

Georgia Firefighter Standards and Training Council



WORKING DRAFT Of RULES

GFSTC – **DRAFT** – Rules and Regulations

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205-1-1-.01 Statutory Authority. Amended

- (a) This Regulation is made and promulgated by the GFSTC pursuant to the authority set forth in Georgia Laws 1971, pp. 693-698.
Authority GA. L. 1971, pp. 693-698. **Administrative History.** Original Rule was filed on December 4, 1974; effective January 1, 1975, as specified by the Agency.
- (b) Administration of GFSTC. The Executive Director of the GFSTC shall administer all rules and regulations of the GFSTC.

205-1-1-.02 Organization. Amended.

- (a) Election of Officers. Officers of the GFSTC shall be elected from a majority of a quorum of the voting members of the GFSTC. At the first regular meeting of the GFSTC held in each even-numbered year, the GFSTC shall elect a chairperson and such other officers from its own membership, as it deems necessary to serve until the GFSTC elects successors.
- (b) Advisory Committee. The GFSTC may designate an advisory committee of not more than three (3) members to assist and advise the GFSTC in carrying out its duties. Such additional advisory members shall serve in an advisory capacity only, without voting privileges and shall serve at the discretion of the GFSTC.
- (c) Administrative Assignment. The GFSTC is assigned to the Department of Public Safety for administrative purposes. The GFSTC shall exercise its rule making and policymaking functions as prescribed by law independent of the Department of Public Safety and without approval or control of the Department.
- (d) All rules and regulations of the GFSTC shall be administered by the Executive Director and staff of the GFSTC whose current physical address is 1000 Indian Springs Dr, Forsyth, Ga. 31029. The current mailing address is 1000 Indian Springs Dr, Forsyth, Ga. 31029. Telephone contact may be made by calling (478) 993-4521.

Comment [LDP1]: 05/12/2011 Council meeting:
How is this established? Possible further study.

205-2-1-.01 Promulgation and Purpose. Amended.

The Purpose of this Regulation is:

- (a) To provide for the implementation by the GFSTC uniform minimum standards for the employment, appointment, continued employment, continued appointment and training of full-time, part-time, volunteer firefighters, airport firefighters, fire and life safety educators, fire inspectors, fire investigators, including qualifications, certifications, re-certifications, de-certifications, revocations, probations, and suspensions.
- (b) To establish minimum curriculum requirements for schools operated by or for any employing agency for the specific purpose of training firefighter recruits or full-time, part-time, or volunteer firefighters, airport firefighters, fire and life safety educators, fire inspectors, and fire investigators;

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- (b) To provide for a means of approving courses, classes, or schools to be operated by or for any agency for the training of fire department personnel for the purposes of continued certification and/or recognition as a firefighter in this state.
- (c) To allow the GFSTC to issue, suspend or revoke certificates of compliance for fire departments that maintain or fail to maintain uniform minimum standards as required by rule and law.

205-2-1-.02 Definitions. Amended. Unless the context requires otherwise, the following words and terms shall have the following meanings for the purposes of the Rules of GFSTC:

- (a) **'Airport'** means any airport located in this state, which has regularly scheduled commercial air carrier service or commuter air service as required for certification under Section 139.49 of the Federal Aviation Administration regulations.
- (b) **'Airport firefighter'** means any person assigned to any airport located in this state that performs the duties of fire fighting, or rescue.
- (c) **'Airport fire department'** means a fire department/station of any airport located in this state, which has regularly scheduled commercial air carrier service or commuter air service as required for certification under Section 139.49 of the Federal Aviation Administration regulations.
- (d) **'Air carrier operation'** means the takeoff or landing of an air carrier aircraft and includes the period of time from 15 minutes before until 15 minutes after the takeoff or landing.
- (e) **'Certified'** or **'State Certified'** means any individual who has been certified as having met the requirements established by the GFSTC.
- (f) **'Certification Package'** means documentation approved by the GFSTC, completed by the sponsoring agency, and submitted to the office of the GFSTC for certification purposes.
- (g) **'Compensation'** means paid on an hourly or salaried basis.
- (h) **'Core-Exempt'** is those individuals who by job function or by designation of the Fire Chief or his/her designee are exempt from core competencies in lieu of additional education approved by the GFSTC for continued certification.

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- (i) **'Designee'** means the Fire Chiefs representative designated in dealing with matters of the GFSTC .
- (j) **'Executive Director'** means the Executive Director of GFSTC.
- (k) **'Fire Chief'** is the Chief Administrative Officer of a Fire Department.
- (l) **'Fire department'** means any fire department, which is authorized to exercise the general and emergency powers enumerated in Code Sections 25-3-1 and 25-3-2. It also means any department, agency, organization, or company operating in this state with the intent and purpose of carrying out the duties, functions, powers, and responsibilities normally associated with a fire department, and specifically include public safety departments that provide both law enforcement and traditional fire department services. These duties, functions, powers, and responsibilities include but are not limited to the protection of life and property against fire, explosions, or other hazards.
- (m) **'Firefighter'** means any able-bodied person who is a full-time employee, part-time employee, or volunteer and is at least 18 years of age who has been duly appointed by a legally constituted fire department and who has the responsibility of preventing and suppressing fire, protecting life and property, and/or performing other duties as may be assigned or required.
- (n) **'Full-time'** means employed for compensation on a basis of at least 40 hours per week by any municipal, county, state, or private incorporated fire department.
- (o) **'GFSTC'** is the Georgia Firefighter Standards and Training Council.
- (p) **'GFSTC Staff'** are personnel appointed by the Executive Director and employed by the Georgia Firefighter Standards & Training Council.
- (q) **'Inmate Firefighter'** those individuals currently serving a sentence as a Georgia Department of Corrections inmate and currently enrolled or have successfully completed the Georgia Department of Corrections Inmate Firefighter program.
- (r) **'Operations Firefighter'** means a firefighter who has been trained to the level of Operations Firefighter as specified by the GFSTC.
- (r) **'Part-time'** means employed for compensation on less than a full-time basis by any municipal, county, state, or private incorporated fire department.

