

**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. State Fire Marshal
Chapter 13. California Fire Service Training and Education Program**

Legend for Text of Regulations:

1. **Existing California language:** Existing California language appears in regular text.
2. **45-Day and 15-Day Amended, or repealed language:** Amended or repealed 45- and 15-Day modified language appears underline for proposed additions and ~~strikeout~~ for proposed deletions.
3. **Note:** Authority and reference citations are provided at the end of each section.

Article 2. GENERAL PROVISIONS

1990.00. Incorporated References.

Administrative procedures for the California Fire Service Training and Education Program shall consist of the following documents, incorporated by reference: "*State Fire Training Procedures Manual (May 2020 2025)*", and the "*Course Information and Required Materials Manual (January 2019)*." Registered ~~i~~Instructors and State Fire Marshal staff shall ensure that all applicable instructions in the incorporated referenced documents are followed to become a ~~r~~Registered ~~i~~Instructor and to instruct State Fire Marshal FSTEP and CFSTES accredited and approved courses.

(a) The following forms, in the format developed by the Office of the State Fire Marshal, which are incorporated by reference, can be found in the adopted "*State Fire Training Procedures Manual, Section 12: Forms and Checklists (May 2020 2025)*."

- ~~(1) Fee Schedule (July 2020)~~
- ~~(2)(1) Request for a Student Transcript Request Application (2021) (February 2017)~~
- ~~(3)(2) Instructor Registration Application (2020) (July 2020)~~
- ~~(4)(3) Instructor Code of Ethics/Conduct/Ethics (2020) (January 2015)~~
- ~~(5)(4) Request for Course Scheduling Request Form (2024) (July 2020)~~
- (5) Certification Exam Agency Evaluator Agreement (2018)
- ~~(6) Course Returns Checklist (September 2018)~~
- (6) Registered Skills/Lead Evaluator Application (2020)
- ~~(7) Certification Examination Request (September 2018)~~
- ~~(9)(7) Registered Certification Examination Evaluator Code of Conduct (2020) (July 2018)~~
- ~~(8) Certification Examination (2019) Request (July 2020)~~
- ~~(10) Certification Examination Retake Application (January 2016)~~
- ~~(15)(8) State-Certified Prescribed-Fire Burn Boss Application (September 2020)~~
- ~~(11) Fire Fighter I Certification Upgrade Application (September 2016)~~
- ~~(12) Fire Fighter I Certification Reciprocity Application (July 2018)~~
- ~~(13) Fire Fighter I (2019) Certification Upgrade Application (July 2020)~~
- ~~(14) Fire Fighter I (2019) Certification Reciprocity Application (July 2020)~~
- (9) Distance Education Application (2020)
- (10) Regional Training and Academy Accreditation Application (2022)
- (11) Instructor Reciprocity Application (2021)
- (12) Course Reciprocity Application (2021)
- (13) NFPA Professional Qualifications Reciprocity Application (2020)
- (14) Notification of Name Change (2021)

Note: Authority cited: Section 13157 Health and Safety Code. Reference: Section 13157(a), Health and Safety Code.

1990.01. Certification Training Standards.

(a)The Office of the State Fire Marshal shall establish levels of certification based on the development of Certification Training Standards (CTS) guides for fire service professional qualifications based on National Standards and developed for specific job functions within the California Fire Service and Training Education

~~System a professional certification track as listed on the SFM website. The CTS Guides are incorporated by reference as amended by the OSFM and list include the requisite knowledge, skills, and job performance requirements a person is expected to complete for certification in a specific function, course plans, activities, certification exam requirements, skill sheets, certification task books, applications, and instructor documents that are required for certification, course delivery, certification exam delivery, and instructor registration.~~ The following Certification Training Standards are incorporated by reference as a baseline for performance in each career classification:

1. Chief Fire Officer (~~September~~ 2017)
2. Community Risk Educator (~~November~~ 2014)
3. Community Risk Officer (~~November~~ 2014)
4. Community Risk Specialist (~~November~~ 2014)
5. Company Officer (May 2014)
6. Executive Chief Fire Officer (~~November~~ 2014)
7. Emergency Vehicle Technician I (~~June-2018~~ 2020)
8. Emergency Vehicle Technician II (~~June-2018~~ 2020)
9. Emergency Vehicle Technician III (~~June-2018~~ 2020)
10. Fire Apparatus Driver/Operator Aerial Apparatus (~~August~~ 2015)
11. Fire Apparatus Driver/Operator Pumping Apparatus (~~August~~ 2015)
12. Fire Apparatus Driver/Operator Tillered Apparatus (~~August~~ 2015)
13. Fire Apparatus Driver/Operator Water Tender (~~August~~ 2015)
14. Fire Apparatus Driver/Operator Wildland Fire Apparatus (~~August~~ 2015)
15. Fire Fighter I (~~October~~ 2013)
16. Fire Fighter II (January 2014)
17. Fire Fighter 1 (2019)
18. Fire Fighter 2 (2019)
19. Fire Inspector 1 (~~2014~~ 2019)
20. Fire Inspector 2 (~~2014~~ 2019)
21. Fire Marshal (~~March~~ 2018)
22. Instructor 1 (May 2014)
23. Instructor 2 (May 2014)
24. Instructor 3 (~~November~~ 2014)
25. Plan Examiner (May 2015)
26. State-Certified Prescribed-Fire Burn Boss (~~September~~ 2020)

Note: Authority cited: Sections 13159(d) and 13159.8(b), Health and Safety Code. Reference: Sections 13159(d) and 13159.8(b), Health and Safety Code.

1990.02. Accredited and Approved Course Curriculum and Course Certificate Completion.

Registered Instructors shall not delete any material from an accredited or approved curriculum, as referenced in the ~~“Course Information and Required Materials Manual (January 2019),”~~ course plans, unless approved in writing by the Chief of State Fire Training per Section 1980.06.

(a) This section shall not prohibit registered instructors from adding additional material which exceeds the minimum requirements established for the course curriculum, with the condition that additions do not conflict with the established State standards and recognized procedures pursuant to this regulation.

(b) An accredited course is adopted by the State Fire Marshal (SFM) and includes some form of cognitive examination or evaluation to determine student competency in accordance with Section 1990.03.

(1) A student successfully completing an accredited course shall receive a course completion ~~certificate~~ diploma that can lead to position certification in a specialized career track within the California Fire Service Training and Education System (CFSTES).

(c) A Fire Service Training and Education Program (FSTEP) course is a class approved by the State Fire Marshal.

(1) FSTEP courses may include some form of cognitive or psychomotor evaluation of student competency.

(2) A student successfully completing a (FSTEP) course will receive a course completion ~~certificate~~ diploma. All approved courses are classified as the Fire Service Training and Education Program (FSTEP) which does not lead to certification.

Note: Authority cited: Sections 13157(b), 13159.1(a), and 13159.8(b), Health and Safety Code. Reference: Sections 13157(b), 13159.1(a), and 13159.8 Health and Safety Code.

1990.04. Instructors.

All instructors under the California Fire Service Training and Education Program, ~~with the exception of Fire Fighter 1 and Fire Fighter 2 Instructors,~~ shall be registered with the State Fire Training Division following the procedures for each course specialty as outlined in the *“State Fire Training Procedures Manual”* per ~~s~~Section 1990.00.

(a) Registered Instructors shall meet specific coursework, instructor requirements, teaching experience, rank, and occupational experience. A

Registered Instructor can be approved to teach either or both California Fire Service Training and Education System (CFSTES) and Fire Service Training and Education Program (FSTEP) courses.

(1) ~~Senior~~ Registered Instructors shall meet minimum qualifications for accredited and/or approved Rescue-related courses per “*State Fire Training Procedures Manual*”, Section 1990.00.

(2) Primary Registered Instructors have the lead responsibility for the delivery of an OSFM CFSTES or FSTEP course per “*State Fire Training Procedures Manual*”, Section 1990.00.

