

RULEMAKING NOTICE FORM

Notice Number	Rule Number	Fire 602; Fire 701; Fire 702.02; Fire 703
<p>1. Agency Name & Address:</p> <p>Fire Standards & Training Commission and Department of Safety 33 Hazen Drive Concord, NH 03305</p>	<p>2. RSA Authority: <u> RSA 21-P:27, I(b) </u></p> <p>3. Federal Authority: <u> N/A </u></p> <p>4. Type of Action:</p> <p style="padding-left: 20px;">Adoption <u> </u></p> <p style="padding-left: 20px;">Repeal <u> X </u></p> <p style="padding-left: 20px;">Readoption <u> </u></p> <p style="padding-left: 20px;">Readoption w/amendment <u> X </u></p>	

5. Short Title: **Various Fire Standards and Training Commission Rules**

6. (a) Summary of what the rule says and of any proposed amendments including whether the rule implements a state statute for the first time:

Jointly with the Fire Standards and Training Commission, the Department’s proposed rulemaking readopts with amendment Fir 602, Fire 701, and Fire 703, and repeal Fire 702.02.

Fire 602 is being readopted with amendment to revise the content and method of submission of rosters of fire service personnel by fire departments to the Fire Standards and Training Commission via the RespondNH online database.

Fire 701 on mandatory hiring standards is being readopted with amendment as follows:

(a) Fire 701.01 on entrance requirements is being readopted with amendment to revise the minimum entrance requirements and disqualifiers for full-time fire service personnel candidates, (i) by eliminating redundancy, (ii) by providing that the applicant must either be a citizen or a person whose valid immigration status confers the unrestricted right to work in the United States, and (iii) by updating the incorporation by reference of the NFPA 1582 Standard on Comprehensive Occupational Medical Program for Fire Departments from the 2013 to the 2022 edition.

(b) Fire 701.02 is readopted with amendment to clarify the prerequisite training qualifications for full-time fire service personnel candidates, the training time limits, extensions of those time limits, and exemptions to the requirements.

Fire 702.02 regarding an acrophobia test is being repealed.

Fire 703 on transfers and lapse in service is being readopted with amendment (i) to increase the period within which a full-time career fire service personnel may transfer to another fire department after being laid off due to a reduction in force from 12 months to 26 months, (ii) to increase from 30 days to 26 months in the period of employment eligibility after terminating employment, (iii) and to insert a new paragraph Fire 703.01(c) to further specify qualifications, requirements, and hiring authority regarding full-time career fire service personnel seeking to transfer employment to a New Hampshire fire department. Various editorial and clerical amendments are proposed.

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6. (b) Brief description of the groups affected:

Those groups affected by the rules include candidates for full-time career fire fighters; fire departments of the state, political subdivisions or private fire departments providing fire services to the general public; the New Hampshire Fire Standards and Training Commission; and the Division of Fire Standards & Training and Emergency Medical Services, Department of Safety.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

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 702.02	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)

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name:	David M. Hilts, Esq.	Title:	Senior Staff Attorney
Mailing Address:	Department of Safety 33 Hazen Drive Concord, NH 03305	Phone #:	603-227-4032
		Fax#:	603 271-1033
		E-mail:	Rules@dos.nh.gov
		TTY/TDD Access:	Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **Thursday, September 5, 2024 at 10:30 a.m. or end of public hearing, whichever is later.**

- Fax
 E-mail
 Other format (specify): First Class Mail or in hand at the public hearing

9. Public hearing scheduled for:

Date and Time: **September 5, 2024 at 9:30 a.m.**
 Physical Location: **Richard M. Flynn Fire Academy Dormitory
90 Smokey Bear Blvd
Concord, NH 03301**
 Electronic Access (if applicable): **N/A**

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10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 24:132 , dated July 2, 2024

Fiscal Impact Statement for Department of Safety rules governing Various Fire Standards and Training Commission Rules. [Fire 602.01; Fire 701; Fire 702.02; Fire 703]

- 1. Comparison of the costs of the proposed rule(s) to the existing rule(s):**
When compared to the existing rules, the proposed rules may reduce costs to political subdivisions and independently owned businesses as described in #3 below.

- 2. Cite the Federal mandate. Identify the impact on state funds:**
No federal mandate, no impact on state funds.

- 3. Cost and benefits of the proposed rule(s):**
Compared to the existing rules, there may be an indeterminate decrease in cost to political subdivisions and certain independently owned businesses that provide fire or rescue services, associated with the proposed Fire 602.01, which allows for submitting fire department rosters online.
 - A. To State general or State special funds:**
None.

 - B. To State citizens and political subdivisions:**
There will be no cost or benefit to State citizens. Political subdivisions that provide fire services within their jurisdictions may benefit from reduced costs as described in #3 above.

 - C. To independently owned businesses:**
Independently owned businesses that provide fire or rescue services may benefit from reduced costs as described in #3 above.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

This proposal does not create a new program or responsibility, and it does not expand or modify an existing program or responsibility or mandate or assign a program or responsibility to any political subdivision in such a way as to increase the costs a political subdivision must pay. Therefore, this proposal does not violate Part I, Article 28-a of the N.H. Constitution.