Comment [BB2]: Review to see if the longer, more restrictive definition of Firefighter found in 25-4-2 #6 & 25-3-21. 6/20/11

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- (s) **'Probation'** means administrative restrictions placed on an individual by GFSTC or the Executive Director for violations of GFSTC Rules.
- (t) **'Probationary Firefighter Recruit'** means a prospective firefighter who has been appointed by the local fire department, but not yet met minimum training requirements as established by O.C.G.A. 25-4-8 and these Rules.
- (v) **'Registered Firefighter'** means a volunteer firefighter who has been trained to the level of Registered Firefighter as specified by the GFSTC.
- (w) **'State Certified Firefighter'** means a firefighter who has met the requirements for certification as specified by O.C.G.A. 25-4-8 and these Rules.
- (x) **'Volunteer'** means not employed for Compensation but appointed and regularly enrolled to serve as a firefighter for any municipal, county, state, or private incorporated fire department."
- (y) **'Volunteer Firefighter'** means for the purposes of the mission of GFSTC, volunteer firefighter may be referred to as a 'Registered Firefighter' or 'Operations Firefighter'.

205-2-1-.03 Application of GFSTC Standards. Amended.

- (a) On or after **(Insert effective date here)**, all individuals who meet the definition of "firefighter" as stated in O.C.G.A. 25-4-2 (6) employed in this State as a fulltime firefighter or a part-time firefighter who works an average of 25 hours per week or more during a calendar year; and are members of a fire department or of a fire division of any department of public safety in this State which employ one or more firefighters or public safety officers, must meet the uniform minimum standards for the employment, retention, training and certification as approved by the GFSTC within one year of the date of employment.
- (b) On or after **(Insert effective date here)**, all individuals who meet the definition of "firefighter" as stated in O.C.G.A. 25-4-2 (6) appointed as Recruit Firefighter, of a fire department or of a fire division of any department of public safety in this State must meet the uniform minimum standards for the appointment, retention, and training as approved by the GFSTC within two years of the date of appointment to obtain the level of Registered or Operations Firefighter.
- (c) On or after **(Insert effective date here)**, all individuals hired or appointed as a Recruit, Registered, Operations or State Certified Firefighter must be reported as such to GFSTC as soon as practical, but within 30 days of the hiring or appointment.

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Comment [BB3]: Council to re-address

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- (d) Inmate firefighters must have successfully completed or be enrolled in the State of Georgia Department of Corrections approved inmate firefighter program.
- (e) In order to be recognized as a firefighter in the state of Georgia, the individual must be a legal United States citizen or must possess valid and current documentation to be legally employed in the State of Georgia.

205-2-1-.04 General Standards State Certified Firefighter Amended.

- (a) **General Certification Standards.** Each applicant for employment as a full-time or part-time firefighter (see **205-2-1-.03 (a)**), fire and life safety educator, fire inspector, fire investigator, airport firefighter, who are required to be certified or Operations Firefighter who chooses certification shall:
 - (1) Be at least 18 years of age as verified by the Fire Chief or his/her designee through an inspection of a birth certificate, a valid Georgia Drivers' License, or a government issued photo identification that includes the applicant's date of birth.
 - (2) Be fingerprinted and a search made within 18 months prior to employment/appointment date of local, state, and national fingerprint files to disclose any criminal record.
 - (3) Not have been convicted of a felony in any jurisdiction within ten years prior to employment/appointment. Firefighters who have been convicted of a felony and have successfully completed the Georgia Department of Corrections Inmate Firefighter program may be certified providing certain provisions have been met. Refer to O.C.G.A. 25-4-8 (2) for specifics.
 - (4) Have a good moral character as determined by investigation of the criminal history of the candidate to verify that there is no recent pattern involving stealing, cheating, lying or other offenses that may indicate less than good moral character.
 - (5) For continued employment, he/she must possess or achieve within 12 months of employment a high school diploma or a general education development equivalency.
 - (6) For continued employment, he/she must meet the following training and testing requirements:

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- i. Complete the training that meets the appropriate NFPA standard which has been approved by GFSTC and pass the State of Georgia certification test within one year prior to the date of application for certification.

Need to change lettering under Definitions.

- ii. If the date of completion of the required training course is in excess of 60 months the candidate must:
 1. Present proof of an average of 24 hours per year of GFSTC accepted training since the course completion.
OR
 2. Present documentation to the applicable GFSTC Staff Review Committee, appointed by the Executive Director, requesting acceptance recommendation through a combination of training and/or experience.

GFSTC Staff Review Committees shall consist of a minimum of 3 members who make recommendations to GFSTC staff regarding minimum training requirements. The committee shall consist of subject matter experts such as representatives from the following:

- Georgia State Fire Marshal or his/her representative.
- Georgia Fire Academy Director or his/her representative.
- County Fire Department Fire Chief or his/her representative
- City/Municipal Fire Department Fire Chief or his/her representative
- The Georgia (discipline specific) Association(s) President or his/her representative.

(b) State Certified Firefighter. In addition to complying with 205-2-1.04(a), the candidate shall:

(1) Be in good physical condition as determined by a medical examination conducted by a licensed physician, physician's assistant or nurse operating under the direct authority of a licensed physician and meeting specific criteria and completed the medical affidavit as approved by GFSTC.

(2) Successfully pass the minimum physical agility skills test requirements and complete the physical agility affidavit as approved by GFSTC.

- i. The minimum physical agility test shall include at a minimum the Stair Climb, Ladder Extension, Ventilation Exercise, Hose Advance, Rescue Drag, and Ladder Removal/Replacement elements as approved by GFSTC.

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(3) Successfully pass a performance evaluation based on firefighting and life safety skills as established and approved by the GFSTC as published on the GFSTC website and/or available upon request. The skills evaluation will be developed using job performance requirements identified by the GFSTC. The Fire Chief or his/her designee will ensure that the candidate successfully and safely completes the approved skill requirements and submit signed documentation confirming such. A committee representing the fire service of this state, appointed by the Executive Director, shall develop and submit skills evaluation recommendations to the GFSTC. The committee may consist of:

- GFSTC Executive Director or his/her representative
- Georgia Fire Academy Director or his/her representative
- Georgia State Fire Marshal or his/her representative.
- County Fire Department Fire Chief or his/her representative
- City Fire Department Fire Chief or his/her representative
- Georgia Fire Chiefs Association President or his/her representative
- Georgia State Firefighters Association President or his/her representative
- Other Georgia Fire Service (discipline-specific) association(s) president(s) or his/her representative

(4) An individual hired as a recruit shall complete all appointment requirements, submit GFSTC approved documentation, and receive State Certification within 1 year of the date of hire. Any other individual seeking State Certification shall complete all appointment requirements and submit GFSTC approved documentation in order to be considered for State Certification.

