

Regulation of the
Dept. of Administrative Services

Concerning
**Classes of Certification and Standards of
Qualification for Local Fire Marshals, Deputy
Fire Marshals, Fire Inspectors, and Other
Local Fire Officials**

Regulations adopted after July 1, 2013, become effective upon posting to the website of the Secretary of the State, or at a later date specified within the regulation.

Website posted on
June 5, 2015

Effective Date
June 5, 2015

Approved by the Attorney General on
March 4, 2015

Approved by the Legislative Regulation Review
Committee on
May 26, 2015

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Melody A. Currey
Commissioner

STATE OF CONNECTICUT
Department of Administrative Services

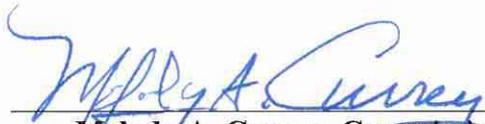
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Electronic Copy Certification Statement

I, **Melody A. Currey, Commissioner** of the **Department of Administrative Services**, in accordance with the provisions of Section 4-172 of the *General Statutes of the State of Connecticut*, **do hereby certify:**

That the electronic copy of a regulation concerning **Classes of Certification and Standards of Qualification for Local Fire Marshals, Deputy Fire Marshals, Fire Inspectors, and Other Local Fire Officials**, which was approved by the Legislative Regulation Review Committee on **May 26, 2015**, and which shall be submitted electronically for filing to the Secretary of the State by **Jenna Padula** of this agency on **June 1, 2015**, is a true and accurate copy of the original regulation approved in accordance with Sections 4-169 and 4-170 of the *General Statutes of the State of Connecticut*.

In testimony whereof, I have hereunto set my hand on **June 1, 2015**.



Melody A. Currey, Commissioner

R-39 Rev. 08/2012
(Title page)

IMPORTANT: Read instructions on back of last page (Certification Page) before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations

State of Connecticut
REGULATION
of

Department of Administrative Services

Concerning

Classes of Certification and Standards of Qualification for Local Fire Marshals,
Deputy Fire Marshals, Fire Inspectors, and Other Local Fire Officials

Section 1. Sections 29-298-1 to 29-298-3, inclusive, of the Regulations of Connecticut State Agencies are amended to read as follows:

Sec. 29-298-1. Definitions

(a) As used [herein] in this section and sections 29-298-2, 29-298-3, 29-298-5 to 29-298-8, inclusive, 29-298-11 and 29-298-16 of the Regulations of Connecticut State Agencies, “certificate” means the written document issued by the State Fire Marshal and the Codes and Standards Committee stating that the holder is [eligible to be] certified.

(b) As used [herein] in this section and sections 29-298-2, 29-298-3, 29-298-5 to 29-298-8, inclusive, 29-298-11 and 29-298-16 of the Regulations of Connecticut State Agencies, [“candidate”] “local authority” means [a person who holds a certificate] the local entity with the authority to appoint a local fire official pursuant to section 29-297 of the Connecticut General Statutes.

(c) As used [herein] in this section and sections 29-298-2, 29-298-3, 29-298-5 to 29-298-8, inclusive, 29-298-11 and 29-298-16 of the Regulations of Connecticut State Agencies, [“eligible to be certified”] “local fire official” means [that a person has (1) successfully passed an oral, written, or practical examination approved by the State Fire Marshal and Codes and Standards Committee, or (2) successfully completed a program or programs of training developed by public agencies and approved by the State Fire Marshal and Codes and Standards Committee, or (3) successfully completed the Fire Marshal/Inspector Certification Course administered by the Bureau of State Fire Marshal and approved by the State Fire Marshal and Codes and Standards Committee] a certified fire marshal, fire code inspector or fire investigator who is appointed to a class of local fire officials by a local authority.

(d) As used [herein] in this section and sections 29-298-2, 29-298-3, 29-298-5 to 29-298-8, inclusive, 29-298-11 and 29-298-16 of the Regulations of Connecticut State Agencies, “certified” means a [candidate] person who holds a certificate and has met the standards for certification pursuant to section 29-298 of the Connecticut General Statutes.

Sec. 29-298-2. Classes of [certification of] local fire officials

There shall be [six] five classes of local fire officials:

- (a) Fire [Safety] Code Inspector;
- (b) [Hazardous Materials Inspector;
- (c) Fire Investigator;
- [(d)] (c) Fire Inspector;
- [(e)] (d) Deputy Fire Marshal; and
- [(f)] (e) Local Fire Marshal.

