

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-20-08

Rule Type: Amendment

Rule Title/Tagline: Reinstatement of a firefighter or fire safety inspector 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 4765-20-08 sets forth the requirements to reinstate a firefighter or fire safety inspector certificate that has expired or has been voluntarily surrendered including timelines, examination requirements, continuing education requirements, and application fees for reinstatement. This rule provides options for examination and meeting continuing education requirements for other reinstatement applicants. The rule refers readers to an incorporated by reference rule. OAC Rule 4765-20-08 is amended to include requirements for renewal of a hazard recognition officer certificate, a level that is added as part of this rule review and revision process. The qualifications are listed sequentially for each certificate level, and references are revised to reflect the reorganized rules. The executive director's reinstatement window â six months from the date of expiration of surrender â has been revised to eighteen months. 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 4765-20-08 incorporates the "Firefighter, Fire Safety Inspector, and/or Hazard Recognition Officer Reinstatement Application" form. 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?

The estimated cost of compliance for stakeholders to apply for reinstatement of a certificate is \$75. The \$75 reinstatement fee must be paid when a certification has expired, becomes invalid due to voluntary surrender, or has been previously revoked. In addition, the cost of compliance may include costs of classes or testing to obtain the required level of skill and knowledge or continuing education credit. These costs may vary from \$0 to \$2500, depending on the time elapsed since the expiration, surrender, or revocation and the certification level sought. Other cost variables include the rate of pay for instructors, the size of the charters/institutions, and student enrollment. Tuition may be paid by the fire department sponsoring a student. Fire departments may request reimbursement of costs through the State Fire Marshal Fire training grant programs.

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