

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

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

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**0360-05-01-.01 FAILURE TO MEET CERTAIN CONDITIONS.**

- (1) 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:
  - (a) The requirements for certification had not been met prior to certification;
  - (b) Any continuing responsibilities associated with certification are not being fulfilled;
  - (c) Any fraud, collusion, misrepresentation or substantial mistake was involved in the procurement of, or in maintaining the on-going requirements of the certification;
  - (d) Any involvement of a certified individual who engages in fraud, collusion, conspiracy to subvert the certification qualification process or to procure a certification for another person; or
  - (e) The certified individual has failed to adhere to the Code of Ethics adopted by the Commission on Firefighting Personnel Standards and Education.

**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. Amendments filed July 27, 2018; effective October 25, 2018. Amendments filed April 2, 2025; effective July 1, 2025.

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

- (1) An individual's certification(s) shall automatically terminate sixty (60) months after such person ceases to be an active member of a fire department.
- (2) It shall be the responsibility of each individual and each fire department to notify the Commission of any fire service personnel leaving a fire department, including but not limited to the following reasons: separation, termination, or retirement.
- (3) Work as a Commission member, Commission staff, or TFACA 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.
- (4) Individuals 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 shall be the responsibility of each fire department to notify the Commission in writing of any individual 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.

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

- (5) An individual's certification(s) shall terminate sixty (60) months from the date of obtaining certification(s) if the individual has not become affiliated with a fire department. If the individual does become affiliated with a department, it is the responsibility of the individual to have the fire department notify the Commission Office by submitting written notice on a form as prescribed by the Commission of the date of said affiliation.
- (6) Work as a full-time 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 fire fighters, fire investigations, fire inspections, or affiliation with a fire department recognized by the State Fire Marshal shall not be considered to be a separation from active fire service. It is the responsibility of an individual to provide proof to the Commission that his/her new job duties include training of fire fighters, fire investigations, fire inspections, or affiliation with a recognized fire department in the State of Tennessee.

**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. Amendments filed July 27, 2018; effective October 25, 2018. Amendments filed April 2, 2025; effective July 1, 2025.

#### **0360-05-01-.03 APPLICABILITY OF THE UNIFORM ADMINISTRATIVE PROCEDURES ACT.**

The Uniform Administrative Procedures Act, compiled in T.C.A. Title 4, Chapter 5, shall govern all matters and procedures respecting the hearing and judicial review of any contested case arising under this chapter.

**Authority:** T.C.A. § 4-24-107. **Administrative History:** Original rule filed July 27, 2018; effective October 25, 2018.