Sec. 29-298-3. Fire [safety] code inspector

(a) A certified fire [safety] code inspector is a person who has [been appointed and certified after having] demonstrated the knowledge and ability to perform the duties and carry out the responsibilities set forth in the Connecticut State Fire Safety Code and Connecticut State Fire Prevention Code and sections of the Connecticut General Statutes as they relate to [the Connecticut Fire Safety Code] said codes.

(b) A local fire [safety] code inspector [carries] is a person certified as a fire code inspector and appointed by a local authority to carry out fire [safety] code inspection activities at the direction of the local fire marshal and under such supervision as the local fire marshal deems appropriate.

Sec. 2. Sections 29-298-5 to 29-298-11, inclusive, of the Regulations of Connecticut State Agencies are amended to read as follows:

Sec. 29-298-5. Fire investigator

(a) A certified fire investigator is a person who has [been appointed and certified after having] demonstrated the knowledge and ability to perform the duties of and carry out the responsibilities of Chapter 541 of the Connecticut General Statutes, as well as other sections of the General Statutes, as they relate to the investigation of [fire, explosion, and the crime of arson] fires and explosions.

(b) A local fire investigator [performs] is a person certified as a fire investigator and appointed by a local authority to perform investigations of [fire, explosion, and the crime of arson] fires and explosions, including, but not limited to, determining the cause of such fires and explosions, at the direction of the local fire marshal and under such supervision as the local fire marshal deems appropriate.

Sec. 29-298-6. Fire inspector

[(a)] A fire inspector is a person who has been [appointed and] certified [after having demonstrated the knowledge and ability to perform the duties of and carry out the responsibilities of a local fire marshal as set forth in the statutes and regulations of the State of Connecticut.

(b) A fire inspector performs] as a fire marshal and appointed by a local authority to perform duties at the direction of and under such supervision as the local fire marshal deems appropriate.

Sec. 29-298-7. Deputy fire marshal

[(a)] A deputy fire marshal is a person who has been [appointed and] certified [after having demonstrated the knowledge and ability to perform the duties of and carry out the responsibilities of a local fire marshal as set forth in the statutes and regulations of the State of Connecticut.

(b) A deputy fire marshal performs] as a fire marshal and appointed by a local authority to perform duties at the direction of and under such supervision as the local fire marshal deems appropriate.

Sec. 29-298-8. Fire marshal

(a) A certified fire marshal is a person who has [been appointed and certified after having] demonstrated the knowledge and ability to perform the duties of and carry out the responsibilities of a local fire marshal as set forth in the statutes and regulations of the State of Connecticut.

(b) A local fire marshal [performs, or causes] is a person who has been certified as a fire marshal and appointed by a local authority to perform, or cause to be performed, the duties of a local fire marshal and ensures that the responsibilities of a local fire marshal are carried out as set forth in the statutes and regulations of the State of Connecticut.

Sec. 3. Section 29-298-11 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 29-298-11. Issuance [and lapse] of certificates

(a) A certificate shall be issued by the State Fire Marshal and the Codes and Standards Committee upon a determination that an individual [is eligible to be certified] has met the qualifications for certification.

(b) [In the event that a person holding a certificate is not appointed to a position commensurate with such certificate, the certificate shall be of no effect under these regulations after the passage of three years next following the date of the certificate.] An individual certified as a fire marshal may be appointed by a local authority to the position of local fire marshal, deputy fire marshal or fire inspector. An individual certified as a fire investigator or fire code inspector may be appointed by a local authority to the position of local fire investigator or fire code inspector, as applicable.

(c) In the event that a person appointed to a position commensurate with a certificate ceases to hold the position, then the certificate shall be of no effect under these regulations after the passage of three years next following the date upon which the person ceased to hold the position.]

Sec. 4. Section 29-298-16 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 29-298-16. Minimum hours of continuing education and training required to maintain certification

(a) The minimum hours required to maintain fire marshal certification [for fire inspectors, deputy fire marshals and fire marshals] shall be as set forth in [Chapter 541] section 29-298 of the Connecticut General Statutes.

(b) The minimum hours required to maintain fire investigator certification [for other classes of fire officials] shall [consist of] be not less than thirty hours over a three-year period.

