

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

A Bill

SENATE BILL 149

By: Senator B. Sample

For An Act To Be Entitled

AN ACT TO CREATE UNIFORM REQUIREMENTS FOR THE
PHYSICAL FITNESS OF CERTAIN FIREFIGHTERS; AND FOR
OTHER PURPOSES.

Subtitle

TO CREATE UNIFORM REQUIREMENTS FOR THE
PHYSICAL FITNESS OF CERTAIN FIREFIGHTERS.

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

SECTION 1. Arkansas Code Title 20, Chapter 22, Subchapter 8, is amended to add an additional section to read as follows:

20-22-812. Physical fitness requirements.

(a) The General Assembly finds that there is no uniform physical fitness test for firefighters, leading to firefighters who are not physically capable of a successful career in fire service.

(b)(1) The Arkansas Fire Protection Services Board shall adopt a Candidate Physical Ability Test for pre-employment testing of firefighting candidates for use as an evaluation tool in the selection of firefighters to ensure all candidates possess the physical ability to complete critical tasks effectively and safely.

(2) It shall be a nationally recognized test developed exclusively for the purpose of candidate testing with an established reciprocity system with other states that have similar candidate requirements.

(3) The test shall only be administered on a pass/fail basis, and candidates shall not be ranked based upon completion times.



(c)(1)(A) The Arkansas Fire Training Academy shall administer the test and issue certification cards verifying passage of the test.

(B) The certification card is valid for one (1) year from date of issue.

(C) The Arkansas Fire Training Academy shall maintain a database of all valid card holders.

(2)(A) A certification card shall be presented by an applicant for fire service employment with the following entities if the entity employs more than five (5) full-time fire protection employees:

(i) Municipal fire departments;

(ii) County fire departments;

(iii) Fire protection districts; and

(iv) Fire departments of a state agency.

(B) "Full-time employee" is defined by the Arkansas Local Police and Fire Retirement System minimum monthly pay amount required to earn paid service credit.

(C) A volunteer firefighter on a volunteer department, part-paid department, or combination department is exempt from this requirement unless he or she seeks appointment to a full-time position on a fire department as defined in this section.

(3) A certification card is required upon application to the Arkansas Fire Training Academy's Firefighter Standards program, unless the pre-employment requirement has already been met.

(d)(1)(A) The Arkansas Fire Protection Services Board shall determine the frequency and location of testing.

(B) The Arkansas Fire Training Academy shall establish the times and dates and is responsible for notification, advertising, and publication of testing dates.

(2) A candidate who is not within one (1) year of his or her eighteenth birthday or has reached thirty-five (35) years of age is not eligible to take the test.

(3)(A) There is no testing fee for a resident of the state.

(B) A nonresident shall pay the fee set by rule of the Arkansas Fire Protection Services Board.

(4) Candidate testing as established under this section may not be used for retention and promotion requirements by an employer.

SECTION 2. Effective date. This act takes effect January 1, 2017, to the extent funding is available.