

Figure: 37 TAC §445.7(c)

REFERENCE	MINOR VIOLATIONS	PENALTY
	GENERAL	\$250 to \$500
419.046/435.15	Failure to provide compliant SOP for operating at emergency incidents.	\$250 to \$500
435.17	Failure to provide compliant SOP for 2-In/2-Out.	\$250 to \$500
435.21	Failure to provide compliant SOP for Wellness/Fitness	\$250 to \$500
449	Failure to apply for Head of Department certification.	\$250 to \$500
421.9(c)	Failure to provide a list of all personnel.	\$250 to \$500
421.9(c)	Failure to provide accurate duty appointments for current job positions in FIDO.	\$250 to \$500
435.23	Failure of organization utilizing FIDO to report Firefighter Injuries.	\$250 to \$500
435.29	Failure to complete Federal Highway Administration Traffic Incident Management Course by the close of business December 31, 2020.	\$250 to \$500
435.25	Failure to complete "Courage to Be Safe" training within 1 year of appointment.	\$250 to \$500
419.040/435.1 /NFPA 1851	PROTECTIVE CLOTHING	
4.2.3	Failure to provide a letter of approval, from PPE manufacturer, for non-compliant aftermarket accessories.	\$250 to \$500
	Records	
4.3.1	Failure to compile and maintain applicable records of maintenance and use of PPE.	\$250 to \$500
4.3.2	Failure to compile and maintain applicable records of maintenance and use of rental PPE.	\$250 to \$500
4.3.3	Failure to provide a record tracking system for each PPE ensemble element as listed below:	\$250 to \$500
4.3.3(1)	Failure to provide a record of person to whom element is issued.	\$250 to \$500
4.3.3(2)	Failure to provide a record of date and condition when issued.	\$250 to \$500
4.3.3(3)	Failure to provide a record of manufacturer and model name or design.	\$250 to \$500
4.3.3(4)	Failure to provide a record of manufacturer's identification number, lot number, serial number, or unique identifier.	\$250 to \$500
4.3.3(5)	Failure to provide a record of month and year of manufacture.	\$250 to \$500
4.3.3(6)	Failure to provide a record of dates and results of advanced inspections.	\$250 to \$500
4.3.3(7)	Failure to provide a record of dates and results of advanced cleaning or decontamination	\$250 to \$500
4.3.3(8)	Failure to provide a record of the reason for advanced cleaning or decontamination and who performed cleaning or decontamination	\$250 to \$500
4.3.3(9)	Failure to provide a record of the dates of repairs, who performed repairs, and brief description of repairs.	\$250 to \$500
4.3.3(10)	Failure to provide a record of the date of retirement.	\$250 to \$500
4.3.3(11)	Failure to provide a record of the date and method of disposal.	\$250 to \$500
4.3.4	Failure to provide a record of the CBRN records, if applicable.	\$250 to \$500
4.4.1	Failure to provide personnel with manufacturer's instructions regarding the care, use, and maintenance of the protective ensembles.	\$250 to \$500
4.4.2	Failure to follow manufacturer's instructions for care, use and maintenance of PPE.	\$250 to \$500
4.4.3	Failure to provide organization and maintain and make available a copy of manufacturer instructions accessible to all personnel.	\$250 to \$500
	Protecting the Public and Personnel from Contamination	
4.2.4.3/11.1.1.4	Failure to provide a record of the verification certificate, from the Independent Service Provider, that performs all inspections, cleanings and repairs.	\$250 to \$500