(c) **Fire and Life Safety Educator** Certification Standards. In addition to complying with 205-2-1.04(a), the candidate shall:

- (1) Complete all appointment requirements, submit GFSTC approved documentation, and receive certification within 1 year of the date of appointment

(d) **Fire Investigator** Employment Standards. In addition to complying with 205-2-1.04(a), the candidate shall:

- (1) Complete all appointment requirements, submit GFSTC approved documentation, and receive certification within 1 year of the date of appointment

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- (e) **Fire Inspector** Employment Standards. In addition to complying with 205-2-1.04(a), the candidate shall:
- (1) Complete all appointment requirements, submit GFSTC approved documentation, and receive certification within 1 year of the date of appointment
- (f) **Airport Firefighter** Employment Standards. In addition to complying with 205-2-1.04(a), the candidate shall:
- (1) Be in good physical condition as determined by a medical examination approved by the GFSTC.
 - (2) Successfully pass the minimum physical agility requirements as established by the GFSTC.
 - (3) Complete all appointment requirements, submit GFSTC approved documentation, and receive certification within 1 year of the date of appointment
 - (4) Successfully pass a performance evaluation based on life safety skills as established and approved by the GFSTC as published on the GFSTC website and/or available upon request. The skills evaluation will be developed using job performance requirements identified by the GFSTC. The Fire Chief or his/her designee will ensure that the candidate successfully and safely completes the approved skill requirements and submit signed documentation confirming such. A committee representing the fire service of this state, appointed by the Executive Director, shall develop and submit skills evaluation recommendations to the GFSTC. The committee may consist of:
 - GFSTC Executive Director or his/her representative
 - Georgia Fire Academy Director or his/her representative
 - Georgia State Fire Marshal or his/her representative.
 - County Fire Department Fire Chief or his/her representative
 - City Fire Department Fire Chief or his/her representative
 - Georgia Fire Chiefs Association President or his/her representative
 - Georgia State Firefighters Association President or his/her representative
 - Georgia Mutual Aid Group President or his/her representative
 - Other Georgia Fire Service (discipline-specific) association(s) president(s) or his/her representative

END OF August 31, 2011 SESSION

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(g) **Continued Annual Training (Georgia State Certified Firefighter III).**

Those individuals who are certified by GFSTC must meet re-certification requirements each calendar year thereafter to maintain current certification status. Individual re-certification will consist of two components:

Comment [LP4]: Moved this section from 205-2-2-.02 LP

- (1) A demonstration of GFSTC approved and defined core competencies to maintain proficiency.
 - i. The competencies may be based on objectives specified in the applicable National Fire Protection Association (NFPA) Standard and approved by the GFSTC. The recommended list of core competencies is to be developed by GFSTC in conjunction with appropriate state associations, accepted by the Executive Director, and approved by the GFSTC.
 - ii. All ~~non-core exempt~~core individuals are required to demonstrate/perform the specified competencies annually.
 - iii. The local department shall determine the method for completion of the competencies. Methods may include drills, training based scenarios, check-off exercises, etc. The local department shall maintain records of method of completion, including the date, location, persons present, and materials and facilities used to complete the evaluation.
 - iv. The local fire department is to report to GFSTC annually of those individuals who have completed the core competencies by procedure established by GFSTC.
 - v. GFSTC may verify proficiency of certification specific core competencies by conducting skills tests at fire departments if upon review of eligible records it is determined that 25% or more of the required eligible training records reviewed are non-existent or incomplete, or at the written request of the Fire Chief.
 - vi. Fire service members may be designated by the local fire chief or his/her designee as core-exempt and are not required to complete core competencies but do have additional annual training requirements.
- (2) A continued training/education component is included to advance an individual's level of knowledge and ability and subject to the following conditions: Council to readdress the following in red:
 - i. Every non-core Firefighter exempt individual, in addition to annual completion of core competencies, is required to complete a minimum of 24 hours training at a class/training session accepted by GFSTC.

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- ii. Core exempt staff are not required to complete annual core competencies but are required to complete 40 hours of training at a class/training sessions accepted by GFSTC. The local fire chief may choose not to designate anyone as core exempt and select to complete the same requirements as ~~non-core exempt~~ personnel. Training that is conducted to meet the re-certification requirements must be conducted in a professional organized manner and meet specific criteria defined by GFSTC. Specifically, the following may be used for certified personnel to accrue continued annual training credit (recertification hours);
- (a) Certificates issued by state or national agencies for training that is determined as applicable by GFSTC for the defined level of certification is accepted (Georgia Fire Academy, Georgia Public Safety Training Center, Department of Homeland Security/Georgia Emergency Management Agency, National Fire Academy, The U.S. Department of Homeland Security, The Emergency Management Institute of the National Emergency Training Center, the fire academies of other states, etc.)
 - (b) Fire Departments that have purchased one of the instructional packages for the basic training manuals approved by the GFSTC and have a qualified instructor may accrue recertification hours. To receive recertification credit, the local training records must be maintained indicating the course number issued by this agency as well as good record keeping practices. Good record keeping practices include the GFSTC course number, a description of the training, course objectives, students' names and signatures, instructor name and signature, with date and times. Training records, including signatures ~~shall~~ may be developed and may be maintained electronically.
 - (c) Classes, courses, and schools developed and delivered locally by qualified instructors may be accepted. The fire chief or his/her designee must submit a completed "Course Credit Request Form" for acceptance. As these courses are accepted, GFSTC will issue a course number. The agency must in turn maintain training records tracking each individual's progress using the course number and good record keeping practices. Training records, including signatures

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~~shall~~ be developed and may be maintained electronically.

