

**MEMORANDUM**

**TO:** Pam Watkins, Ohio Department of Public Safety

**FROM:** Paula Steele, Regulatory Policy Advocate

**DATE:** September 9, 2013

**RE:** **CSI Review – Fire Instructor Training Programs** (OAC 4765-21-02 through 4765-21-13)

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On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

**Analysis**

The Ohio Department of Public Safety's rule package consists of twelve proposed rules – nine are existing rules being reviewed and amended under the five-year review requirement of ORC 119.032, and three are new rules. The proposed rules address instructor qualifications and certification cycles and renewal requirements. The draft rules were submitted to the CSI Office on June 13, 2013 with a public comment period ending on June 27, 2013. During that period, no public comments were submitted.

The proposed amended rules articulate requirements for fire training instructor certifications, renewals, chartered program requirements for selecting instructors, and the reasons for which a certificate can be revoked. The new rules address processes for voluntary surrender of a certificate, certification by reciprocity, and exemption from continuing education. The intent of the rules is to ensure well-trained firefighters and qualified fire safety inspectors, resulting in improved response times and increased safety.

According to the BIA, the draft rules were developed through a comprehensive early stakeholder outreach process. Stakeholders provided two suggestions which were incorporated into the proposed rules.

The overall impact of the proposed rules results from costs associated with instruction incurred by instructors, chartered programs, or fire departments. The Department estimated continuing education costs ranging from free to \$750 per year. In addition, a new fee of \$75 is charged for certificate reinstatements. The \$75 fee is actually an overall reduction in the cost to reinstate a certificate because the Department no longer requires a reinstatement test which costs \$150.

After reviewing the proposed rules and the BIA, the CSI Office determined that the rules satisfactorily meet the standards espoused by the CSI Office, and the purpose of the rules justifies the adverse impact identified in the BIA.

### **Recommendations**

For the reasons discussed above, the CSI Office does not have any recommendations for this rule package.

### **Conclusion**

Based on the above comments, the CSI Office concludes that the Ohio Department of Public Safety should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.

cc: Mark Hamlin, Director of Regulatory Policy