4.2.4.6	Failure to provide a record of the certificates for training, within organization, for members of the organization that perform inspections, cleanings and repairs.	\$250 to \$500
4.5.1	Failure to provide written standard operating guidelines minimize the public's and the fire department personnel's exposure to soiled or contaminated PPE	\$250 to \$500
4.6	Failure to report PPE health and safety concerns and/or failures, to manufacturer.	\$250 to \$500
	Selection	
5.1.1/435.1	Failure to provide a written PPE Risk Assessment.	\$250 to \$500
5.1.2	Failure to perform a Risk Assessment that includes:	\$250 to \$500
5.1.2(1)	Failure to identify type of duties performed.	\$250 to \$500
5.1.2(2)	Failure to identify frequency of use of ensemble elements.	\$250 to \$500
5.1.2(3)	Failure to identify organization's experiences.	\$250 to \$500
5.1.2(4)	Failure to identify incident operations.	\$250 to \$500
5.1.2(5)	Failure to identify geographic location and climate.	\$250 to \$500
5.1.2(6)	Failure to identify specific physical area of operation.	\$250 to \$500
5.1.2(7)	Failure to identify likelihood of or response to CBRN terrorism incident.	\$250 to \$500
5.1.4	Failure to provide PPE that is compliant to current edition of NFPA 1971.	\$250 to \$500
	Inspection	
6.1.1	Failure to follow universal precautions, as appropriate.	\$250 to \$500
6.1.2	Failure to clean soiled or contaminated PPE before inspection.	\$250 to \$500
6.1.3	Failure to follow established guidelines to determine when PPE is soiled, if cleaning required and level of cleaning required.	\$250 to \$500
6.1.4	Failure to follow guidelines established when PPE requires cleaning, decontamination or repair.	\$250 to \$500
6.2.1	Failure of member of organization to conduct routine inspection of PPE, upon issue or after each use.	\$250 to \$500
6.2.2	Failure to follow routine inspection criteria, according to organization's guidelines, for each ensemble element.	\$250 to \$500
6.3.3.1	Failure to properly store PPE that has received an Advanced Inspection.	\$250 to \$500
6.3.4	Failure to document results of Advance Inspection.	\$250 to \$500
6.3.5	Failure to follow Advanced Inspection criteria, according to organizations guidelines.	\$250 to \$500
6.4.3	Failure to provide complete liner inspections after 3 years in service, then annually.	\$250 to \$500
6.4.3.1	Failure to provide complete liner inspections, every 2 years and annually, after moisture barrier replacement.	\$250 to \$500
6.4.4	Failure to document results of liner inspections.	\$250 to \$500
	Cleaning and Decontamination	
7.1.6	Failure to provide written procedures for decontamination and/or cleaning of PPE contaminated with body fluids.	\$250 to \$500
7.2	Failure to provide written Routine Cleaning instructions for each listed ensemble element.	\$250 to \$500
7.3	Failure to provide written Advanced Cleaning and decontamination instructions for each listed ensemble element.	\$250 to \$500
7.3.2	Failure to provide Advanced Cleaning for soiled PPE.	\$250 to \$500
7.3.5	Failure to provide Advanced Cleaning, in accordance with manufacturer instructions.	\$250 to \$500
7.3.15	Failure to provide optional CBRN cleaning requirements.	\$250 to \$500
	Retirement, Disposition, and Special Incident Procedures	
10.1.1	Failure to develop specific criteria for removal/retirement of PPE from service.	\$250 to \$500

10.3.2	Failure to provide procedures that shall include minimum:	\$250 to \$500
10.3.2 (1)	Failure to provide guidelines the immediate removal from service and preservation of all PPE utilized by the injured or deceased fire fighter.	\$250 to \$500
10.3.2 (2)	Failure to maintain custody of PPE ensembles and ensemble elements, at a secure location with controlled, documented access.	\$250 to \$500
10.3.2 (3)	Failure to nondestructively tag and store PPE in paper or cardboard containers.	\$250 to \$500
10.3.2 (4)	Failure to provide examination of PPE by qualified members of the organization or by outside experts.	\$250 to \$500
10.3.3	Failure of the organization to determine a specific period of time for retaining custody of PPE.	\$250 to \$500
419.041/435.3/ NFPA 1852	SELF CONTAINED BREATHING APPARATUS	
435.3(2)	Failure of SCBA to comply with the most current edition of NFPA 1981, at the time of contract for purchase.	\$250 to \$500
	Adverse Conditions	
4.2.1	Failure to provide an SOG for SCBA failure, near-failure or degradation, from normal use	\$250 to \$500
4.2.2	Failure to include at minimum:	\$250 to \$500
4.2.2 (1)	Failure to remove SCBA from service including mask, cylinder or frame assembly.	\$250 to \$500
4.2.2 (2)	Failure to secure SCBA with restricted access	\$250 to \$500
4.2.2 (3)	Failure to provide documentation of chain of custody	\$250 to \$500
4.2.3	Failure to provide a letter of approval, from SCBA manufacturer, for non-compliant aftermarket accessories.	\$250 to \$500
4.2.3.1	Failure to provide manufacture with data log, video, photo of condition failure	\$250 to \$500
4.2.3.2	Failure to provide written procedure for notifying manufacture in SOP	\$250 to \$500
4.2.4	Failure to provide a copy of notification to SCBA testing approval organizations.	\$250 to \$500
	Selection, Care and Maintenance	
4.3.1	Failure to provide written guidelines that includes roles, responsibilities of the organization. and organizations members.	\$250 to \$500
4.3.2.1	Failure to provide written guidelines that define criteria for SCBA that is contaminated beyond ability to clean/disinfect.	\$250 to \$500
4.3.2.2	Failure to provide guidelines for proper disposal of contaminated SCBA	\$250 to \$500
4.3.2.3	Failure to place SCBA out of service that is known to be contaminated.	\$250 to \$500
4.3.5.1	Failure to provide written SCBA testing procedures if performed by the agency:	\$250 to \$500
4.3.5.2	Failure to provide written SCBA administrative testing procedures.	\$250 to \$500
4.3.5.2 (1)	Failure to provide written SCBA testing protocol.	\$250 to \$500
4.3.5.2 (2)	Failure to provide written procedures for training in use of testing machines.	\$250 to \$500
4.3.5.2 (3)	Failure to provide written procedure for calibration of testing machine.	\$250 to \$500
4.3.5.2 (4)	Failure to provide written procedure for authorization for technicians to conduct tests.	\$250 to \$500
4.3.5.2 (5)	Failure to provide written procedure for record keeping.	\$250 to \$500
4.3.5.2 (6)	Failure to provide written procedure for testing schedule.	\$250 to \$500
4.3.5.2 (7)	Failure to provide written procedure for evaluation of effectiveness of the program.	\$250 to \$500
4.3.5.3	Failure to provide procedure that indicates frequency of technician's inspection and testing	\$250 to \$500
4.3.6	Failure to provide written procedure that prevents a member of an organization from altering the form, fit or function of any of the organization's SCBA.	\$250 to \$500