(d) Fire service associations, other organizations, and private companies, both for-profit and not-for-profit, may also submit a “Course Credit Request Form” for credit for attendees. This agency, will review the proposed content of the course, the instructor’s qualifications, safety precautions if the course content indicates such precautions are required, and such other factors as the Director deems necessary to indicate a positive learning experience. In addition, assurances must be made that training occurs, attendees are present, and the training is applicable for the level(s) of certification credited. Training records, including signatures ~~shall~~ be developed and may be maintained electronically.

iii. Fire Departments are required to report approved continued training/education and approved core competencies each calendar year as determined by GFSTC. -

(3) Records shall be developed, maintained and available for review by GFSTC at the local department

Comment [LP5]: 07/27/2010 Council mtg. Add this statement to Certified and Support

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205-2-2-.01 General Appointment Standards Operations Georgia Registered Firefighter-II.

(a) **General Appointment Standards.** Each applicant for appointment as an an Operations Firefighter shall:

(1) Be at least 18 years of age as verified by the Fire Chief or his/her designee through an inspection of a birth certificate, a valid Georgia Drivers’ License, or a government issued photo identification that includes the applicant’s date of birth.

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- (2) Not have been convicted of a felony in any jurisdiction within ten years prior to appointment. Firefighters who have been convicted of a felony and have successfully completed the Georgia Department of Corrections Firefighter program may be appointed as an Operations Firefighter state certified providing certain provision have been met. Refer to O.C.G.A. 25-4-8 (2) for specifics. Original or certified copies of the original criminal history search made of local and state databases, to disclose any criminal record. It is recommended that a search of national criminal information databases be conducted on all applicants in addition to the local and state search. Criminal history documents used to determine eligibility as an Operations Firefighter included in the Certification Package must not be generated in excess of 18 months prior to receipt of certification package.

appointment.

- (3) Not have been convicted of a felony in any jurisdiction within ten years prior to employment/appointment. Firefighters who have been convicted of a felony and have successfully completed the Georgia Department of Corrections Inmate Firefighter program may be certified providing certain provisions have been met. Refer to O.C.G.A. 25-4-8 (2) for specifics.

- (4) Have a good moral character as determined by investigation of the criminal history of the candidate to verify that there is no recent pattern involving stealing, cheating, lying or other offenses that may indicate less than good moral character.

- ~~(3) Have a good moral character as determined by — investigation. An investigation conducted by the local department of the criminal history of the candidate to verify that there is no recent pattern of convictions of crimes involving stealing, cheating, lying or some other that may indicate less than good moral character. If the candidate has a combination of 3 misdemeanor convictions of i, ii, or iii, in the previous 5 year period prior to application for certification, the candidate may be ineligible from being certified. If the candidate has 1 misdemeanor conviction in the previous 10 years prior to application for certifications in sections iv and v below they may be ineligible for certification.~~

~~i. Assaultive behavior~~

~~ii. Violation of the Georgia Controlled Substances Act (VGCSA)~~

~~iii. Misdemeanor theft~~

~~iv. Any Misdemeanor Sex Offense (1 conviction in 10 years)~~

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~~v. Any crime against an elderly person age 65 or older or child, under the age of 18 (1 conviction in a 10 year period)~~

~~A Fire Chief who wishes to employ a potential candidate, who falls into the conditions from this paragraph two (2) above, must present the potential candidate and their circumstances to the GFSTC for consideration.~~

Comment [LP6]: Edited for clarification and accuracy - LP

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(b) **Georgia Operations Firefighter II additional Appointment Standards:**

In addition to complying with 205-2-2.01, the candidate shall:

- (1) Have on file at the local fire department, a completed GFSTC approved document detailing possible duties of the Operations Firefighter, the applicant's determination of fitness for the listed tasks, and signed by the applicant medical history form. This file must be kept in a secure location as with any personal medical information.
- (2) Successfully pass the minimum physical agility requirements as established by the GFSTC.
- (3) Successfully pass a performance evaluation based on firefighting and life safety skills as established and approved by the GFSTC. The skills evaluation will be developed using job performance requirements identified ~~by in the~~ GFSTC. The Fire Chief or his designee will ensure that the candidate successfully and safely completes the approved skill requirements and submit signed documentation confirming such. A committee representing the fire service of this state, appointed by the Executive Director, shall develop and submit skills evaluation recommendations to the GFSTC. The committee may consist of:
~~A committee will be established representing the fire service of this state to develop and submit recommendations to the GFSTC. The committee may consist of, but not limited to, representatives of:~~
 - Georgia Association of Fire Chiefs
 - Georgia State Firefighter Association
 - Full-Time (Career) Fire Department(s)
 - Combination (Full-Time, Part-Time, and Volunteer) Fire Department(s)
 - Volunteer Fire Department(s)
 - Georgia Fire Academy
- (4) Successfully pass the GFSTC Operations Firefighter written exam within one year of the date of appointment.
- (5) Complete all appointment requirements and submit GFSTC approved documentation within 24 ~~years~~ of the date of appointment.

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(c) **Continued Annual Training (Georgia Operations Firefighter II).** Those individuals who are recognized as **Georgia Operations Firefighter II** by GFSTC must meet requirements each calendar year thereafter to maintain status. Continued recognition as a firefighter will consist of three components:

Comment [LP7]: Moved from 205-2-2-.02 LP

- (1) A demonstration of GFSTC approved and defined core competencies to maintain proficiency and approved by the Chief or his designee. Job/jurisdiction specific competencies.
- (2) Complete a minimum of 24 hours training at a class/training session accepted by GFSTC. Core competency completion may be accredited as the 24 hour component. Time frames need further discussion.
- (3) The Fire Chief or designee may designate individuals as Core Exempt. Core exempt staff are not required to complete annual core competencies but are required to complete 40 hours of training at a class/training sessions accepted by GFSTC. The local fire chief may choose not to designate anyone as core exempt and select to complete the same requirements as ~~non-core-exempt~~ personnel.
- (4) Records shall be developed, maintained and available for review by GFSTC at the local department

Comment [LP8]: 07/27/2010 Council mtg. Add this statement to Certified and Support

The competencies may be based on objectives specified and approved by the GFSTC. The recommended list of core competencies is to be developed by GFSTC in conjunction with appropriate state associations, accepted by the Executive Director, and approved by the GFSTC.

205-2-2.02 General Appointment Standards Registered Firefighter

(a) **General Appointment Standards.** Each applicant for appointment as a Registered Firefighter shall:

- (1) Be at least 18 years of age as verified by the Fire Chief or his/her designee through an inspection of a birth certificate, a valid Georgia Drivers' License, or a government issued photo identification that includes the applicant's date of birth.

