

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-21-13

Rule Type: Amendment

Rule Title/Tagline: Exemption for 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?

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 4765-21-13 sets forth the process for a renewing instructor to request an exemption from continuing education (CE) or instructional requirements due to military duty, medical hardship or unusual hardship. Complete or partial exemptions may be granted. The rule refers readers to rule OAC 4765-25-02, Incorporated by reference. OAC Rule 4765-21-13, including the tag line, has been revised to specify the fire instructor certifications for which the rule applies. The certifications that may be granted an extension for renewal include fire instructor, fire safety inspector instructor, and the new certification live fire instructor. The assistant fire instructor certification is not eligible for exemptions from CE or instructional requirements. References to military duty have been revised to "duty in the armed forces." The title of the exemption form has been revised. Complete or partial exemptions may be granted. The rule has been amended to prohibit the granting of two or more consecutive exemptions for CE and instructional renewal requirements. The rule refers readers to rule OAC 4765-25-02, Incorporated by reference. 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 4765-21-13 incorporates the "Exemption Request for Continuing Education for Fire Certificates" 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?**

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