	Manufactures Instructions	N/A
4.6.1	Failure of the organization to provide users with manufacturer's instructions, when issuing new SCBAs.	\$250 to \$500
	Quality Assurance	
4.8.1	Failure to establish and maintain a written quality assurance plan.	\$250 to \$500
	Technical Authorization	
4.9.2	Failure to provide a written procedure for selection and qualification of personnel training and authorization.	\$250 to \$500
4.9.3	Failure to provide training credentials of technicians by Manufacturer.	\$250 to \$500
	Selection	
5.1.1.1	Failure to provide a written Risk Assessment as required.	\$250 to \$500
5.1.1.2	Failure to identify expected hazards for the types of duties performed	\$250 to \$500
5.1.1.2	Failure to identify frequency of use.	\$250 to \$500
5.1.1.2	Failure to identify an organization's experience.	\$250 to \$500
5.1.1.2	Failure to identify geographic location and climate.	\$250 to \$500
	Acceptance	
5.2.3	Provide a written procedure for returning unsatisfactory products, to the manufacturer.	\$250 to \$500
	Storage	
6.3.7.3	Failure to purge SCBA cylinders with stored air for greater than 12 months.	\$250 to \$500
7.3.6	Failure to provide current records of the DOT Requalification permit letter for the ISP performing hydro testing of SCBA cylinders.	\$250 to \$500
	Testing	
7.5.1	Failure to provide SCBA Annual Full-Function Test Records.	\$250 to \$500
7.5.4	Failure to have testing equipment calibrated by manufacturer.	\$250 to \$500
7.5.4.1	Failure to provide annual calibration of testing equipment.	\$250 to \$500
7.5.4.2	Failure to exhibit current calibration label on machine. Failure to exhibit date on calibration label. Failure to exhibit date of next scheduled calibration.	\$250 to \$500
7.5.4.3	Failure to maintain calibration test records kept on site.	\$250 to \$500
5.7.3	Failure to post signage, for current air quality test reports, within six feet of machine.	\$250 to \$500
	Compressed Breathing Air Systems	
7.1.3	Failure to post signage that indicates the location of fresh air intake.	\$250 to \$500
419.042/435.9 / NFPA 1982	PERSONAL ALERT SAFETY SYSTEM	
435.9(2)	Failure to select a PASS device that complies with NFPA 1982	\$250 to \$500
435.9(4)	Failure to properly maintain PASS device.	\$250 to \$500
419.044/435.11 / NFPA 1561	INCIDENT MANAGEMENT SYSTEM	
435.11(a)	Failure to develop and maintain an IMS	\$250 to \$500
435.11(b)	Failure in the IMS procedure to include:	\$250 to \$500
435.11(b)(3)	Failure to provide written requirements for operations to be conducted in a manner that recognizes hazards and assists in the prevention of accidents and injuries	\$250 to \$500
435.11(b)(5)	Failure to provide written requirements that the IMS be applied to all drills, exercises and all other situations that involve hazards similar to those encountered at an actual emergency.	\$250 to \$500
435.11(c)	Failure to provide written requirements that meet applicable sections of NFPA 1561.	\$250 to \$500

