



TEXAS COMMISSION ON FIRE PROTECTION

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November 30, 2020

Ms. Jennifer Jones
Executive Director
Sunset Commission

Re: **Sunset Staff Report on the Texas Commission on Fire Protection (TCFP)**

Ms. Jones,

I am in receipt of the Sunset Staff Report. I would first like to commend the Sunset staff on the professional and helpful manner, in which this review was conducted. The process was extremely efficient and the staff was both courteous and friendly throughout. The agency offers this response outlining its position on the issues and recommendations presented.

Issue 1 - Key Recommendations

• Continue the Texas Commission on Fire Protection for 12 years, until 2033.

The TCFP agrees that it provides an important role in ensuring firefighters are trained and educated to acceptable national standards and that fire departments operate in a manner that prevent injury and death for all Texans. The agency strives to stay up to date with the national training and safety standards as they are revised. Allowing the agency to continue will serve to further enhance the Texas fire Service as a whole.

• Update the standard across-the-board requirement for commission member training.

The TCFP acknowledges that it should develop, maintain, and use a training manual for the Commissioner's. This manual should contain information on the recommendations developed by the Sunset Commission and topics that will enable the commissioners to fulfill their duties while ensuring open, responsive, and effective government.

• Direct TCFP to evaluate the continued usefulness and effectiveness of its advisory committees.

The TCFP acknowledges that it must evaluate the effectiveness, usefulness and need for the advisory committees and Ad-Hoc Committees including defined scopes of responsibilities, well defined credentials for membership, and expiration dates for each committee. In addition, implementation of term limits for all remaining and future Committees is needed.

- ***Direct TCFP to maintain documentation on complaints.***

The TCFP agrees that it can do a better job of tracking all complaints received by the agency. While it receives very few complaints, the system for tracking is not very robust and can be improved.

Issue 2 - Key Recommendations

- ***Authorize TCFP to provide biennial renewal for certifications.***

The TCFP acknowledges that it needs to evaluate a biennial certification renewal period. There are, however, many areas to be considered before such a change could be managed. Specifically, the budgetary and fiscal impact on all regulated fire departments, fire marshal offices and training facilities. Currently, these government bodies budget for the annual renewal of all certified personnel. Changing to a biennial renewal will present challenges for budgeting purposes that need to be examined and considered.

In addition, TCFP has fiscal mandates to generate revenue equal to its General Appropriations and a special budget rider requiring an additional \$1.5 million in revenue each biennium. Changing the renewal period could make it difficult for the agency to comply with these requirements so it would need to evaluate the impact and determine the best alternative method to accomplish such a change.

- ***Authorize TCFP to enter into reciprocity agreements with other state fire personnel certification agencies.***

The TCFP acknowledges that it should strive to improve the reciprocity opportunities for out-of-state firefighters however, each state varies in their requirements, making it difficult to offer reciprocity without a complete review of training/certification requirements for each state.

- ***Direct the commission to review rules covering how criminal convictions relate to eligibility for certification.***

The TCFP acknowledges that it should continually review rules related to criminal convictions. One of the many challenges is that firefighters are trusted members of society who frequently enter people's residences and businesses with uncontrolled access to property. Some criminal convictions challenge the level of trust that Texans have for firefighters who have previous convictions for such crimes.

- ***Direct TCFP to adopt a policy to ensure each rule undergoes meaningful review pursuant to state law.***

The TCFP agrees that it needs to redefine its rule review process to ensure that all rules are reasonable and appropriate. While rule reviews do occur on a regular basis, there are several enhancements which could be made to improve the overall process.

The TCFP embraces the report and the recommendations outlined. The desire is to remain transparent and effective for the betterment of all Texans and the agency is committed to making every effort possible to accomplish these improvements.

Respectfully,



Robert L. Moore
Chairman



Mike Wisko
Executive Director