~~(2) Not have been convicted of a felony in any jurisdiction within ten years prior to appointment. The appointing agency shall have a search made of local and state, database to disclose any criminal record. Firefighters who have been convicted of a felony and have participated in the Georgia Department of Corrections Firefighter~~

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~~program may be state certified providing certain provision have been met. Refer to O.C.G.A. 25-4-8 (2) for specifics. Original or certified copies of the original criminal history search made of local, state, and national database files to disclose any criminal record. Criminal history documents included in the Certification Package must not be generated in excess of 18 months prior to receipt of certification package. It is recommended that a search of national criminal information databases be conducted on all applicants in addition to the local and state search.~~

~~(3) Have a good moral character as determined by investigation. An investigation conducted by the local department of the criminal history of the candidate to verify that there is no recent pattern of convictions of crimes involving stealing, cheating, lying or some other that may indicate less than good moral character. If the candidate has a combination of 3 misdemeanor convictions of i, ii, or iii in the previous 5 year period prior to application for certification, the candidate may ineligible from being certified. If the candidate has 1 misdemeanor conviction in the previous 10 years prior to application for certifications in sections iv and v below they may be ineligible for certification.~~

- ~~i. Assaultive behavior~~
- ~~ii. Violation of the Georgia Controlled Substances Act (VGCSA)~~
- ~~iii. Misdemeanor theft~~
- ~~iv. Any Misdemeanor Sex Offense (1 conviction in 10 years)~~
- ~~v. Any crime against an elderly person age 65 or older or child, under the age of 18 (1 conviction in a 10 year period)~~

~~A Fire Chief who wishes to employ a potential candidate, who falls into the conditions from this paragraph two (2) above, must present the potential candidate and their circumstances to the GFSTC for consideration.~~

~~(2) Not have been convicted of a felony in any jurisdiction within ten years prior to appointment. Firefighters who have been convicted of a felony and have successfully completed the Georgia Department of Corrections Firefighter program may be appointed as an Operations Firefighter providing certain provision have been met. Refer to O.C.G.A. 25-4-8 (2) for specifics. Original or certified copies of the original criminal history search made of local and state databases, to disclose any criminal record. It is recommended that a search of national criminal information databases be conducted on all~~

Comment [LP9]: Edited for clarification and accuracy - LP

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applicants in addition to the local and state search. Criminal history documents used to determine eligibility as a Registered Firefighter must not be generated in excess of 18 months prior to appointment.

(3) Not have been convicted of a felony in any jurisdiction within ten years prior to employment/appointment. Firefighters who have been convicted of a felony and have successfully completed the Georgia Department of Corrections Inmate Firefighter program may be certified providing certain provisions have been met. Refer to O.C.G.A. 25-4-8 (2) for specifics.

(4) Have a good moral character as determined by investigation of the criminal history of the candidate to verify that there is no recent pattern involving stealing, cheating, lying or other offenses that may indicate less than good moral character.

(b) ~~Georgia~~ **Registered Firefighter I** ~~Additional Appointment Standards:~~

In addition to complying with 205-2-2.02 the candidate shall:

(1) Have on file at the local fire department, a completed GFSTC approved document detailing possible duties of the Registered Firefighter, the applicant's determination of fitness for the listed tasks, and signed by the applicant. This file must be kept in a secure location as with any personal medical information.

~~(1)(2) Have on file at the local fire department; a completed GFSTC approved medical history form.~~

(2) Complete physical agility test that shows the candidates ability to handle the duties of ~~Georgia~~ Registered Firefighter I as approved by the Fire Chief.

~~(3)(3)~~ Successfully pass a performance evaluation based on ~~firefighter skills found in the Georgia~~ Registered Firefighter ~~training program as approved by GFSTC~~. The skills evaluation will be developed using job performance requirements identified by the local Fire Chief. The Chief will submit documentation confirming such. The Fire Chief/Designee can only conduct performance evaluations on member(s) of his/her agency.

(4)(1) _____ Successfully pass the GFSTC ~~Georgia~~ Registered Firefighter I written exam within ~~2~~ one years of the date of appointment.

(5)(2) _____ Complete all appointment requirements and submit GFSTC approved documentation within ~~2~~ 1 years of the date of appointment.

(c) Continued Annual Training (~~Georgia Registered Firefighter I~~). Those individuals who are recognized as ~~Georgia~~ Registered Firefighter I by

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GFSTC must meet continuing education requirements each calendar year thereafter to maintain current status. Records shall be developed, maintained and available for review by GFSTC at the local department .

The continuing education will consist of two components:

- (1) A demonstration of Fire Chief approved and defined core competencies to maintain proficiency.
- (2) Complete a minimum of 24 hours training at a classes/training sessions accepted by GFSTC. Core competency completion may be accredited as the 24 hour component.
- (3) ~~Records shall be developed, maintained and available for review by GFSTC at the local department~~

Comment [BB10]: Additional discussion needed on hours.

The competencies may be based on objectives specified and approved by the Chief. The recommended list of core competencies is to be developed by the Fire Chief or his designee and approved by the Fire Chief to meet the jurisdictional needs of their department.

205-2-2-.03 Responsibility to Keep Records Current.

All certifications/registrations under these rules shall be a permanent and ongoing record. Should there be a change in the contact information for a firefighter or fire department said change should be made following procedures approved by GFSTC within 30 days of such change.

205-2-2-.04 Notice of Derogatory Action. ~~by Employing Agency.~~

~~Any~~ fire service member shall notify GFSTC in writing of communicate to GFSTC any information conviction set out below involving himself/herself he/she becomes aware of concerning any action set out below within ten (10) business days of becoming aware of such ~~conviction~~ information. This is regardless of any action or lack thereof by the employing agency as a result of such information. Records concerning the disciplinary action shall be made available to the Executive Director of the GFSTC or his representative upon request.

- i. Conviction by local, state, or federal authorities;
- ii. Conviction or bond forfeiture in any local, state, or federal court; the term “conviction” including a finding or verdict of guilt, plea of guilty, or a plea of nolo contendere, regardless of whether the adjudication of guilt or sentence is withheld or not entered thereon (this specifically includes pleas under Alford v. North Carolina, first-offender pleas, and pre-trial diversion agreements);

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- iii Minor traffic violations like speeding, traffic control devices and improper passing need not be reported to the GFSTC. Reckless driving, fleeing and eluding a police officer and homicide by vehicle are hereby listed as specific, but not exclusive, examples of traffic violations that are **not** minor.

