

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4765-20-03

**Rule Type:** Amendment

**Rule Title/Tagline:** Qualifications for a fire safety inspector or hazard recognition officer certificate.

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

**Division:**

**Address:** 1970 West Broad Street PO box 182081 Columbus OH 43218-2081

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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?** 10/26/2023
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. **Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires?** No
  - A. **If so, what is the citation to the federal law or rule?** Not Applicable
7. **What are the reasons for proposing the rule?**

This rule is being is being filed according to a R.C. 106.03 periodic rule review, and to refer applicants for fire certification to the appropriate application packet and/or course packet for basic qualifications.

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

OAC Rule 4765-20-3 sets forth the requirements that an applicant shall meet in order to obtain a certificate of fire safety inspector (FSI) training or hazard recognition officer (HRO). The rule sets forth prohibitions regarding convictions and fraud, misrepresentation, and material deception. The executive director is provided discretion in granting the FSI and HRO certificates. The rule refers readers to rule OAC 4765-25-02, Incorporated by reference.

O.A.C. 4765-20-03 is amended to direct applicants to the appropriate application and course packets for their preferred level of fire certification, which are made available at the Division of EMS website.

- 9. Does the rule incorporate material by reference? Yes**
- 10. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

OAC rule 4765-20-03 incorporates the "Fire Safety Inspector Course Packet," the "Hazard Recognition Officer Course Packet," and the "Firefighter, Fire Safety Inspector, or Hazard Recognition Officer Initial Application." 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.

Course packets are available at the Division of EMS website, <https://ems.ohio.gov/forms-and-applications>. Initial applications are 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.

- 11. 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**

- 12. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

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Not Applicable

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

Not Applicable

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

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

- 16. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

Not Applicable

### **III. Common Sense Initiative (CSI) Questions**

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

- 18. 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**

**D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No**

**IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).**

**19. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No**

**A. How many new regulatory restrictions do you propose adding to this rule?**

Not Applicable

**B. How many existing regulatory restrictions do you propose removing from this rule?**

Not Applicable

**C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**

Not Applicable

**D. Please justify the adoption of the new regulatory restriction(s).**

Not Applicable