

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-20-02

Rule Type: Amendment

Rule Title/Tagline: Qualifications for a firefighter certificate.

Agency Name: State Board of Emergency Medical, Fire, and Transportation Services

Division:

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I. Rule Summary

1. Is this a five year rule review? Yes
 - A. What is the rule's five year review date? 9/21/2017
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 4765.55
5. What statute(s) does the rule implement or amplify? 4765.55
6. What are the reasons for proposing the rule?

These rules are being filed as part of a comprehensive five-year rule review and reorganization of the fire training rules in agency 4765 of the OAC, at the request of stakeholders. OAC chapters governing fire charters, fire service and fire instructor training, professional standards, and discipline are proposed to be made consecutive chapters in OAC 4765, and a chapter including definitions and items incorporated by reference as two separate rules has been added. At the request of stakeholders, proposed revisions add language creating a live fire instructor (LFI) certification and a hazard recognition officer (HRO) certification.

7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

OAC Rule 4765-20-02 sets forth the qualifications that an applicant shall meet in order to obtain a certificate of firefighter training. Criteria include completion of the National Incident Management System (NIMS) courses mandated by the United States' Department of Homeland Security, and a course on hazardous materials awareness and operations. The rule sets forth the required examinations and the deadlines for completing them. Age limits and prohibitions against criminal convictions, fraud, misrepresentation, and material deception are described. The rule refers readers to an incorporated by reference rule. OAC Rule 4765-20-02 is amended to require completion of an emergency vehicle operations course and emergency medical training as qualifications for firefighter I or II certificate. Several NFPA standards are included to describe the course objective requirements. The qualifications are listed sequentially for each certificate level, and references are revised to reflect the reorganized rules. The rule references are corrected based on the revised organization of the rules and chapters.

8. Does the rule incorporate material by reference? Yes

9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.

OAC rule 4765-20-02 incorporates the "Firefighter, Fire Safety Inspector, or Hazard Recognition Officer Initial Application," "Emergency Vehicle Operations Course Objectives," "Hazardous Materials Awareness and Operations Course Objectives," "NFPA 1002," "NFPA 1451," "NFPA 1072," "NFPA 1001," "National Incident Management System Course IS-700" (or "NIMS IS-700") , and "National Incident Management System Course ICS-100," (or "NIMS ICS-100"). To comply with sections 121.71 to 121.74 of the Revised Code, this rule refers readers to OAC rule 4765-25-02, which provides the editions and dates of the materials and the Web site addresses where the information may be accessed.

10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.

Not Applicable

II. Fiscal Analysis

11. As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium

or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.

This will have no impact on revenues or expenditures.

0.00

Not applicable.

- 12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

Not applicable.

- 13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

- 14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

III. Common Sense Initiative (CSI) Questions

- 15. Was this rule filed with the Common Sense Initiative Office? No**

- 16. Does this rule have an adverse impact on business? No**

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No**
- B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No**
- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No**