



DEPARTMENT OF FORESTRY AND FIRE PROTECTION
OFFICE OF THE STATE FIRE MARSHAL
State Fire Training Division
P.O. Box 944246
SACRAMENTO, CA 94244-2460
(916) 568-2911
Website: www.fire.ca.gov



Attachment 23

Date: August 22, 2019

To: State Board of Fire Services

From: Caryn Petty, Deputy State Fire Marshal

SUBJECT/AGENDA ACTION ITEM:

Office of Administrative Law Rulemaking Package – Title 19 (July 2019)

Recommended Actions:

Informational Update

Background Information:

In an effort to maintain current and relevant State Fire Training information for all participatory stakeholders, SFT is continuing its progressive updates to all regulatory documentation. In July 2019, an OAL package is being constructed for program alignment regarding current training and certification fees.

Analysis/Summary of Issue:

In 2018, SFT began renovation of all program reference documents including California Code of Regulations, Title 19, as well as the SFT Procedures Manual, Course Information and Required Materials, CTS Guides, and applicable forms. This broad-scope package completed the OAL process in early 2019 and will become regulation July 1, 2019. This includes revised Title 19 regulations, and revised referenced documents (SFT Procedures Manual and CIRM).

The proposed July 2019 OAL package will serve further renovate regulatory reference documents by removing retired and obsolete training fees (i.e. Fire Instructor II) while adding newly approved and appropriate training fees (i.e. Company Officer). Additional edits are proposed to correct grammatical errors and further align text with SFT terminology.

Additionally, SFT is including the new testing fee for the 2019 Fire Fighter 1 and Fire Fighter 2 certification exam. SFT is transitioning to a new test that will be delivered through the SFT User Portal. This fee will be collected directly by SFT. This fee will include all retakes that do not require retraining. The 2013 Fire Fighter 1 exam is currently proctored through QuestionMark and a fee is collected by them.

[Attachment: OAL – July 2019 TEXT]

**TEXT OF REGULATIONS
FOR
ADOPTION OF AMENDMENTS
OF THE
OFFICE OF THE STATE FIRE MARSHAL
REGARDING**

**California Code of Regulations
Title 19 Public Safety Code
Division 1
Chapter 13 California Fire Service Training and Education Program
Article 2
Sections 1990.00-1990.12**

Legend for Text of Regulations:
45-Day amendments appear in underline for proposed additions and ~~strikeout~~ for proposed deletions.
15-Day amendments are illustrated by **highlighted double underline** for “additions” to language originally proposed and ~~double strikethrough~~ for “deletions” to language originally proposed.

Article 1 ADMINISTRATION

1980.05 Enforcement of Regulations.

The provisions of these regulations shall be enforced upon any agency of the state or any agency of any political subdivision within the state that elects to be subject to the enforcement of these standards by the State Fire Marshal, the **Division** Chief of State Fire Training, State Fire Training staff and/or representatives within the fire service community authorized by the State Fire Marshal.

1980.06. Petition for Alternative Application to Methods and Procedures.

The State Fire Marshal designates the **Division** Chief of State Fire Training as the Administrative Manager of the California Fire Service Training and Education

Program in accordance with Section 13158, 13159, 13159.1, 13159.4, 13159.8 of the Health and Safety Code.

(a) The **Division** Chief of State Fire Training shall review and approve, or deny, written petitions for alternative applications to the methods and procedures incorporated by reference to this regulation in Section 1990.00.

(b) The cause and/or reasoning behind a denied petition for an alternative application to methods and procedures will be provided to the petitioner in writing.

1980.07 Appeals to Alternative Application to Methods and Procedures.

When a written petition for an alternative application to the methods and procedures has been denied by the **Division** Chief of State Fire Training, the applicant may file an appeal to the **Assistant State Fire Marshal, or his/her designee** ~~Statewide Training and Education Advisory Committee (STEAC) and/or the State Board of Fire Services (SBFS).~~

(a) The cause and/or reasoning behind a denied petition for an alternative application to methods and procedures will be provided to the petitioner in writing.

(b) If the petition is again denied, the applicant can appeal in writing directly to the State Fire Marshal for reconsideration. The decision of the State Fire Marshal shall be final and binding.

Article 2 GENERAL PROVISIONS

1990.09 Appeals

(a) The first level of appeal shall occur with the **Registered instructor** or accredited facility submitting, in writing, to the Assistant State Fire Marshal, **or his/her designee**, all evidence to support reversing the suspension or revocation action within 60 days of receiving their notice of suspension or revocation. The **Registered instructor** or accredited facility may request in writing an administrative hearing, conducted by the Assistant State Fire Marshal, **or his/her designee**, to fully examine the issues.

(1) After review of all submitted materials and/or testimony provided during an administrative hearing, the Assistant State Fire Marshal, **or his/her designee**, shall, by written letter, notify the instructor, accredited facility and State Fire Training of the decision to uphold, modify, or withdraw the action along with the next level of the appeal process within 45 days.

(b) The second level of the appeal process shall occur with the instructor or accredited facility submitting, in writing, to the Statewide Training and Education Advisory Committee (STEAC) all evidence to support reversing the suspension or revocation action within 60 days of receiving the Assistant State Fire Marshal's

decision. The Assistant State Fire Marshal shall agendize this request at the next regularly scheduled STEAC meeting.

(1) After review of all submitted materials and/or testimony provided during an administrative hearing, STEAC shall, by written letter, notify the instructor, accredited facility and State Fire Training of the decision to uphold, modify, or withdraw the action along with the next level of the appeal process within 45 days of their decision.

(c) The third level of the appeal process shall occur with the instructor or accredited facility submitting, in writing, to the State Fire Marshal, or his/her designee, all evidence to support reversing the suspension or revocation action within 60 days of being notified by STEAC of their decision.

