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Contact Person Name and Phone No.	George Chavez, 827-3721
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**TITLE 10 PUBLIC SAFETY AND LAW ENFORCEMENT**  
**CHAPTER 25 STATE FIRE MARSHAL**  
**PART 11 FIREFIGHTING QUALIFICATION SYSTEM**

**10.25.11.1 ISSUING AGENCY:** New Mexico Public Regulation Commission, Insurance Division, State Fire Marshal's Office.

[10.25.11.1 NMAC – N, 1-1-01]

**10.25.11.2 SCOPE:** This rule applies to all counties, and incorporated cities, towns, villages that receive Fire Protection Fund monies.

[10.25.11.2 NMAC – N, 1-1-01]

**10.25.11.3 STATUTORY AUTHORITY:** Section 59A-53-12 NMSA 1978.

[10.25.11.3 NMAC – N, 1-1-01]

**10.25.11.4 DURATION:** Permanent.

10.25.11.4 NMAC – N, 1-1-01]

**10.25.11.5 EFFECTIVE DATE:** January 1, 2001, unless a later date is cited at the end of a section or paragraph.

[10.25.11.5 NMAC – N, 1-1-01]

**10.25.11.6 OBJECTIVE:** The purpose of this rule is to ensure that all firefighters within New Mexico have the basic skills and knowledge required to perform as team members of a fire department during emergency operations.

[10.25.11.6 NMAC – N, 1-1-01]

**10.25.11.7 DEFINITIONS:** As used in this rule:

**A.** "Accreditation" means to give official authorization to or approval of; to recognize or vouch for as conforming to a standard.

**B.** "Certification" means to attest authoritatively; specifically, the issuance of a document that states that one has demonstrated the knowledge and skills necessary to function in a particular field.

**C.** "Certifying Entity" means an organization that is accredited, or a government agency statutorily authorized to issue certificates.

**D.** "Competent" means capable; fit to perform the assigned tasks.

**E.** "Fire Department" means an organization belonging to any incorporated city, town, or village, or county entitled to fire protection funds, capable of providing fire suppression and related activities.

**F.** "Fire Protection Fund (FPF)" refers to funds distributed pursuant to the Fire Protection Fund Act, NMSA 1978, Sec. 59A-53-1, et. seq.

**G.** "Fire Marshal" means the State Fire Marshal as established under the State Fire Marshal Act, NMSA 1978, Sec. 59A-52-1, et. seq.

**H.** "Firefighting Qualification System (FQS)" means the performance-based qualification system that incorporates regional training associations and the NMFTA into a systematic approach to training and evaluation.

**L.** "Fire Service" means all fire departments and fire department members with the skills and equipment needed to perform the functions of a fire department based on NFPA standards or nationally accepted practices. This may include functions other than structural firefighting such as wildland/interface firefighting, rescue operations, hazardous materials emergency response, confined space rescue, and emergency medical services.

**J.** "Fire Suppression" means the activities involved in controlling and extinguishing fires. Fire suppression shall include all activities performed at the scene of a fire incident or training exercise that expose fire department members to the dangers of heat, flame, smoke, and other products of combustion, explosion or structural collapse.

**K.** "Local Government" means either the municipal or county governing body that governs a given

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fire department.

**L.** “May” means an optional or discretionary requirement.

**M.** “Member” means a person involved in performing the duties and responsibilities of a fire department, under the auspices of the organization. A fire department member may be a full-time or part-time paid employee, a paid or unpaid volunteer, may occupy any position or rank within the fire department, and may or may not engage in emergency operations.

**N.** “NFPA Standard” means the most recent edition of the National Fire Prevention Association standard for a given subject.

**O.** “New Mexico Firefighters Training Academy (NMFTA)” is the primary institution within the State Fire Marshal’s Office responsible for developing and/or conducting fire service related training. The NMFTA is accredited by the International Fire Service Accreditation Congress (IFSAC). As it pertains to this system, the mission statement for IFSAC is “To measure the level of professionalism of the fire service internationally through the accreditation of those entities who administer standardized written and/or manipulative examinations of the required knowledge and skills to meet nationally and internationally recognized professional qualification standards.”

**P.** “Position Task Book (PTB)” refers to a document that lists the minimum performance requirements (tasks) for a specific position within the fire service in a format that allows a trainee to be evaluated against written standards.

**Q.** “Shall” means a mandatory requirement.

**R.** “Should” means a recommendation or that which is advised.

**S.** “SFMO” stands for State Fire Marshal’s Office.

**T.** “Trainee” means a member of a fire department that is working towards being recognized as competent in a given fire department position. Training may be through an academy, conducted by the department, on the job, or by any other means that ensures the trainee can complete the appropriate tasks.

[10.25.11.7 NMAC – N, 1-1-01]

#### **10.25.11.8 RESPONSIBILITIES:**

**A.** SFMO/NMFTA.

(1) SFMO/NMFTA shall publish, or adopt all performance evaluations required under this rule in the form of Position Task Books (PTBs). The SFMO/NMFTA shall use NFPA standards, other national standards and/or nationally accepted training curriculum as the basis for PTBs. The NMFTA shall develop and offer performance-based courses that fulfill the requirements of a PTB.