~~(3) Adjunct Instructors shall meet minimum instructor criteria and work under the supervision of a Primary Instructor for the delivery of an OSFM accredited and approved courses per “*State Fire Training Procedures Manual*”, Section 1990.00.~~

~~(4)~~(3) Registered Lead Evaluators, and Registered Skills Evaluators, and Exam Proctors shall meet minimum instructor criteria to evaluate student skill demonstrations or exams per “*State Fire Training Procedures Manual*”, Section 1990.00.

~~(b)~~(A) Registered Instructors shall notify the State Fire Training Division *via email* of any status change in regard to name, address, telephone number and e-mail address.

~~(b)(1)~~(B) Failure to notify the State Fire Training Division as set forth in Section 1990.04~~(b)(a)(3)~~(A) shall result in the Registered Instructor being placed on the inactive list.

~~(b)(2)~~(C) Registered Instructors on the inactive list shall be reinstated to the active list if they comply with Section 1990.04~~(b)(a)(3)~~(A).

Note: Authority cited: Section 13159(d), Health and Safety Code. Reference: Section 13159(d), Health and Safety Code.

1990.05. Accredited Facilities.

The Office of the State Fire Marshal, with a recommendation from the State Board of Fire Services (SBFS) and/or the Statewide Training and Education Advisory Committee (STEAC) may designate community colleges as an Accredited Regional Training Program (ARTP) and local fire departments as an Accredited Local Academy (ALA) per the accreditation procedures specified in the “*State Fire Training Procedures Manual*” per Section 1990.00.

(a) An “Accredited Regional Training Program (ARTP)” is a community college in partnership with local fire departments, which has been accredited to deliver OSFM-approved courses as described in the “*State Fire Training Procedures Manual*” per Section 1990.00.

(b) An “Accredited Local Academy (ALA)” is a single fire agency actively providing federal, tribal, state, municipal, county, or district fire protection services (serving a specific authority having jurisdiction), which has been

accredited to deliver OSFM-approved courses as described in the “*State Fire Training Procedures Manual*” per Section 1990.00.

(c) An “Accredited Rescue Training Site (ARTS)” is a training facility that meets the site, training prop, tools, and equipment requirements. These for Rescue Systems 1, Rescue Systems 2, and/or Confined Space Rescue requirements must be verified by the Registered Instructor as described in the “*State Fire Training Procedures Manual*” per Section 1990.00.

(d) These facilities shall be cited as “accredited facilities” in these regulations.

Note: Authority cited: Sections 13157(a), 13159(b), 13159(d), 13159(f), and 13159.8, Health and Safety Code. Reference: Sections 13157(a), 13159(b), 13159(d), 13159(f), and 13159.8, Health and Safety Code.

1990.06. Safety Policy.

All Registered Instructors who are conducting a State Fire Training Marshal accredited or approved course shall have, ~~when appropriate,~~ a safety plan as part of the instructional process. The plan shall address, but is not limited to, the following elements: safe operating procedures, location of exits, emergency notification phone numbers for staff and students, location of first aid equipment, and the locations of appropriate medical facilities. The safety plan shall include verification of the required Personal Protective Equipment (PPE) as detailed in the Course Plan. This safety plan shall be communicated to the students at the beginning of the class.

Note: Authority cited: Sections 13156(f) and 13159(d), Health and Safety Code. Reference: Sections 13156(f) and 13159(d), Health and Safety Code.

1990.08. Suspension, Denial, Decertification, or Revocation, or Expulsion.

~~It is the responsibility of Registered Instructors, Registered Lead Evaluators, Registered Skills Evaluators, Accredited Facilities, and Host Facilities to maintain the procedural standards and ethical conduct by which they were granted registration or accreditation. The Chief of State Fire Training will reevaluate the registration status of an instructor, or accreditation status of a facility, if or when compliance with these standards comes into question in accordance with the State Fire Training Procedures Manual as incorporated by reference.~~

~~(a) Written comments by students, instructors, fire technology directors or fire officers, regarding Registered Instructors, Registered Lead Evaluators, Registered Skills Evaluators, Accredited Facilities, Host Facilities, or academies will be reviewed and investigated by the OSFM when the comment is in writing and directed to the Chief of State Fire Training, Assistant State Fire Marshal, or State Fire Marshal.~~

