

**RULES  
OF  
TENNESSEE DEPARTMENT OF COMMERCE AND INSURANCE  
DIVISION OF FIRE PREVENTION**

**CHAPTER 0780-02-20  
FIRE DEPARTMENT RECOGNITION**

**TABLE OF CONTENTS**

0780-02-20-.01	Definitions	0780-02-20-.05	Recognized Fire Departments
0780-02-20-.02	General Requirements	0780-02-20-.06	Renewal
0780-02-20-.03	Registration	0780-02-20-.07	Nonrenewal, Revocation or Suspension of Certificate of Recognition
0780-02-20-.04	Repealed		

**0780-02-20-.01 DEFINITIONS.**

- (1) Career fire department shall mean a fire department consisting of only paid firefighters.
- (2) Combination fire department shall mean a fire department consisting of any mixture of career and volunteer firefighters.
- (3) New Fire Department shall mean any fire department formed after July 1, 2003.
- (4) Recognized fire department shall mean a fire department that has obtained a certificate of recognition from the Department of Commerce and Insurance, State Fire Marshal's Office, which includes a municipality, county or political subdivision operating as a fire department, or an organization, agency, or entity operating as a fire department.
- (5) Recognition shall mean that designation to be conferred on the fire department by the State Fire Marshal's Office after making application and meeting all the requirements found in T.C.A. § 68-102-301 et seq.
- (6) State Fire Marshal shall mean the Division of Fire Prevention at the Department of Commerce and Insurance.
- (7) Volunteer fire department shall mean a fire department consisting of only un-paid firefighters.

**Authority:** T.C.A. §§ 68-102-303 and 68-102-304. **Administrative History:** Original rule filed June 8, 2004; effective August 22, 2004. Amendment filed May 26, 2015; effective August 24, 2015.

**0780-02-20-.02 GENERAL REQUIREMENTS.**

- (1) No municipality, county, political subdivision, organization, agency or entity shall operate a fire department within the State of Tennessee unless it has been duly recognized by the State Fire Marshal.
- (2) No new fire department may be established or recognized in Tennessee without the approval of the local elected governing body. This approval shall include the geographical territory to be covered by the new fire department.
- (3) No governmental unit, person, organization, agency or entity shall receive or solicit money from any source, including local, state, or federal government, for the purpose of operating a fire department unless the governmental unit, person, organization, agency, or entity maintains a valid certificate of registration from the State Fire Marshal.

(Rule 0780-02-20-.02, continued)

**Authority:** T.C.A. §§ 68-102-303, 68-102-304, and 68-102-306. **Administrative History:** Original rule filed June 8, 2004; effective August 22, 2004. Repeal and new rule filed May 26, 2015; effective August 24, 2015.

#### 0780-02-20-.03 REGISTRATION.

- (1) The municipality, county, political subdivision, organization, agency or entity desiring to operate a fire department shall file an application with the State Fire Marshal and submit a fee of fifty dollars (\$50.00).
- (2) Registration will be valid for three (3) years from the date of issuance.

**Authority:** T.C.A. §§ 68-102-303 and 68-102-304. **Administrative History:** Original rule filed June 8, 2004; effective August 22, 2004. Repeal and new rule filed May 26, 2015; effective August 24, 2015.

#### 0780-02-20-.04 REPEALED.

**Authority:** T.C.A. §§ 68-102-303, 68-102-304, 68-102-306, 68-102-108, and 68-102-111. **Administrative History:** Original rule filed June 8, 2004; effective August 22, 2004. Repeal filed May 26, 2015; effective August 24, 2015.

#### 0780-02-20-.05 RECOGNIZED FIRE DEPARTMENTS.

- (1) A recognized fire department shall notify the State Fire Marshal's Office within thirty (30) days of the termination, resignation or appointment of a new fire chief.
- (2) The municipality, county, political subdivision, organization, agency or entity filing the notification must be in compliance with T.C.A. § 68-102-108 and properly designate an Assistant to the Commissioner unless appointed pursuant to T.C.A. § 68-102-109.
  - (a) Within ten (10) days after the appointment of a new Assistant to the Commissioner, the person vacating the office shall return the certificate and card of appointment to the State Fire Marshal's Office in Nashville.
  - (b) Within thirty (30) days after the appointment of a new Assistant to the Commissioner, the name and contact information for the new Assistant to the Commissioner shall be submitted to the State Fire Marshal.

**Authority:** T.C.A. §§ 68-102-108, 68-102-303, 68-102-304 and 68-102-305. **Administrative History:** Original rule filed June 8, 2004; effective August 22, 2004. Repeal and new rule filed May 26, 2015; effective August 24, 2015.

#### 0780-02-20-.06 RENEWAL.

- (1) Before the three (3) year period of the certificate of recognition has expired, the fire department must submit a fee of fifty dollars (\$50.00) to the State Fire Marshal along with a renewal application properly completed to obtain renewal of the certificate of recognition. The application for renewal must include verification of the geographical territory to be covered by the department.
- (2) The fire department shall submit the renewal application at least thirty (30) days prior to expiration of the fire department's certificate of recognition.
- (3) The State Fire Marshal will send each recognized fire department a renewal notice approximately six (6) months prior to expiration of the three (3) year recognition period.

(Rule 0780-02-20-.06, continued)

- (4) All fire departments shall notify the State Fire Marshal within thirty (30) days of any change in geographical territory to be covered by such fire department.
  - (a) The fire department shall provide proof of the approval of the local elected governing body of any change in territorial boundaries.
  - (b) The fire department shall provide the State Fire Marshal with a written description or geographic description of territorial boundaries.

**Authority:** T.C.A. §§ 68-102-303 and 68-102-304. **Administrative History:** Original rule filed June 8, 2004; effective August 22, 2004. Repeal and new rule filed May 26, 2015; effective August 24, 2015.

**0780-02-20-.07 NONRENEWAL, REVOCATION, OR SUSPENSION OF CERTIFICATE OF RECOGNITION.**

- (1) The State Fire Marshal may refuse to issue or renew, and revoke or suspend any application for or certificate of recognition for any recognized fire department if:
  - (a) The fire department has violated any provision of this chapter or any other state or federal law, or has violated any regulation duly promulgated by the State Fire Marshal;
  - (b) The fire department fails to renew its certification;
  - (c) The fire department fails to submit the required fee; or,
  - (d) The local elected governing body withdraws recognition of the fire department.
- (2) The State Fire Marshal will notify the local elected governing body within thirty (30) days of refusing to renew, revoking or suspending any certificate of recognition of a fire department.
- (3) The local elected governing body will notify the State Fire Marshal within thirty (30) days of withdrawing approval of the fire department.
- (4) The local elected governing body must send the State Fire Marshal an updated geographical territory to be covered by the remaining recognized fire department(s) no more than thirty (30) days after a fire department has lost its recognized status.
- (5) The Uniform Administrative Procedures Act, compiled in title 4, chapter 5, will govern all matters and procedures respecting the hearing and judicial review of any contested case arising under this rule.

**Authority:** T.C.A. §§ 68-102-101, 68-102-303, 68-102-304 and 68-102-306. **Administrative History:** Original rule filed May 26, 2015; effective August 24, 2015.