4.4.3	Failure to provide written requirements that IMS be defined and documented in writing.	\$250 to \$500
4.4.4	Failure to provide written requirements includes implementation and describes options according to needs	\$250 to \$500
4.4.5	Failure to provide written requirements for addressing requirements for anticipated incidents	\$250 to \$500
4.4.6	Failure to provide written requirements that addresses both routine and unusual incidents, standard procedures, supervisory assignments	\$250 to \$500
4.4.9	Failure to provide written requirements that require that the IMS be applied to all drills, exercises and all other situations that involve hazards similar to those encountered at an actual emergency.	\$250 to \$500
4.4.10	Failure to provide written requirements for operations to be conducted in a manner that recognizes hazards and assists in the prevention of accidents and injuries.	\$250 to \$500
4.5.12	Failure to provide written requirements for evacuation of responders if imminent hazard condition exists.	\$250 to \$500
4.5.13	Failure to provide written requirements to indicate method used to notify all responders of evacuation.	\$250 to \$500
4.6	Failure to provide written requirements for procedures for incident scene rehabilitation	\$250 to \$500
5.1.11	Failure to provide written requirements for the scope of authority for each supervisor outlined in the procedure.	\$250 to \$500
5.3.4	Failure to provide written requirements that provide for one individual to be the Incident Commander from beginning of operations.	\$250 to \$500
5.3.5	Failure to provide written requirements that provide for transfer of command.	\$250 to \$500
5.3.6	Failure to provide written requirements that outline the transfer of command.	\$250 to \$500
5.9.2	Failure to provide written requirements defining roles & responsibilities	\$250 to \$500
5.9.6.2	Failure to provide written requirements defining criteria for appointment of safety officer	\$250 to \$500
6.2.1	Failure to provide written requirements for radio communications	\$250 to \$500
6.2.2/6.3.3	Failure to provide written requirements for clear text and plain language to be used.	\$250 to \$500
6.3.3	Failure to provide written requirements for emergency traffic and Mayday distress calls.	\$250 to \$500
6.4.1	Failure to provide written requirements for telecommunicator support	\$250 to \$500
7.3.2	Failure to provide written requirements for call in roster	\$250 to \$500
419.045/435.13 / NFPA 1561	SECTION 6.1 ~ Personnel Accountability System	
435.13(d)	Failure to provide written requirements that meet applicable sections of NFPA 1561.	\$250 to \$500
4.5.3	Failure to provide written requirements and procedures for establishing the system, components, and means to ID and keep track of responders.	\$250 to \$500
435.13(b)(3),4.5.9	Failure to provide written requirements that all fire protection personnel at emergency incidents actively participate.	\$250 to \$500
4.5.12 – 4.5.13	Failure to provide written requirements emergency evacuation and method of rapid accounting.	\$250 to \$500
4.5.14	Failure to provide written requirements for rapid accounting.	\$250 to \$500
435.13(b)(4) 5.3.10	Failure to provide written requirements that Incident Commander is responsible for accountability.	\$250 to \$500
435.17	Interior Structural Fire Fighting (2-In/2-Out Rule)	
435.17(a)	Failure to provide written requirements and procedure complying with OSHA 29 CFR 1910.134(g)(4)	\$250 to \$500

435.17(1)	Failure to provide written requirements that at least four personnel on scene before interior operations begin.	\$250 to \$500
435.17(8)(b)	Failure to provide written requirements for the exceptions for imminent life threats.	\$250 to \$500
435.15	Operating at Emergency Incidents	
435.15(b)(1)	Failure to provide written requirements that specify the adequate number of personnel to safely conduct emergency scene operations.	\$250 to \$500
435.15(b)(2)	Failure to provide written requirements that limit operations to those that can be safely performed by personnel at scene.	\$250 to \$500
435.15(b)(3)	Failure to provide written requirements for all personnel to be trained in and use the standard operating procedures.	\$250 to \$500
435.27 / NFPA 1403	LIVE FIRE TRAINING	
435.27	Failure to provide written requirements that establishes NFPA 1403 used as a guide.	\$250 to \$500
	TRAINING FACILITY	
427.307	Failure of the Chief Training Officer to hold Instructor III certification	\$250 to \$500
427.9	Failure to provide written documentation that required equipment for each discipline certified to teach is owned by organization.	\$250 to \$500
427.1(f)	Failure to provide written documentation for equipment Is not owned, a provide letter of commitment from the department(s) who own the equipment.	\$250 to \$500
427.13/427.203(b)	Failure to provide written documentation of records from certification courses delivered in the past 3 years	\$250 to \$500
427.11	Failure to provide written reference material required for each discipline in which the organization holds certification.	\$250 to \$500
427.203(a)(3)	Failure to provide written documents to substantiate test scores to include performance testing.	\$250 to \$500
427.203(c)	Failure to provide written master copies of examinations that are maintained for a minimum of three years.	\$250 to \$500
439.205	Failure to provide letters of assurance are on file, when skills are not evaluated in the immediate presence of a field examiner.	\$250 to \$500