205.2.1.05 GFSTC Authority Ongoing. Deleted

205-2-1-.06 Certification. Deleted.

205-2-1-.07 Forms. Deleted.

205-2-1-.08 Effective Date. Deleted.

205.2.2.01 Suspension, Probation and/or Revocation

Probation. The Executive Director may place the certification(s)/registration(s) of any person certified/registered by the GFSTC on probation upon notice that the person has committed a non-criminal violation of GFSTC Rules or policies. Said probation may take effect immediately. The GFSTC staff shall immediately notify both the person so placed on probation and any department known to be employing/appointing such person by certified mail, return receipt requested. The staff of the GFSTC shall also immediately attempt to notify the head of the employing/appointing agency by telephone, telephone fax, or any such means likely to notify the employing/appointing agency faster than the United States mail. The probation, or, if the Executive Director has not exercised his/her authority to make such a probation, the facts of the violation, will be presented to the GFSTC at its next regular meeting. The GFSTC may either ratify the actions of the Executive Director or take whatever actions the GFSTC feels appropriate. Should at any time the charges be dismissed or otherwise adjudicated in favor of the defendant, such probation shall immediately be lifted upon proof of such adjudication being presented to the Executive Director.

Revocation, Decertification and Suspension. Evidence of conviction of a felony or misdemeanor listed in 205-2-1.04, 205-2-2-.01 and 205-2-2-.02 by this state, any other state, or the United States shall be presented to GFSTC. The GFSTC shall may revoke, decertify or suspend any certification(s)/registration(s) granted by the GFSTC. The person whose certification(s)/registration(s) were so revoked or suspended

Comment [LP11]: Wrong number. - LP

Comment [BB12]: Should “or policies” be removed?

Comment [LP13]: Add new number. - LP

Comment [LP14]: Clarification

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shall not ~~be authorized continue~~ to function as a Firefighter, Fire & Life Safety Educator, Fire Inspector, Fire Investigator, or Airport Firefighter ~~member of on any~~ fire department during such revocation, decertification or suspension.

205-3-1-.01 Fire Departments In addition to complying with the requirements in O.C.G.A. 25-3-22 and 25-3-23, a fire department shall comply with the following requirements in order to be legally organized to operate in the State of Georgia:

- (a) Established to provide fire and other emergency and non-emergency services in accordance with standards specified by the GFSTC and the applicable local government.
- (b) Capable of providing fire protection 24 hours a day, 7 days a week and responsible for a defined area of operations depicted on a map, which shall be prominently displayed in each station. The area of operations shall have been approved and designated by the governing authority of the applicable county, municipality, or other political subdivision in the case of any county, municipal, or volunteer fire department.
- (c) Staffed with a ~~sufficient number of firefighters who have successfully completed and passed the appropriate firefighter training as specified by the GFSTC. Each fire department/fire station must be staffed with an average of a~~ minimum of four (4) firefighters per station. An average of six (6) members per station, of which 2 of the 6 may be Registered Firefighter, is recommended. The minimum number of firefighters will be calculated as an aggregate total for the entire department.
- (d) Possess a minimum of one fully equipped, operable pumper with a capacity of at least 750 gpm at 150 psi and a tank capacity of a minimum 250 gallons. (A minimum of a 500 gallon tank capacity is recommended). Previously approved fire apparatus which does not meet such minimum standards may be used in lieu of the minimum required pumper until total replacement or chassis replacement by the local authority.
- (e) Possess a minimum of the following equipment, appliances, adapters, and accessories, ~~to include: necessary to perform and carry out the duties and responsibilities of a fire department as set forth in O.C.G.A. 25-3-1 and 25-3-2 as approved by the GFSTC. ——— The list of minimum equipment includes:~~
 - (1) One (1) bolt cutter (minimum 24-inches in length).
 - (2) One (1) pike pole (~~minimum 6-feet in length~~ any acceptable length).

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- (3) 3/4" or 1" booster-type hose 150 feet in length with a nozzle capable of flowing the rated capacity of the hose and discharging both spray and straight stream patterns, and a minimum of 150 feet of 1-1/2" double jacketed, lined hose with a nozzle capable of flowing the rated capacity of the hose and discharging both spray and straight stream patterns; or two 1-1/2" double jacketed, lined hose with a nozzle capable of flowing the rated capacity of the hose and discharging both spray and straight stream patterns.
- (4) Two (2) portable fire extinguishers suitable for use on class A, B, and C fires, with a minimum rating of 20BC for dry chemical, 10BC for CO₂, and 2A for water-type extinguishers or larger.
- (5) One (1) 12 foot or longer fire service straight ladder with folding hooks (roof ladder).
- (6) One (1) 24 foot or longer fire service extension ladder.
- (7) One (1) pick head ax.
- (8) Two (2) functioning portable battery-powered hand lights.
- (9) One (1) claw tool
- (10) One (1) crowbar
- (11) One (1) ANSI approved traffic vest per assigned seating position (exception : if assigned to each member it is not necessary to be on apparatus.)

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The following equipment is not required, but recommended to possess:

- ~~(12)~~ One (1) flathead ax.
- ~~(13)~~ Two (2) Spanner wrenches or suitable hose fastening wrench
- ~~(14)~~ One (1) hydrant wrench
- ~~(15)~~ One (1) double male coupling
- ~~(16)~~ One (1) double female coupling
- ~~(17)~~ One (1) folding ladder
- ~~(18)~~ One (1) salvage cover or material suitable for fire service salvage operations.
- ~~(19)~~ Wheel chock(s)
- ~~(19) One (1) ANSI approved traffic vest per assigned seating position (exception : if assigned to each member it is not necessary to be on apparatus.)~~
- (20) Sufficient supply hose to meet the jurisdiction needs (recommended 400' minimum)
- (21) One (1) multipurpose Halligan or Halligan type bar
- (22) Two (2) 1-1/2" or larger NFPA compliant hose with nozzles capable of flowing the rated capacity of the hose and discharging both spray and straight stream patterns that meets the needs of the jurisdiction.(recommended minimum 200' per line)

