

CHAPTER 73**STANDARDS FOR FIRE SERVICE TRAINING AND CERTIFICATION****Authority**

N.J.S.A. 52:27B-139.12 and 52:27D-24hh, 25d, 25k, 25gg, 198, and 219.

Source and Effective Date

R.2005 d.225, effective June 14, 2005.
See: 36 N.J.R. 3652(a), 37 N.J.R. 2674(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 73, Standards for Fire Service Training and Certification, expires on December 11, 2010. See: 41 N.J.R. 4369(a).

Chapter Historical Note

Chapter 73, Standards for Fire Service Training and Certification, was originally codified in Title 5 as Chapter 18C, Standards for Fire Service Training and Certification. Chapter 18C was adopted as R.1990 d.114, effective February 5, 1990. See: 21 N.J.R. 1655(a), 22 N.J.R. 337(c).

Pursuant to Executive Order No. 66 (1978), Chapter 18C, Standards for Fire Service Training and Certification, was readopted as R.1995 d.58, effective January 3, 1995. See: 26 N.J.R. 4258(a), 27 N.J.R. 878(b).

Subchapter 6, Hazardous Materials/Incident Commander Certifications, was adopted as R.1996 d.84, effective March 4, 1996. See: 27 N.J.R. 1845(a), 28 N.J.R. 1377(b).

Pursuant to Reorganization Plan No. 002-1998, Chapter 18C, Standards for Fire Service Training and Certification, was recodified as N.J.A.C. 5:73, effective July 1, 1998. See: 30 N.J.R. 1347(a), 30 N.J.R. 2644(a).

Pursuant to Executive Order No. 66(1978), Chapter 73, Standards for Fire Service Training and Certification, was readopted as R.2000 d.30, effective December 22, 1999. See: 31 N.J.R. 3257(a), 32 N.J.R. 273(c).

Subchapter 7, Fire Police Officer Training, was adopted as R.2001 d.57, effective February 20, 2001. See: 32 N.J.R. 3253(a), 33 N.J.R. 692(b).

Subchapter 8, Fire Officers, was adopted as R.2003 d.78, effective February 18, 2003. See: 34 N.J.R. 3601(a), 35 N.J.R. 1056(a).

Chapter 73, Standards for Fire Service Training and Certification, was readopted as R.2005 d.225, effective June 14, 2005. See: Source and Effective Date.

Subchapter 4, Firefighter I, was renamed Firefighter I and II by R.2008 d.20, effective January 22, 2008. See: 39 N.J.R. 1551(a), 40 N.J.R. 615(b).

N.J.A.C. 5:73 Appendix was adopted as new rules by R.2010 d.066, effective May 3, 2010. See: 41 N.J.R. 4150(a), 42 N.J.R. 841(a).

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APPENDIX**SUBCHAPTER 1. GENERAL PROVISIONS****5:73-1.1 Titles, division into subchapters**

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

(b) The Standards are divided into seven 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 reserved.

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 "Instructor" 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 "Incident Management System Certification" 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 Training" 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.

Amended by R.1998 d.85, effective February 17, 1998.

See: 29 N.J.R. 3210(a), 30 N.J.R. 641(a).

In (b), substituted a reference to six parts for a reference to five parts, and added 6.

Amended by R.2001 d.57, effective February 20, 2001.

See: 32 N.J.R. 3253(a), 33 N.J.R. 692(b).

In (b), substituted "seven" for "six" in the introductory paragraph, and added (b)7.

Amended by R.2008 d.20, effective January 22, 2008.

See: 39 N.J.R. 1551(a), 40 N.J.R. 615(b).

In (b)4, inserted "and II".

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.)

Administrative change.

See: 27 N.J.R. 2886(b).

Amended by R.1998 d.85, effective February 17, 1998.

See: 29 N.J.R. 3210(a), 30 N.J.R. 641(a).

Added a reference to P.L. 1995, c.266; N.J.S.A. 52:27D-25a et seq., specifically 52:27D-25i, j, k, and m.

5:73-1.3 Intent and purpose

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

1. For purposes of this chapter, "fire service" shall not include wildland and forestland firefighters in the State forest fire service.

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

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

(c) Unless otherwise specifically provided, all references to article or section numbers or to provisions not specifically identified by number, shall be construed to refer to such article, section or provision of this chapter.

Amended by R.1997 d.286, effective July 21, 1997.

See: 29 N.J.R. 722(a), 29 N.J.R. 3243(a).

Added (a)1.

5:73-1.4 Definitions

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

"Acquired building" means any structure acquired by the eligible organization from a property owner for the purpose of conducting live fire training exercises.

"Commissioner" means the Commissioner of the Department of Community Affairs or his or her delegate.

"Department" means the Department of Community Affairs.

"Division" means the Division of Fire Safety of the Department of Community Affairs.

"Eligible organization" means a fire department or district, or a combination of fire departments or districts, a fire brigade, an institution of higher learning, the New Jersey State Fire College or a recognized governmental entity which has been approved by the Division to offer courses or modules which meet the requirements of this chapter.