(2) Trainees who successfully complete the NMFTA training program that was established to fulfill a PTB requirement shall be certified as having passed the written and manipulative examination for that position by the NMFTA. Depending on the training program, certification by NMFTA may be accomplished by one or more of the following:

(a) Attending an NMFTA campus course and successfully completing the written and manipulative examination(s).

(b) Attending an NMFTA field (adjunct) course and successfully completing the written and manipulative examination(s).

(c) Successful completion of the written and manipulative examination(s) for a given course (i.e., challenge the course).

(3) Certification by NMFTA is not required. The intent of NMFTA certification is to provide assurance to local government that a fire department member has been evaluated and has demonstrated the knowledge and skills necessary to function in the position identified in a given PTB.

**B.** Local Government, in conjunction with the fire department(s) under its jurisdiction.

(1) Local government shall ensure fire department members under its charge have the knowledge and skills necessary to perform in their assigned positions. This includes not only initial competency, but also that the competency is maintained.

(2) All fire departments shall have a training program and policy that ensures that personnel are trained and that competency is maintained to effectively, efficiently, and safely execute all operations consistent with the department’s local responsibilities.

(3) All fire departments shall make available training and education for all members commensurate with the duties and functions they are expected to perform. All fire departments shall provide their members with training and education appropriate for their duties and responsibilities before permitting them to engage in emergency operations.

(4) If there is a PTB that has been published by, or recognized by, the Fire Marshal all fire departments shall have all appropriate members evaluated against the document. Only those members that are determined to be qualified (evaluated under a specific PTB) by local government shall hold the applicable title (i.e., firefighter).

(5) Regardless of whether or not the trainee has been certified by NMFTA, local government shall ensure that the trainee is competent and that the level of competency achieved under a given PTB is maintained.

(6) A trainee should be determined to be competent, by local government, at all tasks required by local government within two years of entering trainee status (i.e., assigned a PTB).

(7) Upon request by the Fire Marshal, completed and signed PTBs shall be made available for inspection.

[10.25.11.8 NMAC – N, 1-1-01]

**10.25.11.9 ADVISORY BOARD TO THE NEW MEXICO FIREFIGHTERS TRAINING ACADEMY:**

**A.** The mission of the Advisory Board is to facilitate and support cooperative and progressive fire service training and education programs.

**B.** The mission shall be accomplished by:

(1) Advising and assisting the NMFTA staff in the development and revision of fire service training and education programs.

(2) Providing interaction and communication between regional training associations, statewide fire service associations, and the NMFTA.

(3) Encouraging and supporting fire service training that is oriented toward, and designed to provide for, a safe competent response to emergency operations.

**C.** Membership: The Advisory Board membership shall be comprised of the senior officer or designee of all recognized regional training associations, and applicable statewide fire service associations. Participation from other organizations (Federal, State, and private) shall be encouraged when subject matter relative to their area of expertise and/or responsibility is being discussed.

**D.** Bylaws: The Advisory Board shall have bylaws approved by the Fire Marshal that include, but are not limited to, the following:

(1) Membership requirements.

(2) Officers.

(3) Duty of officers.

(4) Meetings.

(5) Elections.

[10.25.11.9 NMAC – N, 1-1-01]

**10.25.11.10 REGIONAL TRAINING ASSOCIATIONS:**

**A.** The mission of Regional Training Associations is to facilitate and support cooperative and progressive fire service training and education programs on a regional basis.

**B.** The mission shall be accomplished by:

(1) Providing guidance to the Advisory Board on the needs of the region as it pertains to fire service training and education programs.

(2) Establishment of an instructor pool for providing instruction.

(3) Sponsoring area NMFTA field programs and local training programs.

(4) Obtaining and maintaining training resources to be utilized by the region's members.

**C.** Membership: Regional Training Associations shall be comprised of any fire departments within the region that choose to participate in the program. A region should consist of any area within the state that has a minimum of 15 departments choosing to participate in the program. Current or needed mutual/automatic aid agreements should take precedent over local governmental boundaries when determining the area a region should

cover. In the rural portions of the state, a lesser number of departments may be organized into a regional training association by letter of authority from the Fire Marshal. Although this rule addresses only the fire service it should not be construed that the intent is to exclude participation of other parties deemed appropriate by the local association.

**D.** The establishment of a Regional Training Association shall be done by means of a written signed agreement between participating local governments. A signed copy of the agreement shall be forwarded to the Fire Marshal.

**E.** Regional Training Associations may establish a requirement for dues. If a requirement for dues using public funds will be established, the agreement between local governments shall be a Joint Powers Agreement (JPA). The JPA shall include designation of a local government that has agreed to sponsor the association and serve as the fiscal agent for that association. The sponsor shall be responsible for processing all purchases requested by the association in accordance with state and local laws and procedures. If FPF monies are used for dues, then all purchases made on behalf of the association shall comply with the Fire Protection Fund Act, NMSA 1798, Sec. 59A-53-1 and any SFMO rules governing expenditure of FPF monies.

**F.** Bylaws:

(1) Each association shall have bylaws that include, but are not limited to the following:

- (a) Name of the association.
- (b) Address.
- (c) Membership requirements.
- (d) Officers.
- (e) Duty of officers.
- (f) Meetings.
- (g) Elections.
- (h) Dues.

(2) A current copy of the association's bylaws shall be on file with the SFMO.

[10.25.11.10 NMAC – N, 1-1-01]

**HISTORY OF 10.25.11 NMAC: [RESERVED]**