An action to suspend, deny, or revoke certification; to suspend or decertify a certification exam or course; to suspend or revoke a Registered Instructor, Registered Lead Evaluator, a Registered Skills Evaluator, or Accredited Academy; or to suspend or expel a student, candidate, or applicant may be taken by a Supervising Deputy State Fire Marshal via written notification when:

(a) There is no longer a demonstrated need for the course as determined by the Statewide Training and Education Advisory Committee (STEAC) and State Board of Fire Service (SBFS), or

(b) There is failure to comply with requirements set forth in Regulations 1980.00-1990.00, or

(c) There is an integrity, code of conduct, or ethics violation, in accordance with the Instructor Code of Conduct/Ethics, the State Fire Training Procedures Manual, as incorporated by reference, or

(d) There is a threat to public safety.

Note: Authority cited: Sections 13157(a), 13159(b), 13159(d) and 13159.8(a), Health and Safety Code. Reference: Sections 13157(a), 13159(b), 13159(d) and 13159.8(a), Health and Safety Code.

1990.09. Appeals Process.

~~(a) The first level of appeal shall occur with the Registered Instructor, Registered Lead Evaluator, Registered Skills Evaluator, Accredited Facility, and/or Host Facility submitting, in writing, to the Assistant State Fire Marshal all evidence to support reversing the suspension or revocation action within 60 days of receiving their notice of suspension or revocation. The Registered Instructor, Registered Lead Evaluator, Registered Skills Evaluator, Accredited Facility, and/or Host Facility may request in writing an administrative hearing, conducted by the Assistant State Fire Marshal to fully examine the issues. If the Assistant State Fire Marshal is unavailable due to vacancy, conflict of interest, incapacitation, or other circumstance, the appeal will be directed to an Assistant Deputy Director.~~

~~(1) After review of all submitted materials and/or testimony provided during an administrative hearing, the Assistant State Fire Marshal shall, by written letter, notify the Registered Instructor, Registered Lead Evaluator, Registered Skills Evaluator, Accredited Facility, or Host 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. If the Assistant State Fire Marshal is unavailable due to vacancy, conflict of interest, incapacitation, or other circumstance, the written letter will be provided by an Assistant Deputy Director.~~

~~(b) The second level of the appeal process shall occur with the Registered Instructor, Registered Lead Evaluator, Registered Skills Evaluator, Accredited Facility, or Host 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 Registered Instructor, Registered Lead Evaluator, Registered Skills Evaluator, Accredited Facility, or Host 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 Registered Instructor, Registered Lead Evaluator, Registered Skills Evaluator, Accredited Facility, or Host Facility submitting, in writing, to the State Fire Marshal, all evidence to support reversing the suspension or revocation action within 60 days of being notified by STEAC of their decision. If the State Fire Marshal is unavailable due to vacancy, conflict of interest, incapacitation, or other circumstance, the appeal will be directed to an Assistant Deputy Director or Deputy Director.~~

~~(1) The State Fire Marshal shall, by written letter, notify the Registered Instructor, Registered Lead Evaluator, Registered Skills Evaluator, Accredited Facility, or Host Facility and State Fire Training of the decision to uphold, modify or withdraw the action within 60 days of the date of the appeal. If the State Fire Marshal is unavailable due to vacancy, conflict of interest, incapacitation, or other circumstance, the written letter will be provided by an Assistant Deputy Director or Deputy Director.~~

(a) An action to suspend, deny, or revoke certification; to suspend or decertify a certification exam or course; to suspend or revoke a Registered Instructor, Registered Lead Evaluator, a Registered Skills Evaluator, or an accredited academy; or to suspend or expel a student, candidate, or applicant may be appealed to the Chief of State Fire Training via written notification. The appeal and all relevant documentation the appellant believes supports the appeal, must be submitted in writing and received by the Chief of State Fire Training within thirty (30) calendar days of the Supervising Deputy State Fire Marshal's notification of denial of certification, suspension, decertification, or revocation.

