



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)

Agency: **Criminal Justice Training Commission**

- Permanent Rule
 Emergency Rule

(1) Date of adoption: **June 17, 1993**

(2) Purpose:

To prescribe a responsive training requirement for deputy state fire marshals and resident fire marshals as per RCW 48.48.060, and to provide a recommended training standard for local agencies asked to commission fire personnel.

(3) Citation of existing rules affected by this order:

Repealed: ~~139-05-910~~ *yes*
Amended:
Suspended:

(4) Authority for adoption:

Statute: **43.101.080(2)**
Other Authority:

(5.1) **PERMANENT RULE ONLY**

Pursuant to notice filed as WSR 93-10-030 on April 28, 1993 (date).

Describe any changes other than editing from proposed to adopted version:

none

(5.2) **EMERGENCY RULE ONLY**

Pursuant to RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If yes, explain:

(6) Effective date of rule:

Permanent Rules

- 31 days after filing
 Other (specify) _____*

Emergency Rules

- Immediately
 Later (specify) _____

*If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

JUN 21 1993

TIME 11:27
WSR 93-13-101

FORM (TYPE OR PRINT)

James O. Scott

SIGNATURE

Executive Director

DATE

June 18, 1993

NEW SECTION

WAC 139-05-912 REQUIREMENT OF TRAINING FOR FIRE MARSHALS.

- (1) The training prescribed herein shall constitute:
 - (a) the training requirement which must be met by deputy state fire marshals and resident fire marshals as a precondition of any exercise of police powers granted to such personnel by RCW 48.48.060, and
 - (b) the training standard recommended by the criminal justice training commission for local agencies employing a training requirement or prerequisite for the purpose of commissioning fire personnel.
- (2) The training requirement herein prescribed for the purpose of RCW 48.48.060 shall be met by:
 - (a) obtainment of the training commission's basic law enforcement certificate, or
 - (b) obtainment of the training commission's basic law enforcement equivalency certificate, or
 - (c) successful completion of a training program of at least one hundred and seventy-six hours, including:
 - (i) criminal investigation 52 hours
 - (ii) criminal law 40 hours
 - (iii) criminal procedures 42 hours
 - (iv) human relations 38 hours
 - (v) use of force 04 hours
- (3) No authorization, expressed or implied, to carry a firearm in the performance of official duties may be granted to any deputy state fire marshal or resident fire marshal unless such personnel has successfully completed a basic firearms training program. Such program shall be at least forty hours in length and include instruction in firearms care, handling, and usage, and a range qualification course approved by the training commission. Thereafter such personnel shall successfully complete an eight-hour firearms requalification course approved by the training commission during each year in which authorization to carry a firearm is granted or remains in effect.
- (4) It shall be the responsibility of the state fire marshal to effect and ensure personnel compliance herein, and to provide documentation of such compliance upon the request of the training commission.