



Fire Records

Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](https://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

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Fire Records

Reference Number: MTAS-687

FIRE RECORDS RETENTION SCHEDULE		
Description of Record	Retention Period	Legal Authority/Rationale
G-1. Arson Investigation Reports.	Retain 30 years or until the convicted perpetrator is released from prison, whichever is longer.	Keep for use if there is a new trial.
G-2. Bloodborne Pathogens/ Infectious Material Standard. Protects employees who may be occupationally exposed to blood or other infectious materials. Written Exposure Plan Medical Records Training Records Employee Exposure Records	No retention period specified. *Retain for duration of employment plus 30 years. *Retain 3 years. *Retain 30 years.	Occupational Safety and Health Act (29 C.F.R. 1910.1030). Occupational Safety and Health Act (29 C.F.R. 1910.1020). Occupational Safety and Health Act (29 C.F.R. 1910.1030). Occupational Safety and Health Act (29 C.F.R. 1910.1020).
G-3. Burn Permits. Record of permission granted for open burning within the city limits.	Retain 2 years unless issued in conjunction with a building permit, in which case retain until certificate of occupancy granted.	General recommendation is based on statute of limitations for malicious burning plus one year. Recommendation for burn permits issued with building permits based on the increased likelihood of a lawsuit against the city before certificate of occupancy is granted.
G-4. Fire Incidents Reports.	Retain 5 years. Consider donating to archive.	Keep to track history of property, loss claims, repeats. Retention term based on statutes of limitations for foreseeable causes of action.
G-5. Fire Safety Inspection and Similar Reports. Reports made by Tennessee Department of Insurance, Division of Fire Prevention, or local fire department showing date, name of inspector, location inspected, etc.	Retain current inspection report until new inspection report is received, as a minimum. Retaining 3 years is recommended.	Keep for enforcement purposes. Keeping one generation back allows the department to show a history of inspection.

FIRE RECORDS RETENTION SCHEDULE		
Description of Record	Retention Period	Legal Authority/Rationale
G-6. Firefighter Annual Certification of Fitness to Perform Job Functions.	*Retain until next certification completed to comply with OASH. Retaining 3 years is recommended.	Required by OSHA. (29 C.F.R. 1910.156(b)(2)) and (29 C.F.R. 1910.135 (m)). Department of Labor can request information going back 3 years. Retention allows the fire department to show a history of testing and compliance.
G-7. Firefighter Annual Facemask Fit Test Records.	Retain until next certification completed to comply with OSHA. Retaining 3 years is recommended.	Required by OSHA. (29 C.F.R. 1910.156 (f)) and (29 C.F.R. 1910.135 (m)). Department of Labor can request information going back 3 years. Retention allows the fire department to show a history of testing and compliance.
G-8. Material Safety Data Sheets (MSDSs). Employers must have an MSDS on file for each hazardous chemical they use and ensure that copies are readily accessible to employees in their work area. Employer must keep records of chemicals used, where they were used, when they were used and for how long.	No specific time-must be maintained in a current fashion. Retain for 30 years.	Occupational Safety and Health Act (29 C.F.R. 1910.1020(d)(1)(ii)(B)). Occupational Safety and Health Act (29 C.F.R. 1910.1020(d)(1)(ii)(B)).
G-9. Physical/ Medical Records. Complete and accurate records of all medical examinations require by OSHA law.	Retain for duration of employment plus 30 years unless specific OSHA standard provides a different time period.	Occupational Safety and Health Act (29 C.F.R. 1910.1020).
G-10. Medical Records of Patients in EMS Run Records. Patients medical histories, reports, summaries, diagnosis, prognosis, records of treatment, medication, X-ray and radiology interpretation, physical therapy charts and lab reports.	Retain 10 years following discharge of patient or patient's death during treatment. For patients under mental disability or minority, records should be retained for period of minority or disability plus 1 year or 10 years following discharge, whichever is longer. X-ray film may be disposed of after 4 years when radiologist's interpretation is made.	T.C.A. §§ 68-11-305 and 68-140-519.

FIRE RECORDS RETENTION SCHEDULE		
Description of Record	Retention Period	Legal Authority/Rationale
G-11. Radio and Telephone Logs. Dispatching and telephone communications with outside agencies.	Retain 5 years.	Keep for use in defense of lawsuits. Retention term based on statutes of limitations for foreseeable causes of action.
G-12. Training Records.	Retain for duration of employment plus 3 years.	Proof of training for ISO and OSHA.
G-13. Vehicle and Equipment Maintenance Records.	Retain for life of vehicle or equipment plus 1 year.	Determination of replacement, proof of maintenance; possible tort action.

*Indicates a mandatory retention period based on state or federal law.

DISCLAIMER: The letters and publications written by the MTAS consultants were written based upon the law at the time and/or a specific sets of facts. The laws referenced in the letters and publications may have changed and/or the technical advice provided may not be applicable to your city or circumstances. Always consult with your city attorney or an MTAS consultant before taking any action based on information contained in this website.

Source URL (retrieved on 10/26/2020 - 6:51pm): <https://www.mtas.tennessee.edu/reference/fire-records>



Municipal Technical Advisory Service
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