RULES
OF THE
DEPARTMENT OF COMMERCE AND INSURANCE
DIVISION OF FIRE PREVENTION

CHAPTER 0780-02-24
VOLUNTEER FIREFIGHTER EQUIPMENT AND TRAINING GRANT PROGRAM

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0780-02-24-.01 DEFINITIONS.

(1) "Career Fire Department" means a fire department recognized by the State Fire Marshal's Office, pursuant to T.C.A. § 68-102-304, comprised of fifty-one percent (51%) or more firefighters employed on a full-time basis.

(2) "Department" means the Tennessee Department of Commerce and Insurance.

(3) "Federal grants" means any federal discretionary grant program that awards financial assistance to be used for the purpose of the purchase of firefighting equipment and training including, but not limited to, the Federal Emergency Management Agency Assistance to Firefighters Grants (AFG).

(4) "Firefighting equipment" means the equipment used by a firefighter to contain or extinguish fires and to protect the life of the firefighter, other than fire trucks or vehicles.

(5) "Grantee" means an individual or organization that has been awarded financial assistance under one of the federal discretionary grant programs including, but not limited to, AFG, or under the volunteer firefighter equipment and training grant program from the State Fire Marshal's Office.

(6) "Matching funds" means the amount of a project that a grantee agreed to provide in return for being awarded a federal grant.

(7) "Personal Protective Equipment (PPE)" means items compliant with the most current Occupational Safety and Health Administration (OSHA) or National Fire Protection Association (NFPA) standards to enhance the operational safety of the firefighter.

(8) "State Fire Marshal" means the Commissioner of the Department of Commerce and Insurance, or designee.

(9) "State Fire Marshal's Office" means the Division of Fire Prevention at the Department of Commerce and Insurance.

(10) "Volunteer fire department" means a fire department recognized by the State Fire Marshal's Office, pursuant to T.C.A. § 68-102-304, and classified by the Tennessee Fire Incident Reporting System (TFIRS) as a volunteer fire department.

(11) "Volunteer firefighter" means a duly appointed member of a fire department on either a non-pay or part-pay basis who is neither employed in a full-time capacity with the department nor eligible to receive the educational incentive pay issued pursuant to T.C.A. § 4-24-202 as a member of the department. Volunteer firefighters may receive life insurance, health insurance,

(Rule 0780-02-24-.01, continued)

workmen's compensation insurance, length of service awards, pay per-call or per-hour, or similar compensation.

Authority: *T.C.A. § 68-102-154.* ***Administrative History:*** *Emergency rules filed December 30, 2019; effective through June 27, 2020. Emergency rules expired effective June 28, 2020. Original rules filed June 23, 2020; effective September 21, 2020.*

0780-02-24-.02 APPLICATIONS AND TECHNICAL REQUIREMENTS

(1) Fire department shall complete applications on forms provided by the State Fire Marshal's Office. The State Fire Marshal's Office will develop a form for the federal matching fund and a form for the firefighter equipment and training grant program. The application for the firefighter equipment and training grant program will include technical requirements established by the State Fire Marshal's Office to be used to determine grant recipients.

(2) In addition to other technical requirements established by the State Fire Marshal's Office and published with the application, preference will also be given to the volunteer fire departments which:

(a) Comply with the fire reporting requirements pursuant to T.C.A. § 68-102-111;

(b) File an annual financial report with the Comptroller of the Treasury pursuant to T.C.A. § 68-102-309; and

(c) Meet the minimum training requirements established in T.C.A § 4-24-112(a)-(e).

(3) Application deadlines will be established annually by the State Fire Marshal's Office based on available funding and will be published on the Department's website.

(4) The applications shall be reviewed in accordance with state law and contracting rules and procedures established by the Central Procurement Office at the Department of General Services.

(5) Applications for matching funds to meet local match requirements for federal grants shall include a copy of the award letter of the federal grant for firefighting equipment.

Authority: *T.C.A. §§ 68-102-154, 68-102-304, and 68-102-309.* ***Administrative History:*** *Emergency rules filed December 30, 2019; effective through June 27, 2020. Emergency rules expired effective June 28, 2020. Original rules filed June 23, 2020; effective September 21, 2020.*

0780-02-24-.03 ELIGIBILITY.

(1) To be eligible to receive an award for the volunteer firefighter equipment and training grant program or for the federal matching funds, a volunteer fire department shall:

(a) Be recognized by the State Fire Marshal's Office, pursuant to T.C.A. § 68-102-304; and

(b) Be classified as a volunteer fire department by the Tennessee Fire Incident Reporting System (TFIRS).

Authority: *T.C.A. § 68-102-154.* ***Administrative History:*** *Emergency rules filed December 30, 2019; effective through June 27, 2020. Emergency rules expired effective June 28, 2020. Original rules filed June 23, 2020; effective September 21, 2020.*

0780-02-24-.04 AWARD SELECTIONS.

(1) The grant award selection committee shall be comprised of seven (7) members: three (3) representatives from the Tennessee Fire Chief's Association, three (3) representatives from the Tennessee Firemen's Association, and the Assistant Commissioner of Fire Prevention. The representatives from the Associations shall be from the three (3) grand divisions of the state and shall serve for staggered terms not to exceed three (3) years.

(2) The total amount of grants awarded annually must be divided equally among the three (3) grand divisions of the state.

(3) The committee will prioritize awarding grants for matching funds.

(4) The Commissioner shall endeavor to award all funds appropriated to the program each year, and any funds remaining will not revert to the general fund but will remain available for expenditure in subsequent fiscal years pursuant to T.C.A. § 68-102-154(d).

Authority: *T.C.A. § 68-102-154.* ***Administrative History:*** *Emergency rules filed December 30, 2019; effective through June 27, 2020. Emergency rules expired effective June 28, 2020. Original rules filed June 23, 2020; effective September 21, 2020.*