

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?** No
 - A. **What is the rule's five year review date?** 10/1/2022
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?**

This rule is part of a package of rules being filed to correct errata remaining in the September 2017 filing of the comprehensive rule review and reorganization of the fire training rules; to incorporate revisions required due to the publication of 2019 NFPA standards; and to address inconsistencies created by the EMS IT system.

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 courses on hazardous materials awareness and operations and emergency vehicle 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 revise the names of two documents incorporated by reference to include the word "packet" and to correct the chapter reference of an NFPA document. Other changes clarify the language discussing training, course objectives, requirements, examinations, the sequence of events, and references. A previously omitted reference to advanced EMT training is included.

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 Packet," "Hazardous Materials Awareness and Operations Course Packet," "NFPA 1002," "NFPA 1451," "NFPA 1072," "NFPA 1001," "National Incident Management System Course IS-700," and "National Incident Management System Course 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.

PDFs of the following EMS forms are filed with JCARR:

- "Firefighter, Fire Safety Inspector, or Hazard Recognition Officer Initial Application" or form "EMS 0053" (January 2018)
- "Emergency Vehicle Operations Course Packet" or form "EMS 0210" (April 2019)
- "Hazardous Materials Awareness and Operations Course Packet" or form "EMS 0205" (April 2019)

The following forms will be posted at the EMS forms and applications Web page (<http://www.ems.ohio.gov/forms.aspx>) when the rule becomes effective:

- "Emergency Vehicle Operations Course Packet" or form "EMS 0210" (April 2019)
- "Hazardous Materials Awareness and Operations Course Packet" or form "EMS 0205" (April 2019)

NOT POSTED AT THE EMS FORMS AND APPLICATIONS WEB SITE:

"Firefighter, Fire Safety Inspector, or Hazard Recognition Officer Initial Application" or form "EMS 0053" (January 2018) is made available through an online portal accessed at chartered fire training programs by an applicant who has been verified by a program director as meeting all training requirements to apply for certification.

ALSO NOT POSTED AT THE EMS FORMS AND APPLICATIONS WEB SITE:

NFPA standards are copyrighted and available at the National Fire Protection Association (NFPA) "List of NFPA codes & standards" Website at:
<http://www.nfpa.org/codes-and-standards/all-codes-and-standards/list-of-codes-and-standards>

OAC rule 4765-25-02 (Incorporated by reference.) is referenced in rule 4765-20-02 of the OAC and includes the editions of the NFPA Standards and the Web address where they can be accessed.

"NFPA 1002" (2017 edition)

"NFPA 1451" (2018 edition)

"NFPA 1072" (2017 edition)

"NFPA 1001" (2019 edition)

2 National Incident Management System (NIMS) courses:

"National Incident Management System Course ICS-100" available at the following Website:

<https://training.fema.gov/is/courseoverview.aspx?code=IS-100.c>

"National Incident Management System Course IS-700" available at the following Website: <https://training.fema.gov/is/courseoverview.aspx?code=IS-700.b>

FOR FORMS FILED WITH JCARR, SEE PACKAGE 185077, RULE 4765-25-02

- 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.

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Not Applicable

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

It is estimated that this rule will not result in any costs of compliance for stakeholders.

- 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**

This rule does not require prior authorization to engage in or operate a line of business.

- 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**

This rule does not impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply in regard to operating a line of business.

- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No**

This rule does not require specific expenditures or the report of information as a condition of compliance in regard to operating a line of business.