

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-20-06

Rule Type: Amendment

Rule Title/Tagline: Firefighter, fire safety inspector and instructor examinations.

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

Division:

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

Contact: Joseph Kirk

Email: jakirk@dps.ohio.gov **Phone:** 614-466-5605

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?**

This rule is 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 Ohio's fire service, represented by the Ohio Fire Chiefs' Association, the Ohio State Firefighters Association, and the Ohio Association of Professional Firefighters, proposed revisions add language creating a live fire instructor (LFI) certification and a hazard recognition officer (HRO) certification and address emergency vehicle operations training and

curriculum hours. Working with the Ohio Department of Education and chartered high school training programs, revisions have been made to improve the success rate of students enrolled in high school fire training programs.

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

OAC Rule 4765-20-06 sets forth the guidelines for the firefighter, fire safety inspector, and instructor examinations. The rule explains the passing requirements for the initial and reinstatement examinations. The rule clarifies the type of examination needed for initial or reinstatement certification and describes the number of permissible attempts and passing scores. OAC Rule 4765-20-06 is revised to delete references to examinations required for instructor certificates. OAC Chapter 4765-21 is revised to provide all information related to instructor certifications, and the information deleted from 4765-20-06 is set forth in the revised rule OAC 4765-21-05. This rule is revised to correct references for OAC Chapter 4765-11, which has been rescinded, and the rules have been moved to OAC Chapter 4765-24. This rule is revised to describe the "practical examinations" more accurately as "practical skills examinations" and to clarify the qualifications of those who evaluate practical skills examinations. The rule is amended to include guidelines for examinations for the new hazard recognition officer certification. The rule references are corrected based on the revised organization of the rules and chapters.

8. Does the rule incorporate material by reference? No

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.

Not Applicable

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