(1) The State Fire Marshal, or his/her designee, shall, by written letter, notify the instructor, accredited facility and State Fire Training of the decision to uphold, modify or withdraw the action within 60 days of the date of the appeal.

Note: Authority cited: Section 11425.10, Government Code; and Section 13157(a), Health and Safety Code.

1990.12 State Fire Training Fees

State Fire Training shall establish and collect fees necessary to support the California Fire Service Training and Education Program. The following fees have been approved and adopted by the Office of the State Fire Marshal as recommended by the Statewide Training and Education Advisory Committee:

(a) Course Registration/Diploma Fees

Regional Instructor Orientation	\$150.00
<u>Certification Examination Evaluator Training</u>	<u>\$80.00</u>
CFSTES	\$80.00
FSTEP	\$20.00
<u>EMT</u>	<u>\$25.00</u>
<u>Course Handling Fee</u>	<u>\$8.00</u>

(b) Certification Fees

Chief Fire Officer	\$ 90.00
<u>Community Risk Educator</u>	<u>\$65.00</u>
<u>Community Risk Officer</u>	<u>\$65.00</u>
<u>Community Risk Specialist</u>	<u>\$65.00</u>
<u>Company Officer</u>	<u>\$65.00</u>

Emergency Vehicle Technician I	\$65.00
Emergency Vehicle Technician II	\$65.00
Emergency Vehicle Technician III	\$65.00
<u>Executive Chief Fire Officer</u>	<u>\$ 90.00</u>
<u>Fire Apparatus Driver/Operator Aerial Apparatus</u>	<u>\$65.00</u>
<u>Fire Apparatus Driver/Operator Pump Apparatus</u>	<u>\$65.00</u>
<u>Fire Apparatus Driver/Operator Tillered Apparatus</u>	<u>\$65.00</u>
<u>Fire Apparatus Driver/Operator Water Tender Apparatus</u>	<u>\$65.00</u>
<u>Fire Apparatus Driver/Operator Wildland Apparatus</u>	<u>\$65.00</u>
<u>Fire Apparatus Driver/Operator I</u>	<u>\$ 65.00</u>
Fire Chief	
▪ Application	\$250.00
▪ Application PACE IV Review	\$250.00
Fire Fighter <u>I</u>	\$ 40.00
<u>Fire Fighter 1 IFSAC/Pro Board Upgrade (add seals)</u>	<u>\$40.00</u>
Fire Fighter <u>II</u>	\$ 40.00
Fire Inspector I	\$ 65.00
Fire Inspector II	\$ 65.00
<u>Fire Instructor II</u>	<u>\$ 65.00</u>
<u>Fire Instructor III</u>	<u>\$ 65.00</u>
Fire Investigator <u>I</u>	\$ 65.00
<u>Fire Investigator II</u>	<u>\$ 65.00</u>
Fire Marshal	\$ 65.00
Fire Mechanic I	\$ 65.00
Fire Mechanic II	\$ 65.00
Fire Mechanic III (Master Mechanic)	\$ 65.00
Fire Mechanic Recertification	\$ 60.00
<u>Fire Officer</u>	<u>\$ 65.00</u>
<u>Fire Prevention Officer</u>	<u>\$ 65.00</u>
<u>Fire Protection Specialist</u>	<u>\$ 65.00</u>
Hazardous Materials Technician	\$ 65.00
Hazardous Materials Specialist	\$ 65.00
<u>Instructor I</u>	<u>\$ 65.00</u>
<u>Instructor II</u>	<u>\$ 65.00</u>
<u>Instructor III</u>	<u>\$ 65.00</u>
Plans Examiner	\$ 65.00
<u>Public Education Officer I</u>	<u>\$ 65.00</u>
<u>Training Instructor</u>	<u>\$ 65.00</u>
<u>Volunteer Fire Fighter</u>	<u>\$ 25.00</u>
<u>Duplicate Certificate</u>	<u>\$ 35.00</u>

(c) Certification Exam Fees

Fire Fighter 1 Exam Registration (2020 Curriculum)	\$ 75.00
Fire Fighter 2 Exam Registration (2020 Curriculum)	\$ 75.00
Wildland Fire Fighter 2 Exam Registration (2020 Curriculum)	\$ 75.00
Fire Fighter 1 Psychomotor Exam Registration: Modular Registration (2013 Curriculum)	\$ 10.00 per module
Fire Fighter 1 Psychomotor Exam Registration: Consecutive and Integrated Registration (2013 Curriculum)	\$10.00
Fire Fighter 1 Psychomotor Exam Retake Registration (2013 Curriculum)	\$10.00 per retake
Certification Exam Item-by-Item Review	\$250.00

(ed) Duplicate Course Certification and Diploma Certificate Fees

Certification	\$ 35.00
CFSTES Diploma	\$ 35.00
FSTEP Diploma	\$20.00

(de) Course Equivalency, Reciprocity, and Upgrade Fee

Course Equivalency Certificate	\$ 60.00
Fire Fighter 1 Reciprocity or Upgrade Review	\$60.00

(ef) PACE II and PACE III Review Fee

PACE II REVIEW	\$ 60.00
PACE III REVIEW	\$ 60.00

(fg) ARTP and ALA Accreditation

Application Processing	\$500.00
Site Team travel expense not to exceed	\$2,000

(gh) The State Fire Marshal shall make adjustments to adjust the fee schedule by annually reviewing, and revising as necessary, the California Fire Service Training Program in accordance with Section 13159.4, Health and Safety Code.

Note: Authority cited: Sections 13157(d), (e), 13159.4, 13159.8(e) and 13159.10 Health and Safety Code. Reference: Section 13157(d), (e), 13159.4, 13159.8(e) and 13159.10 Health and Safety Code.