

**RULES
OF
THE TENNESSEE COMMISSION ON FIRE FIGHTING
PERSONNEL STANDARDS AND EDUCATION**

**CHAPTER 0360-05-01
REVOCATION OF CERTIFICATION**

TABLE OF CONTENTS

0360-05-01-.01 Failure to Meet Certain Conditions 0360-05-01-.02 Separation from Active Fire Service

0360-05-01-.01 FAILURE TO MEET CERTAIN CONDITIONS. The Commission may revoke, modify, suspend or condition its certification of an individual, a training course, or a training program if it finds, after appropriate notice and hearing, that:

- (1) the requirements for certification had not been met prior to certification; or
- (2) any continuing responsibilities associated with certification are not being fulfilled; or
- (3) any fraud, collusion, misrepresentation or substantial mistake was involved in the procurement of the certification.

Authority: T.C.A. §4-24-107. **Administrative History:** Original rule filed August 27, 1979; effective October 10, 1979. Amendment filed November 8, 1990; effective December 23, 1990.

0360-05-01-.02 SEPARATION FROM ACTIVE FIRE SERVICE.

- (1) An individual's certification will automatically terminate upon the expiration of three (3) years after such person ceases to be an active member of a fire department. It will be the responsibility of each individual fire department to notify the Commission of any fire service personnel leaving the fire department due to separation, termination, retirement, death, etc.
- (2) Work for the Commission as a Commission Member or Commission staff shall constitute continued work in the fire service and shall not be considered as a separation from active fire service if that individual is no longer employed by a fire department.
- (3) Personnel leaving the fire service for active military duty shall not be subject to termination of certification while on active duty as stated in this part. It will be the responsibility of each individual fire department's Chief of Training to notify the Commission in writing of any fire service personnel leaving the fire department on active military duty for more than twelve (12) months. This notification shall be submitted at the end of each twelve (12) month period.
- (4) The Fire Fighter I/Hazardous Materials Awareness/Hazardous Materials Operations Certificates shall terminate three (3) years from the date of certification if the candidate has not become affiliated with a department. If the candidate does become affiliated with a department, it is the responsibility of the candidate to have the Chief of the Fire Department notify the Commission Office, in writing, of the date of said affiliation.
- (5) Work as a full- or part-time employee of a unit of government (local, state, or federal) in the State of Tennessee, where the job responsibilities include, but are not limited to, the training of firefighters, fire investigations, fire inspections or significant interaction with the fire services, shall not be considered to be a separation from active fire service. It is the responsibility of the firefighter to provide proof to the Commission that his/her new job duties include training of firefighters, fire investigations, fire inspections or significant interaction with the fire services in the State of Tennessee.

(Rule 0360-05-01-.02, continued)

Authority: T.C.A. § 4-24-101 and 4-24-107. **Administrative History:** Original rule filed August 27, 1979; effective October 10, 1979. Amendment filed November 8, 1990; effective December 23, 1990. Amendment filed October 14, 1994; effective February 28, 1995. Repeal and new rule filed April 25, 2005; effective July 9, 2005. Amendment filed December 14, 2009; effective March 14, 2010. Amendment filed October 27, 2014; effective January 25, 2015.