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- For previously approved apparatus that do not meet the current minimum standards, a ¾" or 1" booster-type hose 150 feet in length with a nozzle capable of flowing the rated capacity of the hose and discharging both spray and straight stream patterns, and a minimum of 150 feet of 1-1/2" double jacketed, lined hose with a nozzle capable of flowing the rated capacity of the hose and discharging both spray and straight stream patterns, are acceptable.
- (f) Possess a minimum of two self-contained breathing apparatus for the pumping apparatus as approved by the GFSTC. SCBA must be NFPA compliant at the time of manufacture and be in proper working order, including a current hydrostatic test date. (Four SCBA and 1 spare cylinder per SCBA is recommended.)
- (g) Possess personal protective clothing to permit each ~~Firefight~~member to perform safely the duties of a firefighter engaged in structural firefighting.
 1. Personal protective clothing shall include an approved helmet, coat, pants, boots, gloves, and hood.
 2. All personal protective clothing shall be in good repair.
- (h) ~~Provide iPurchase and maintain sufficient insurance coverage for each member as required under O.C.G.A. 25-3-23(b) shall be on each member of the fire department to pay claims for injuries sustained en route to, during, and returning from fire calls or other emergencies and disasters and scheduled training sessions that is~~ in accordance with applicable Georgia insurance laws.
- (i) Be established as an entity of the State of Georgia, a political sub-division of the State of Georgia (a city, county, board, etc.) or exist as a private corporation incorporated as either a for-profit or not-for-profit corporation through the Secretary of State of the State of Georgia, that has a written contract to provide fire and emergency services with one or more local governments in Georgia.

205-3-1-.02 Requirements for Airport Fire Department Compliance. In order to be legally organized, an airport fire department shall comply with the following requirements:

- (a) Established to provide fire and other emergency and non-emergency services in accordance with standards specified by the GFSTC and the Federal Aviation Administration.

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- (b) Capable of providing, at the least, rescue and firefighting protection on the airport, during air carrier operations at the airport, as specified by Federal Aviation Administration regulations.
- (c) Responsible for a defined area of operations depicted on a map and prominently displayed in the fire station. The area of operations shall have been approved and designated by the governing authority of the airport.
- (d) Staffed with a minimum of four (4) firefighters per station. An average of six (6) members per station, of which 2 of the 6 may be Registered Firefighter, is recommended. The minimum number of firefighters will be calculated as an aggregate total for the entire department.
~~Staffed with a sufficient number of firefighters who have successfully completed firefighter training and aircraft rescue and firefighting training as specified by the GFSTC. An airport fire department must be staffed with a minimum of four (4) firefighters who have been trained to the minimum level as specified by the GFSTC, however 15 members is recommended.~~
- (e) Possess a minimum of one fully equipped, operable apparatus and equipment meeting the applicable index requirements of the Federal Aviation Administration.
- (f) Possess a minimum of the following equipment, appliances, adapters, and accessories, to include:
~~Possess a minimum of equipment, appliances, adapters, and accessories necessary to perform and carry out the duties and responsibilities of an airport fire department as set forth in O.C.G.A. 25-3-1 and 25-3-2 as approved by the GFSTC.~~ The list of minimum equipment, as approved by the GFSTC, includes:
1. One (1) ground ladder.
 2. One (1) section of NFPA compliant hose of minimum 2½ -inch diameter for tank fill.
 3. Two (2) appropriate spanner wrenches for the fittings on the vehicle.
 4. One (1) hydrant wrench or other wrench necessary to activate the local water supply.
 5. One (1) skin penetrator/agent applicator.
 6. Appropriate wheel chocks.
 7. 100 feet of utility rope.
 8. Two (2) axes, non-wedge type (crash axes).
 9. One (1) fire-resistant blanket.
 10. One (1) bolt cutters (minimum 24-inches in length).
 11. One (1) multipurpose, forcible entry tool (minimum 30-inches in length).

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12. Two (2) functioning intrinsically safe flash-lights.
 13. Two (2) harness cutting tools.
 14. One (1) hook, grab, or salvage tool.
 15. One (1) first aid kit
 16. One (1) four-pound hammer.
- (g) Possess a minimum of one (1) self-contained breathing apparatus and one spare cylinder for each seated position in the apparatus as approved by the GFSTC. SCBA must be NFPA compliant at the time of manufacture and be in proper working order, including a current hydrostatic test date.
- (h) Possess and equipped rescue and firefighting personnel with personal protective clothing and equipment in a manner needed to perform their duties.
1. Personal protective clothing shall include an approved helmet, coat, pants, boots, gloves, and hood.
 2. All personal protective clothing shall meet the appropriate NFPA and Federal Aviation Administration standards at the time of manufacture.
- (i) ~~Provide insurance coverage for each member as required under O.C.G.A. 25-3-23(b) shall be in accordance with applicable Georgia insurance laws. Purchase and maintain sufficient insurance coverage on each member of the fire department to pay claims for injuries sustained en route to, during, and returning from fire calls or other emergencies and disasters and scheduled training sessions that is in accordance with applicable Georgia insurance laws.~~

~~205-3-1-.03 Modification of Minimum Requirements. As of July 1, 1998, the GFSTC is authorized, by rules and regulations, to establish and modify minimum requirements for all fire departments operating in this state, provided that such requirements are equal to or exceed the requirements provided in O.C.G.A. 25-3-23 (a) and (b).~~

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205-3-1-.034 Inspection for Certificate of Compliance. Within twenty (20) business days after receiving a completed Compliance Application, the GFSTC staff will contact the head of the agency requesting a Certificate of Compliance for a fire department to establish a date and time to conduct a visual inspection

and/or review, and to establish that the department does or does not meet the minimum requirements as established by O.C.G.A., GFSTC Rule, and policy.

205-3-1-.045 Issuance of Certificates of Compliance. Within ten (10) days after the on-site inspection, the application will be reviewed by the Executive Director of the GFSTC. If the department meets all established criteria to the satisfaction of the Executive Director, it shall be issued a numbered certificate of compliance and shall be authorized to exercise the general and emergency powers set forth in *OCGA 25-3, Article 1*. If the department fails to meet any portion of the minimum requirements for compliance, the agency head will be notified of the exact nature of the discrepancy so that corrective steps may be implemented.

