

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-20-17

Rule Type: Rescission

Rule Title/Tagline: Exemption from firefighter or fire safety inspector continuing education.

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?**

The rule is proposed to be rescinded and a new rule adopted in its place. 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 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.**

This rule sets forth the process for a firefighter or fire safety inspector to apply for a partial or full exemption from the continuing education renewal requirements for active duty military service, medical hardships, and other unusual circumstances. The rule explains submitting an exemption request for continuing education, requires an eighteen month window from discharge of active duty military for a firefighter or fire safety inspector to apply for an exemption. The rule references the incorporated by reference rule.

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.**

This rule is proposed to be rescinded and moved to OAC Chapter 4765-20-14 as a new rule, revised, as needed. The materials incorporated by reference in OAC Chapter 4765-20-14 will be accessible at a Web site address provided in the new rule 4765-25-02 [Incorporated by reference.] and provided to JCARR as PDF and addressed in the RSFA for the new rule 4765-20-17.

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