(c) The minimum hours required to maintain fire code inspector certification shall be not less than sixty hours over a three-year period.

Sec. 5. Sections 29-298-4, 29-298-9, 29-298-10 and sections 29-298-12 to 29-298-15, inclusive, of the Regulations of Connecticut State Agencies are repealed.

R-39 Rev. 08/2012
(Statement of Purpose page)

Statement of Purpose

To address the requirements of P.A. 14-137, specifically those concerning additional pre-requisite qualifications and eliminating the "eligible to be certified" status. Pursuant to P.A. 14-137, any candidate for certification as a fire marshal, fire code inspector, or fire investigator who has the pre-requisite experience and passes the exam will be certified, regardless of appointment to one of the five classes of local fire official by a local appointing authority.

REGS-1 Rev. 09/2013

(Certification page—see Instructions on back)

CERTIFICATION

This certification statement must be completed in full.

I hereby certify that the above **Regulation(s)**

- 1) is/are (check all that apply) adopted amended repealed by this agency pursuant to the following authority(ies): (complete all that apply)
- a. **Connecticut General Statutes** section(s) 29-298.
- b. **Public Act Number(s)** _____
 (Provide public act number(s) if the authorizing act has not yet been codified in the Connecticut General Statutes.)

And I further certify

- 2) that Notice of Intent to adopt, amend or repeal said regulation(s) was electronically submitted to the Secretary of the State on 11/12/2014, and posted to the Secretary's regulations website on 11/14/2014; (Insert dates notice was (a) emailed to the Secretary of the State and (b) posted on the Secretary's website, if notice and posting were required by CGS 4-168, as amended by PA 13-247 and PA 13-274.)
- 3) and that a public hearing regarding the proposed regulation(s) was held on 12/13/2014 or that no public hearing was held; (Insert date(s) of mandatory public hearing(s) held pursuant to CGS 4-168(a), as amended, or other applicable statute, and/or voluntary hearing, or if no hearing was held, check the box for that statement.)
- 4) and that notice of Decision to Take Action on said regulations was electronically submitted to the Secretary of the State on 2/13/2015, and posted to the Secretary's regulations website on 2/19/2015; (Insert dates notice was (a) emailed to the Secretary of the State and (b) posted on the Secretary's website, if notice and posting were required by CGS 4-168, as amended by PA 13-247 and PA 13-274.)
- 5) and that said regulation(s) is/are **EFFECTIVE** (check one, and complete as applicable)
 When posted online by the Secretary of the State.

OR on (insert date) _____.

6) SIGNED (Head of Board, Agency or Commission) <i>Michael A. Curry</i>	OFFICIAL TITLE, DULY AUTHORIZED <i>Commissioner-DAS</i>	DATE <i>2/20/15</i>
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APPROVED by the Attorney General as to legal sufficiency in accordance with CGS Section 4-169, as amended.

DATE <i>3/4/15</i>	SIGNED (Attorney General or AG's designated representative) <i>Joseph Rubin</i>	OFFICIAL TITLE, DULY AUTHORIZED <i>ASSOC. ATTY. GENERAL</i>
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Proposed regulations are **DEEMED APPROVED** by the Attorney General in accordance with CGS Section 4-169, as amended, if the Attorney General fails to give notice to the agency of any legal insufficiency within thirty (30) days of the receipt of the proposed regulation.

(For Regulation Review Committee Use ONLY)

APPROVED in WHOLE or WITH technical corrections deletions substitute pages

DEEMED APPROVED, pursuant CGS 4-170(c), as amended.

Rejected without Prejudice Disapproved, pursuant to CGS 4-170(c), as amended.

By the Legislative Regulation Review Committee in accordance with CGS Section 4-170, as amended	DATE <i>5-26-15</i>	SIGNED (Administrative, Legislative Regulation Review Committee) <i>[Signature]</i>
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In accordance with CGS Section 4-172, as amended by PA 13-247 and PA 13-274, one certified paper copy and one electronic copy with agency head certification statement received on the date(s) specified below.

DATE	SIGNED (Secretary of the State)	BY
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(For Secretary of the State Use ONLY)

Date Posted to SOTS Regulations Website:

Date Electronic Copy Forwarded to the Commission on Official Legal Publications:

SOTS file stamp: