

Readopt with amendment Fire 602, effective 6-28-17 (Document #12225-B), to read as follows:

PART Fire 602 NOTIFICATION REQUIREMENTS OF ALL FIRE SERVICE PERSONNEL

Fire 602.01 Annual Submittal of Fire Department Roster of Fire Service Personnel.

(a) Fire departments shall ~~supply~~validate with the commission ~~with their~~ current roster of all fire service personnel under their service profile on www.respondnh.org by December 31st of each calendar year.

(b) The roster shall contain the following information for each person comprising the fire department's fire service personnel.

- (1) Full legal name;
- (2) ~~Mailing address;~~ Primary and secondary job roles;
- (3) ~~Telephone number;~~
- (4) ~~Date of birth; and~~
- (5) ~~Fire service status, indicating career full time, on call, part time, paid, or volunteer status.~~

Readopt with amendment Fire 701, effective 6-28-17 (Document #12225-B), to read as follows:

Fire 701.01 Full-time Career Fire Service Personnel Entrance Requirement.

(a) Fire departments, state agencies, or private corporations providing fire ~~and~~ or rescue services to the general public and hiring full-time career fire service personnel employees shall have minimum entrance requirements as follows:

- (1) The candidate shall have a high school diploma or high school equivalency certificate, general education development;
- (2) ~~The candidate shall not have been convicted of a felony under federal law, or the law of this or any other state, province, territory, country, or military, unless he or she has been pardoned or the conviction has been annulled; and~~
- (3) ~~The candidate shall be at least 18 years of age; and-~~
- (3) The candidate shall be either a United States citizen or shall have the unrestricted right to work in the United States based upon the candidate's valid immigration status, including, if necessary for the candidate's status type, a valid Federal unrestricted employment authorization document.

(b) Before the candidate is employed the hiring authority shall conduct or cause to be conducted a background check to include at a minimum the existence of a criminal history record and motor vehicle violation history record in New Hampshire.

(c) The candidate shall not be employed if the candidate;

- (1) Has been discharged from the military service under other than honorable conditions, where the circumstances, in the opinion of a reasonable person, would cast doubt on ~~his or her~~ the candidate's fitness as a fire service personnel;

(2) Has been convicted of a felony under federal law, or the law of this or any other state, province, territory or country, unless ~~he or she~~ the candidate has been pardoned or the conviction annulled;

(3) ~~Is applying for a position as a full-time, career fire service personnel and is not a citizen of the United States;~~

~~(4)~~ Has been convicted of a misdemeanor by a civilian or military court and for which the candidate ~~he or she~~ has not received a pardon or annulment, which offense of the underlying circumstances surrounding the commission thereof was such that it would cause a reasonable person to doubt the candidate ~~applicant~~'s character, honesty, or ability;

~~(5)~~ Has been convicted in a civilian or military court of more than one misdemeanor or violations for which ~~he or she~~ the candidate has not received a pardon or annulment, and which would indicate to a reasonable person a pattern of disregard for the law;

~~(6)~~ Has been convicted in a military or civilian court in the last 10 years immediately before application for hire as a fire service personnel of a misdemeanor for which ~~he or she~~ has not received a pardon or the conviction annulled, and which resulted in serious bodily injury to another person;

~~(7)~~ Has a history of illegal drug use, illegal drug manufacture, transport for sale, or sale of a controlled substance that would cast doubt on ~~his or her~~ the candidate's ability to perform as a firefighter;

~~(8)~~ Has had fire certifications revoked from jurisdictions other than the state of New Hampshire;

~~(9)~~ Suffers from mental ~~disorder~~ health condition for which ~~he or she~~ has not undergone effective rehabilitation, which would affect ~~his or her~~ the candidate's ability to perform fire fighting duties;

~~(10)~~ Has been discharged or allowed to resign in lieu of termination with other employers for reasons of moral character or moral turpitude for acts or omissions of conduct that would cause a reasonable person to doubt the candidate's honesty or integrity; or

~~(11)~~ Is found to have a general character and reputation in the community that a reasonable person would doubt that the ~~applicant~~ candidate would conduct ~~him or herself~~ themselves with honesty and integrity.

(d) After written authorization is received from a physician, the candidate shall pass the physical ability test described in Fire 702, unless the candidate has been placed in layoff status due to a reduction in force and the current appointment is by the same hiring authority.

(e) The candidate shall complete a pre-employment medical evaluation as outlined in NFPA 1582 "Standard on Comprehensive Occupational Medical Program for Fire Departments" (2022~~13~~ Edition), available as provided in Appendix B. Based on the medical evaluation, the hiring authority shall determine the candidate's ability to successfully and safely perform essential job tasks, as listed in NFPA 1582 "Standard on Comprehensive Occupational Medical Program for Fire Departments" (2022~~13~~ Edition), available as provided in Appendix B, without posing a significant safety or health risk to themselves, members, or civilians.

(f) The candidate shall be orally interviewed by the hiring authority to determine the candidate's ability to communicate and how the ~~person~~candidate represents ~~him or herself~~themselves to others.

Fire 701.02 Full-time Career Fire Service Personnel Level of Training Required.

~~(a) Full-time career fire service personnel shall, prior to completion of their first year of appointment, complete the minimum program of study as adopted by the commission in accordance with Fire 401 and Fire 402. Performance required of the person shall be in accordance with all applicable sections of fire 400.~~

(a) Full-time career fire service personnel shall, prior to completion of their first year of appointment, shall be certified to any edition of the NFPA professional qualification for firefighter at the Firefighter II level or equivalent.

(b) The commission shall grant an extension to the time limit set forth in Fire 701.02(a) for the completion of the training program upon receipt of a written request from the hiring authority setting forth the reasons therefor for good cause shown, provided that:

(1) Extensions of the time limit for completion of the training program shall not exceed 2 years from the original date of appointment; and

(2) For the purposes of this section, good cause shall include the unavailability of such a program, or a firefighter being unable to complete the training within the prescribed period due to:

- a. Illness;
- b. Injury;
- c. Military service;
- d. Special duty assignments made in the public interest; or
- e. Other reasons outside of the firefighter's control.

~~(b)c~~ The requirements of Fire 701.02(a) shall not apply when a full-time career fire service personnel:

~~(1) Has previously met the requirements of Fire 701.02(a); and~~

~~(2) Is placed in lay off status due to a reduction in force; and~~

~~(3) Is hired by a New Hampshire fire department within one year of the date of the lay off.~~

Repeal Fire 702.02, effective 6-28-17 (Document #12225-B), to read as follows:

Fire 702.02 Aerophobia Test. Full-time career fire service personnel shall, within one year of original appointment, complete an aerophobia test. The firefighter, without stopping for more than 30

~~seconds, shall climb up and down an unsupported aerial ladder at an angle of at least 65 degrees but not more than 75 degrees for a distance of 100 feet as measured from the tip of the ladder to the ground.~~

Readopt with amendment Fire 703, effective 6-28-17 (Doc #12225-B), to read as follows:

PART Fire 703 TRANSFERS/LAPSE IN SERVICE

Fire 703.01 Transfers.

(a) Any full-time career fire service personnel, as defined in Fire 101.167, and employed by a New Hampshire fire department, as defined in Fire 101.145, may transfer employment to another fire department. Said hiring shall meet Fire 701.01(a), Fire 701.01(b), Fire 701.01(c), Fire 701.01(d), Fire 701.01(f), and Fire 701.02. The individual shall have previously completed the requirements of Fire 702.01 or the physical ability test in effect at the time of original appointment.

(b) Any full-time career fire service personnel that is placed in lay off status due to a reduction in force shall have up to ~~12~~26 months from the date of lay off to transfer to another fire department.

(c) Any full-time career fire service personnel, as defined in Fire 101.16, and employed by a legally constituted municipal or privately incorporated entity that provides services such as, but not limited to, fire suppression, fire prevention, rescue, hazardous materials, emergency medical care, fire investigation, and fire or building inspections in any state, county, municipality, organized fire district, or area may transfer employment to a New Hampshire fire department. Said hiring shall meet Fire 701.01(a), Fire 701.01(b), Fire 701.01(c), Fire 701.01(d), Fire 701.01(e), Fire 701.01(f), and Fire 701.02. The individual shall have previously completed the requirements of Fire 702.01 or the job-related physical ability and performance test in effect at the time of original appointment upon approval by the commission.

Fire 703.02 Lapse in Service.

(a) The employment eligibility for a full-time career fire service personnel shall lapse if the employee terminates employment and is not employed as a fire service personnel within a period of ~~30 days~~26 months after such termination.

(b) If the person who has lapsed is re-employed as a full-time career fire service personnel after ~~his~~ ~~or her~~their employment eligibility has lapsed, the hiring authority shall follow the hiring requirements outlined in Fire 701.01 and 701.02.

APPENDIX A

RULE	STATUTE
Fire 602	RSA 21-P:28, I(c)
Fire 701	RSA 21-P:25, I; RSA 21-P:28, I(a); RSA 21-P:29, I
Fire 703	RSA 21-P:25, I; RSA 21-P:28, I(a)

APPENDIX B

Rule	Title	Obtain at:
Fire 701.01(e)	National Fire Protection Association (NFPA) 1582, "Standard on Comprehensive Occupational Medical Program for Fire Departments," 2022 Edition	National Fire Protection Association One Batterymarch Park Quincy, MA 02269 Phone: 1-800-344-3555 Web site: www.nfpa.org Ordering and pricing options: Print - \$78.00; Digital access with NFPA LiNK® – Plans starting at \$11.99/month