



FIRE SERVICE CERTIFICATION REPORT

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Executive Summary

House Bill 1722 (HB 1722) added RCW 43.43.941 to the duties of the Director of Fire Protection (RCW 43.43.934 et al.), directing the State Fire Marshal's Office (SFMO) to assess its policies related to fire service training, examinations, and certifications—including age restrictions—with the goal of expanding professional and volunteer opportunities in the fire service.

Background

At the request of Washington's fire service, the SFMO was accredited by the International Fire Service Accreditation Congress (IFSAC) in April 1995 to certify National Fire Protection Association (NFPA) firefighting professional qualifications. In August 2024, it was also accredited by the National Board of Fire Service Professional Qualifications (Pro Board). Certification testing by the SFMO is authorized under RCW 43.43.934 and conducted by experienced fire service personnel who:

- Are trained in SFMO policies and procedures,
- Hold certification at the level being tested, and
- Are certified as Fire Instructor I.

When accreditation began, the SFMO established 18 years as the minimum age for certification testing. This aligned with Department of Health requirements for Emergency Medical Technicians and reflected Subject Matter Expert (SME) consensus that candidates should be employable as career or volunteer firefighters.

Legal and Regulatory Context

- Washington law does not require certification to perform firefighting duties. Minimum training standards are found in WAC 296-305 (Safety Standards for Firefighters), which leaves discretion to the authority having jurisdiction (usually the local fire chief).
- Many fire departments nonetheless require accredited certification for hiring or as a condition of probation, or promotion.
- NFPA, IFSAC, and Pro Board do not set minimum age requirements, instead deferring to the authority having jurisdiction.
- The Board for Volunteer Firefighters allows enrollment at age 16, however, WAC 296-125-030, Prohibited and Hazardous Employment for All Minors, restricts the duties of anyone under the age of 18, preventing them participating in hazardous firefighting tasks such as respirator use, chainsaw operations, and work above 10 feet, except in limited career and technical education (CTE) training contexts.

Technical Advisory Group (TAG) Review

The SFMO convened two meetings of its Certification TAG, comprised of training officers, evaluators, and representatives from diverse fire departments, industrial fire brigades, and community colleges. The TAG recognized the workforce benefits of earlier training but identified key challenges with certifying candidates under 18:

1. Skill Erosion

- **Training to Employment Gap:** Candidates certified before age 18 cannot work as firefighters until they reach 18, risking loss of skills.
- **Training to Testing Gap:** Allowing partial testing (written or non-live fire) before 18 could create delays that undermine performance on required live fire tests. SFMO policy requires all testing elements to be completed within one year.

2. Readiness for Trauma Exposure

TAG members raised concerns about minors' emotional maturity in coping with severe injury, trauma, or death—especially in small communities where incidents may involve acquaintances or family.

3. Liability for Proctors/Evaluators

Many evaluators serve outside their official employment, accepting personal liability. TAG members cited the Washington Supreme Court decision in *Scott v. Pac. W. Mountain Resort* (119 Wn.2d 484, 1992), which prohibits parents from waiving a minor's right to sue for negligence. As a result, many evaluators indicated they would decline to test under-18 candidates.

Potential Policy Options

The TAG and SFMO identified the following options for consideration:

- **Written Testing Only:** Permit written exams for candidates under 18 while delaying practical and live fire tests until 18. This does not resolve skill erosion risks.
- **Extended Testing Window:** Allow minors more than one year to complete all phases of testing. This creates inequity with older candidates and does not resolve skill erosion.
- **Legislative Immunity:** Enact legislation granting civil and criminal immunity to qualified personnel testing under - 18 candidates enrolled in bona fide CTE programs. This would require rulemaking authority for SFMO to define "qualified testing personnel."

Conclusion

While opportunities exist to expand pathways for younger candidates, significant concerns remain regarding skill retention, emotional readiness, and liability exposure. The SFMO and Washington State Patrol look forward to working with the Legislature and stakeholders to evaluate policy solutions that balance workforce development with candidate safety and program integrity.