Within thirty (30) calendar days of receiving the appeal, the Chief of State Fire Training shall respond to the appellant in writing with a decision affirming, reversing or modifying the decision of the Supervising Deputy State Fire Marshal, and provide the reasons for the decision. In the event the Chief of State Fire Training is unavailable due to vacancy, conflict of interest, incapacitation, or other circumstance then an Assistant Deputy Director or Deputy Director may serve in their place.

(b) The decision of the Chief of State Fire Training may be appealed to the STEAC Appeals Committee. The appeal and all relevant documentation the appellant believes support their appeal, must be submitted in writing and received by State Fire Training (SFT) within thirty (30) calendar days of the date of the decision of the Chief of State Fire Training.

Appeals received at least thirty (30) calendar days prior to the next scheduled STEAC Appeals Committee meeting will be heard at that meeting. Appeals received with less than thirty (30) days remaining prior to the next scheduled STEAC Appeals Committee meeting will be heard at a subsequent meeting. State Fire Training shall notify the appellant in writing of the date, time, and location of the hearing within 10 calendar days of the receipt of the appeal by the State Fire Training.

At an appeal hearing, the burden of proof is on the appellant to demonstrate to the STEAC Appeals Committee that an error was committed by SFT staff in its decision (refer to *State Fire Training Procedures Manual* Section 2.1.4.5 for STEAC Appeals Process).

The Chief of State Fire Training shall notify the appellant in writing of the STEAC's decision within 15 calendar days following the conclusion of the hearing.

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

1990.10. Reinstatement.

SFT shall reinstate a Registered Instructor, Registered Lead Evaluator, Registered Skills Evaluator, Exam Proctor, Accredited Academy, host agency/facility, student, candidate, or applicant if they meet all terms of disciplinary action, reapplies for registration, certification, accreditation, and testing, and meets all current requirements.

~~Reinstatement as a Registered Instructor, Lead Skills Evaluator, Skills Evaluator, Accredited Facility, and/or Host Facility shall be achieved by meeting all terms of disciplinary action and by reapplying and meeting the current requirements as a Registered Instructor, Lead Skills Evaluator, Skills Evaluator, Accredited Facility, and/or Host Facility.~~

Note: Authority cited: ~~Sections 11425.10, Government Code;~~ and Sections 13157(a), Health and Safety Code. Reference: Sections 13157(a), 13159(b), 13159(d) and 13159.8(a), Health and Safety Code.

1990.11. Instructor Orientation and Classroom Ethics.

All Registered Instructors shall complete State Fire Training “Regional Registered Instructors Orientation,” “Ethical Leadership in the Classroom for Instructors,” and any OSFM-required instructor update training programs before a CFSTES or FSTEP course request will be approved by State Fire Training.

(a) Training curriculum that is significantly updated by the OSFM may require an update class to bring current instructors up-to-date on changes to the training

program. Current instructors will be notified of any classes that require their attendance in an update class. Failure to attend an update class may result in being removed as an approved instructor for that class.

Note: Authority cited: Sections 13159(d) and 13159.8(a), Health and Safety Code. Reference: Sections 13159(d) and 13159.8(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 Delivery Fees

<u>Regional Registered Instructor Orientation (RIO)</u>	\$150.00
Certification Examination Evaluator Training	\$80.00
<u>California Fire Service Training and Education System (CFSTES) Diploma</u>	\$140.00
<u>Fire Service Training and Education Program (FSTEP) Diploma</u>	\$75.00

