proposal indicated in brackets with asterisks \*[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 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 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 2 of this chapter, may be referred to as this subchapter.

3. Subchapter 3 is 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 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 5 of this chapter, may be referred to as this subchapter.

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

7. Subchapter 7 is entitled "Fire Police Officer" and may be cited throughout the Standards as N.J.A.C. 5:73-7, and when referred to in 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 (N.J.S.A. 52:27D-192 et seq., specifically 52:27D-198 and 52:27D-219) and of the act, which establishes a Division of Fire Safety in the Department of Community Affairs, 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) 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, 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, 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 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” (“NBFSPQ” 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 809, Trenton, NJ 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. 5:73-3.2(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. 5:73-3.2(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 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 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 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 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 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 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 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, incorporated herein by reference, as amended and supplemented:

1. NFPA 472, \*[2013]\* \*2018\* 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 training standard in the State of New Jersey;

17. NFPA 1403, \*[2012]\* \*2018\* 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, 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 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 requirements are as follows:

1.-2. (No change.)

3. The following materials shall be available:

i. Fire hose, couplings and tools as specified in the adopted training program;

ii. Forcible entry tools as specified in the adopted training program;

iii. Salvage covers as specified in the adopted training program;

iv. Lengths of rope as specified in the adopted training program;

v. Ladders as specified in the adopted training program;

vi.-vii. (No change.)

viii. Materials for rescue drills as specified in the adopted training program; and

ix. Wedges or sprinkler tongs as specified in 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 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 training program content, documentation of completion of prerequisite training as required by NFPA 1403, \*[2012]\* \*2018\* 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, 2015 edition, incorporated herein by reference, as amended and supplemented, must meet the requirements of the

components of requisite knowledge and skills contained in the standard as appropriate, of NFPA 600, 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, 2015 edition, NFPA 1403, Standard on Live Fire Training Evolutions, \*[2012]\* \*2018\* 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, 2015 edition, and NFPA 1403, Standard on Live Fire Training Evolutions, \*[2012]\* \*2018\* 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, \*[2012]\* \*2018\* 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 an Instructor II and Drill Ground Instructor.

i. All other instructors utilized for the live fire training exercise shall hold valid certification, at a minimum, as an Instructor I and Drill Ground Instructor.

3.-6. (No change.)

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

## SUBCHAPTER 3. 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]\* \*2018\* 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]\* \*2018\* 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]\* \*2018\* Edition, Standard on Live Fire Training Evolutions, and N.J.A.C. \*[73]\* \*5:73\* 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]\* \*2018\* 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 (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.

#### 5:73-6.6 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]\* \*2018\* 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]\* \*2018\* 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]\* \*2018\* 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 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.

#### 5:73-13.2 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]\* \*2018\* 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]\* \*2018\* 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 (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.

## 5:73-14.6 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 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.

##### 5:73-17.2 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 (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 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.

(a)

**DIVISION OF FIRE SAFETY**

**Uniform Fire Code**

**Readoption with Amendments: N.J.A.C. 5:75**

Proposed: August 7, 2017, at 49 N.J.R. 2356(a).  
 Adopted: January 9, 2018, by Charles A. Richman, Commissioner,  
 Department of Community Affairs.

Filed: January 10, 2018, as R.2018 d.079, **without change**.

Authority: N.J.S.A. 52:27D-25k and 198.

Effective Dates: January 10, 2018, Readoption;

February 5, 2018, Amendments.

Expiration Date: January 10, 2025.

**Summary of Public Comment and Agency Response:**

COMMENT: On behalf of the Board of Fire Commissioners of the Cinnaminson Fire District #1, Mr. Robert Steel, Clerk, extends support of the readoption and proposed amendments to the incident management system rules. Mr. Steel believes that there has been a "flaw" in the existing rules since they were adopted, and believes that the proposed rule amendments make clear that the intent is to ensure that the incident commander is provided with the amount of time structural elements of a building have possibly been exposed to fire conditions.

RESPONSE: The Department appreciates the commenter's affirmative comments and support of the proposal.

**Federal Standards Statement**

No Federal standards analysis is required because this rules readopted with amendments are not being adopted under the authority of, or in order to implement, comply with, or participate in any program

established under Federal law or under a State statute that incorporates or refers to Federal law, standards, or requirements.

**Full text** of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 5:75.

**Full text** of the adopted amendments follows:

SUBCHAPTER 1. GENERAL PROVISIONS

5:75-1.5 Definitions

The following terms shall have the meanings indicated, except where the context clearly indicates otherwise:

...  
 "Duration of incident" means time-keeping starting with the initial 911 call to the public safety call center for the incident.

"Elapsed time on scene" means that time-keeping will start with the first arriving fire unit.

...

SUBCHAPTER 2. INCIDENT MANAGEMENT SYSTEM

5:75-2.10 Incident time-keeping

(a) For time-sensitive incidents, fire departments shall develop a system that provides the incident commander with the duration of incident and elapsed time on-scene, in 10- or 15-minute intervals, from their communications center.

(b) The elapsed duration of incident shall be used to provide the incident commander with time frames that could signal the need for a change in tactical operations.

(c) The duration of incident and elapsed time on-scene shall be used every 30 minutes or some other standard time as established with dispatch for required roll calls.

(d) (No change.)

**ENVIRONMENTAL PROTECTION**

(b)

**DIVISION OF FISH AND WILDLIFE**

**Fish and Game Council**

**2018-2019 Fish Code**

**Adopted Amendments: N.J.A.C. 7:25-6.1 through 6.5, 6.8, 6.9, 6.11, 6.13, 6.19, and 6.20**

**Adopted Repeals and New Rules: N.J.A.C. 7:25-6.6 and 6.7**

Proposed: October 2, 2017, at 49 N.J.R. 3278(a).

Adopted: December 12, 2017, by the Fish and Game Council, David Burke, Chair.

Filed: January 11, 2018, as R.2018 d.080, **with a non-substantial change** not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 13:1B-29 et seq., and 23:1-1 et seq.

DEP Docket Number: 15-17-08.

Effective Date: February 5, 2018.

Expiration Date: June 12, 2021.

The Fish and Game Council (Council) is adopting amendments, new rules, and repeals to N.J.A.C. 7:25-6. The proposed amendments, repeals, and new rules were published in the New Jersey Register on October 2, 2017, at 49 N.J.R. 3278(a). The 60-day comment period closed on December 1, 2017. Additional notice was achieved by e-mailing notification to all State House press offices and other newspapers and news media throughout the State. Notice was also posted on the Department of Environmental Protection's (Department) website and the Division of Fish and Wildlife's website, and e-mailed to those on the Department's rulemaking LISTSERV and to the Division's 10,000 freshwater LISTSERV members.