

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 14-137—sHB 5150

Public Safety and Security Committee

AN ACT CONCERNING FIRE SAFETY ENFORCEMENT OFFICIALS

SUMMARY: This act eliminates one step in the two-step certification process for fire officials (local and deputy fire marshals, fire inspectors, and other investigators and inspectors), requiring them to be certified as fire officials upon successful completion of certification requirements, instead of first being certified as “eligible to be certified” upon completion of such requirements and subsequently being certified as fire officials. In doing so, the act makes the process the same as the one for licensing building officials, who are licensed upon completion of licensing requirements. The act also codifies the practice of the state fire marshal and Codes and Standards Committee (CSC) jointly certifying fire officials.

To qualify for certification, the act requires local fire marshals, deputy fire marshals, and fire inspectors to have at least three years’ experience performing certain fire or hazardous material work or working as a police officer, or equivalent experience as determined by CSC and the state fire marshal. It allows CSC and the state fire marshal to accept training programs developed by private institutions, not just public agencies, as proof of qualification for certification.

The act allows any certified fire official, not just appointed fire officials, to apply to CSC and the state fire marshal to retire his or her certificate and receive a certificate emeritus. By law, the retiree may no longer claim to be certified.

Under existing law, a town’s board of fire commissioners (or other specified appointed authority, where there is no board) appoints local fire marshals and deputy fire marshals. In practice, such boards also appoint other investigators and inspectors. The act updates the statutes by codifying current practice.

The act makes technical changes pertaining to fire officials’ authority to enforce the state Fire Safety Code and state Fire Prevention Code.

EFFECTIVE DATE: October 1, 2014

FIRE OFFICIALS

Certification

The law requires local and deputy fire marshals, fire inspectors, and other investigators and inspectors to be certified before they are appointed or hired. Under prior law’s two-step certification process, any such fire official who completed the required training, education, or examination program was (1) first certified by CSC and the state fire marshal as “eligible to be certified” and (2) subsequently certified as a fire official. The law did not say when or by whom he or she had to be certified as a fire official. In practice, CSC and the state fire

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marshal jointly certified the fire official after the town appointed or hired him or her.

The act eliminates the initial eligibility certification, instead requiring certification as a fire official upon program or training completion. It conforms law to practice by specifically designating CSC and the state fire marshal as the authorities responsible for issuing the certification.

Experience Required for Certification

Existing law requires CSC and the state fire marshal to jointly adopt minimum qualification standards for local fire marshals, deputy fire marshals, fire inspectors, and other classes of inspectors and investigators they deem necessary.

Under the act, the standards for fire marshals and fire inspectors must include at least three years' experience:

1. suppressing or preventing fires;
2. responding to, and controlling, hazardous material releases or potential releases;
3. inspecting activities concerning the fire safety or prevention code or hazardous material;
4. investigating the cause and origin of fires and explosions; or
5. working as a state or local police officer.

Alternatively, the person must have equivalent experience as determined by CSC and the state fire marshal.

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