

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4765-24-03

Rule Type: Amendment

Rule Title/Tagline: Qualifications for a fire charter.

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? No
 - A. What is the rule's five year review date? 10/1/2022
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 part of a package of rules being filed to correct errata remaining in the September 2017 filing of the comprehensive rule review and reorganization of the fire training rules; to incorporate revisions required due to the publication of 2019 NFPA standards; and to address inconsistencies created by the EMS IT system.

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

OAC Rule 4765-24-03 sets forth the qualifications for a training institution to be issued a fire charter by the executive director and the documentation that a chartered

program shall retain for all trainings. The rule clarifies qualifications for certifications, including the new live fire instructor and hazard recognition officer certifications. Training requirement references include the National Incident Management System (NIMS), National Fire Protection Association, "Courage to be Safe: Sixteen Life Safety Initiatives Course," and an emergency vehicle operations course. The rule directs readers to OAC rule 4765-25-02, Incorporated by reference.

4765-24-03 is amended to create a parallel verb structure in paragraph (A)(8); to clarify that written policies are made available to each student in paragraph (A) (15); to include requirements that chartered fire programs complete accident and injury reports; to clarify that check-off sheets approved by the executive director are used to document completion of course objectives; and to insure that students meet course completion requirements before issuing a certificate of course completion. The revisions provide guidelines for a program director to conduct written evaluations of each instructor's performance; clarify guidance for required written and electronic records; update required passing rate percentages. Paragraph (G) about record maintenance is moved to paragraph (H) and the schedule to maintain records is increased to the current and two previous cycles from the current and one previous cycles.

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 4765-24-03 incorporates the "Fire Charter Application," "NFPA 1851," "NFPA 1852," "NFPA 1911," "NFPA 1403," "NFPA 1962," "NFPA 10," "NFPA 1932," "NFPA 1001," "National Incident Management System Course IS-700," "National Incident Management System Course ICS-100," and "Courage to be Safe: Sixteen Life Safety Initiatives Course." 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.

"Fire Charter Application" or form "EMS 0029" (January 2018) is posted at the EMS forms and applications Web page (<http://www.ems.ohio.gov/forms.aspx>):

Not filed with JCARR are:

NFPA standards are copyrighted and available at the National Fire Protection Association (NFPA) "List of NFPA codes & standards" Website at:
<http://www.nfpa.org/codes-and-standards/all-codes-and-standards/list-of-codes-and-standards>

OAC rule 4765-25-02 (Incorporated by reference.) is reference in rule 4765-24-03 of the OAC and includes the editions of the NFPA Standards and the Web address where they can be accessed.

"NFPA 1851" (2014 edition)

"NFPA 1852" (2019 edition)

"NFPA 1911" (2017 edition)

"NFPA 1403" (2012 edition)

"NFPA 1962" (2018 edition)

"NFPA 10" (2018 edition)

"NFPA 1932" (2015 edition)

"NFPA 1001" (2019 edition)

The "Courage to be Safe: Sixteen Life Safety Initiatives Course" is copyrighted and available at two Websites: <https://www.everyonegoeshome.com/training/courage-safe-training/> and <https://www.fireherolearningnetwork.com/>.

2 National Incident Management System (NIMS) courses:

"NIMS ICS-100" is available at <https://training.fema.gov/is/courseoverview.aspx?code=IS-100.c>

"NIMS IS-700" is available at <https://training.fema.gov/is/courseoverview.aspx?code=IS-700.b>

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.

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Not Applicable

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

It is estimated that this rule will not result in any costs of compliance for stakeholders.

- 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**

This rule does not require prior authorization to engage in or operate a line of business.

- 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**

This rule does not impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply in regard to operating a line of business.

- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No**

This rule does not require specific expenditures or the report of information as a condition of compliance in regard to operating a line of business.