(b) Certification and Renewal Fees

Chief Fire Officer	\$150.00
Community Risk Educator	\$100.00
Community Risk Officer	\$100.00
Community Risk Specialist	\$100.00
Company Officer	\$100.00
Emergency Vehicle Technician # <u>1</u>	\$100.00
Emergency Vehicle Technician # <u>2</u>	\$100.00
Emergency Vehicle Technician # <u>3</u>	\$100.00
Emergency Vehicle Technician Recertification	\$100.00
Executive Chief Fire Officer	\$150.00
Fire Apparatus Driver/Operator Aerial Apparatus	\$100.00
Fire Apparatus Driver/Operator Pump Apparatus	\$100.00
Fire Apparatus Driver/Operator Tillered Apparatus	\$100.00
Fire Apparatus Driver/Operator Water Tender Apparatus	\$100.00
Fire Apparatus Driver/Operator Wildland Apparatus	\$100.00
Fire Fighter 1 (2013) – retires December 31, 2021	\$40.00
Fire Fighter 1 (2013) IFSAC/Pro Board Upgrade (add seals) – retires December 31, 2021	\$40.00

Fire Fighter 2 (2013) – retires December 31, 2021	\$40.00
Fire Fighter 2 (2013) “Tenured” Path–retires December 31, 2021	\$80.00
Fire Fighter 2 Certification (2019)	\$75.00
Fire Inspector #1	\$100.00
Fire Inspector #2	\$100.00
Fire Investigator	\$100.00
Fire Marshal	\$150.00
Fire Mechanic I – retires December 31, 2020	\$100.00
Fire Mechanic II – retires December 31, 2020	\$100.00
Fire Mechanic III (Master Mechanic) – retires December 31, 2020	\$100.00
Fire Mechanic Recertification – retires December 31, 2020	\$100.00
Hazardous Materials Technician	\$100.00
Hazardous Materials Specialist	\$100.00
Instructor #1	\$100.00
Instructor #2	\$100.00
Instructor #3	\$100.00
Plan Examiner	\$100.00
State Certified Prescribed-Fire Burn Boss	\$100.00
State Certified Prescribed-Fire Burn Boss Recertification	\$100.00
Wildland Fire Fighter 2	\$75.00

(c) Other Fees

Instructor Registration (maximum of three course registrations)	\$125.00
Rescue System Site Accreditation	\$250.00
Official Transcript Request	\$100.00
Duplicate Certification Interagency Emergency Equipment Operator Card	\$100.00
Certification Exam Item-by-Item Review	\$250.00

(d) Peer Assessment, Established Equivalency, Reciprocity, and Upgrade Fees

PACE II: Peer Assessment for Credential Evaluation (Instructors) Instructor Reciprocity (per course)	\$200.00
PACE III: Peer Assessment for Course Equivalencies Course Challenges (per course)	\$200.00
PACE IV: Peer Assessment for Fire Chief	\$750.00
PACE V: Peer Assessment for CICCIS Evaluation	\$100.00
PACE VI: Peer Assessment for State-Certified Prescribed-Fire Burn Boss	\$200.00
Established Equivalencies	\$140.00

Pro Board®/IFSAAC Reciprocity Review <u>or upgrade Application Review</u>	\$125.00
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(e) Accredited Academy Fees

ALA/ARTP Initial Accreditation	\$4,000.00
ALA/ARTP Reaccreditation	\$3,000.00
Evaluator Registration	\$50.00
Fire Fighter 1 (2019) Exam Registration and Certification	\$150.00
<u>Fire Fighter 1 (2024) Exam Registration and Certification</u>	<u>\$150.00</u>
Fire Fighter 2 (2019) Exam Registration	\$75.00
<u>Fire Fighter 2 (2024) Exam Registration and Certification</u>	<u>\$150.00</u>
Wildland Fire Fighter 2 Exam Registration	\$75.00
Fire Fighter 1 (2013) Psychomotor Exam Registration: Modular Registration	\$40.00 per module
Fire Fighter 1 (2013) Psychomotor Exam Registration: Consecutive and Integrated Registration	\$40.00
Fire Fighter 1 (2013) Psychomotor Exam Retake Registration	\$40.00 per retake
Custom Skill Sheets (per <u>five (5) skill sheets</u>)	\$100.00

(f) The State Fire Marshal shall 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), 13157(e), 13159.4, 13159.8(e) and 13159.10, Health and Safety Code. Reference: Sections 13157(d), 13157(e), 13159.4, 13159.8(e) and 13159.10, Health and Safety Code.