1 State of Arkansas

2 90th General Assembly

A Bill

3 Regular Session, 2015   SENATE BILL 149

4

5 By: Senator B. Sample

6

For An Act To Be Entitled

8 AN ACT TO CREATE UNIFORM REQUIREMENTS FOR THE

9 PHYSICAL FITNESS OF CERTAIN FIREFIGHTERS; AND FOR

10 OTHER PURPOSES.

11

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Subtitle

14 TO CREATE UNIFORM REQUIREMENTS FOR THE

15 PHYSICAL FITNESS OF CERTAIN FIREFIGHTERS.

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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20   SECTION 1. Arkansas Code Title 20, Chapter 22, Subchapter 8, is

21 amended to add an additional section to read as follows:

22   20-22-812. Physical fitness requirements.

23   (a) The General Assembly finds that there is no uniform physical

24 fitness test for firefighters, leading to firefighters who are not physically

25 capable of a successful career in fire service.

26   (b)(1) The Arkansas Fire Protection Services Board shall adopt a

27 Candidate Physical Ability Test for pre-employment testing of firefighting

28 candidates for use as an evaluation tool in the selection of firefighters to

29 ensure all candidates possess the physical ability to complete critical tasks

30 effectively and safely.

31   (2) It shall be a nationally recognized test developed

32 exclusively for the purpose of candidate testing with an established

33 reciprocity system with other states that have similar candidate

34 requirements.

35   (3) The test shall only be administered on a pass/fail basis,

36 and candidates shall not be ranked based upon completion times.

1   (c)(1)(A) The Arkansas Fire Training Academy shall administer the test
2 and issue certification cards verifying passage of the test.
3   (B) The certification card is valid for one (1) year from
4 date of issue.
5   (C) The Arkansas Fire Training Academy shall maintain a
6 database of all valid card holders.
7   (2)(A) A certification card shall be presented by an applicant
8 for fire service employment with the following entities if the entity employs
9 more than five (5) full-time fire protection employees:
10   (i) Municipal fire departments;
11   (ii) County fire departments;
12   (iii) Fire protection districts; and
13   (iv) Fire departments of a state agency.
14   (B) "Full-time employee" is defined by the Arkansas Local
15 Police and Fire Retirement System minimum monthly pay amount required to earn
16 paid service credit.
17   (C) A volunteer firefighter on a volunteer department,
18 part-paid department, or combination department is exempt from this
19 requirement unless he or she seeks appointment to a full-time position on a
20 fire department as defined in this section.
21   (3) A certification card is required upon application to the
22 Arkansas Fire Training Academy's Firefighter Standards program, unless the
23 pre-employment requirement has already been met.
24   (d)(1)(A) The Arkansas Fire Protection Services Board shall determine
25 the frequency and location of testing.
26   (B) The Arkansas Fire Training Academy shall establish the
27 times and dates and is responsible for notification, advertising, and
28 publication of testing dates.
29   (2) A candidate who is not within one (1) year of his or her
30 eighteenth birthday or has reached thirty-five (35) years of age is not
31 eligible to take the test.
32   (3)(A) There is no testing fee for a resident of the state.
33   (B) A nonresident shall pay the fee set by rule of the
34 Arkansas Fire Protection Services Board.
35   (4) Candidate testing as established under this section may not
36 be used for retention and promotion requirements by an employer.

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2   SECTION 2.   Effective date. This act takes effect January 1, 2017, to

3 the extent funding is available.

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