205-3-1-.056 Suspension or Revocation of Certificates of Compliance.

The Certificate of Compliance issued by the GFSTC shall be subject to suspension or revocation by the GFSTC at any time it receives satisfactory evidence that the fire department is not maintaining sufficient personnel, training, equipment, or insurance required by Code Section 25-3-23 or the rules and regulations of the GFSTC pursuant to subsection (d) of Code Section 25-3-23.

The chief administrative officer of any fire department aggrieved by a decision of the GFSTC under subsection (a) of this Code section may, within 30 days of the date of such decision, request a hearing on the matter before the GFSTC. Following a hearing before the GFSTC, the chief administrative officer of the fire department affected shall be served with a written decision of the GFSTC announcing whether the Certificate of Compliance shall remain revoked or suspended or whether it shall be reinstated.

The GFSTC shall not suspend or revoke any Certificate of Compliance for failure to meet firefighter training requirements when such failure was due to unavailability of required training from or through the Georgia Fire Academy.

The GFSTC may refer suspensions or revocations to the Attorney General for enforcement. Upon referral from the GFSTC, the Attorney General may bring a civil action to enjoin any organization, which is not in compliance with the applicable requirements of this chapter, from performing any or all firefighting functions until such requirements are met by such organization.

205-4-1-.01 Hearing Requests.

(a) A request for hearing is defined as a clear written expression by the affected party or authorized representative on his/her behalf to effect that he/she wants the opportunity to contest his/her case. Said written expression shall be made within thirty (30) calendar days after service of notice of adverse action. For the purposes of notification, mailing by certified mail to the last address specified on the registration form or the last known address of the firefighter or applicant shall constitute proper service.

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- (b) Within thirty (30) calendar days after service of notice of adverse action, a firefighter or applicant must, under oath, answer and respond to the notice of adverse action by either admitting or denying each and every allegation presented in the case summary attached to the notice of adverse action

~~205-4-1.03~~ **205-4-1-.02 Appointment of Hearing Officer** The Hearing Officer (Administrative Law Judge) shall be appointed by the Chief Administrative Law Judge of the Office of State Administrative Hearings (O.S.A.H.) and shall have all the power and authority set forth in O.C.G.A. 50-13, and may preside at any conferences, reviews, or hearings scheduled and/or conducted.

~~205-4-1.02~~ **205-4-1-.03 Denial and Dismissal of Hearing Requests.**

The GFSTC or Hearing Officer designated by the GFSTC may deny or dismiss a request for a hearing for the following reasons:

- (a) It has been withdrawn by the affected party.
(b) If the affected party or his/her representative fails to appear at a hearing or settlement conference scheduled for such affected firefighter.
(c) If the affected party or his/her representative does not submit a written request for hearing within fifteen (15) days after service of the notice of adverse action or the affected party does not, under oath, submit an answer to the allegations within ~~thirty (30)~~ fifteen (15) days after service of the notice of adverse action.

Comment [MP15]: Change made to coincide with previous sentence. Recommended by AG rep on 2-24-2011

~~205-4-1.05~~ **205-4-1-.04 Hearings on Motions to Review.**

- (a) Any initial decision of the Hearing Officer not identical to the GFSTC's initial action shall automatically be reviewed by the GFSTC. Any review of an initial decision of the hearing officer shall be limited to the record. In the event either party wishes to present evidence outside of the record, a written request to present such evidence must be filed at least ten (10) days prior to GFSTC review. A description of the evidence must accompany any request and GFSTC reserves the right to deny the presentation of additional evidence.
(b) Pursuant to O.C.G.A. 50-13-41(e) (3), any initial decision of the hearing officer which is identical to the GFSTC's initial action shall without further agency action become the final decision of the GFSTC.

- (c) Once the GFSTC has made its final decision, the affected party can seek judicial review as provided by Georgia Law.

Comment [LP16]: 02/24/2011 Suggested addition by Atty Gen Rep.

~~205-4-1.06~~ **205-4-1-.05 Appeals.** All appeals from final GFSTC action shall be filed in accordance with Georgia Law.

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- (a) A copy of any petition for judicial review brought by a firefighter or applicant shall be provided to the Office of State Administrative Hearings and the State Department of Law simultaneously with the service of the petition upon the GFSTC. A petition for judicial review may be served upon the GFSTC by personal service or certified mail upon the Executive Director of the GFSTC.
- (b) Upon receipt of a petition, the Office of State Administrative Hearings shall compile and certify the record to the reviewing court on behalf of the GFSTC.

205-5-1.01 Petition for Reinstatement of Certification or Reconsideration of Application.

- (a) After ~~two one (2) years (24 calendar months)~~ (1) year (12 calendar months) in a revoked, decertified, or suspended status, a firefighter or applicant may petition the GFSTC for reinstatement of certification or reconsideration of application. The written petition must contain the following information:
 - (1) Name, ~~social security number~~, present address and telephone number of petitioner, and
 - (2) A statement clearly outlining why the petitioner feels that a reinstatement or reconsideration is justified.
- (b) The petitioner must personally appear before the GFSTC. Even if represented by an attorney, the petitioner may be questioned by the GFSTC.
- (c) If a petition is denied, a new petition may not be presented to GFSTC until two (2) years (24 calendar months) have passed from the date of the denial.
- (d) If a petition is approved, the GFSTC has the discretion to condition approval upon any of the disciplinary or corrective measures provided in statute.

Comment [LP17]: 02/22/2011 Rules Committee

Comment [LP18]: 02/22/2011 Rules Committee

205-5-2.02 Request for Waiver or Extension of Existing Requirement.

- (a) Except as otherwise provided by law and for good cause shown, the GFSTC may, in the exercise of its discretion, grant a waiver or waivers of an existing requirement or grant a reasonable period or periods of extension of any requirement imposed under these Rules. All requests for waivers or extensions must be submitted in writing.
- (b) The written request must contain the following information:

Comment [LP19]: Wrong number. - LP

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- (1) Name, ~~social security number~~, present address and telephone number of person requesting waiver or extension, and
- (2) A statement clearly outlining why the requestor feels that a waiver or extension is justified.

Comment [LP20]: 02/22/2011 Rules Committee