DEPARTMENT OF FORESTRY AND FIRE PROTECTION

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November 30, 2006

VIA ELECTRONIC TRANSMISSION &
FACSIMILE & U. S. MAIL
csminfo@csm.ca.gov & (916) 445-0278

Ms. Paula Higashi, Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

RECEIVED

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COMMISSION ON STATE MANDATES

Dear Ms. Higashi:

California Fire Incident Reporting System Manual, CSM-4419/00-TC-02
San Ramon Valley Fire Protection District & City of Newport Beach, Claimants
July 1990 California Fire Incident Reporting System Manual;
Health and Safety Code Section 13110.5 as Amended by Statutes 1987, Chapter 345

The State Fire Marshal requests the correction of the record with the removal from consideration of the Commission the reference on page 12 of "Item 7, Test Claim Final Staff Analysis" distributed November 21, 2006, footnote Number 23, referencing http://osfm.fire.ca.gov/cfirs.html>. The referenced statement, "the information is used to help fire departments target their resources and education programs, as well as develop and support fire safety legislation" does not apply to the CFIRS. This statement is relevant to the "California All Incident Reporting System (CAIRS). CAIRS is the current method used by the State Fire Marshal to collect data in the National Fire Incident Reporting System (NFIRS) format and any reference should not be included in the CFIRS Test Claim. Discontinuation of the use of CFIRS to collect data was phased out during a period of many years, with complete transition to CAIRS on January 1, 2003.

Additionally, on page 13 of the above-referenced Final Staff Analysis, it is important to emphasis the statement, which states in part, "...Staff finds that the amended statutory language only specifies that local fire departments '*may*, also furnish information and data to the State Fire Marshal relating to medical aid incidents and hazardous materials incidents which occur within their area of jurisdiction.' All other amendments to the code section are directives to the State Fire Marshal, or fire departments operated by the State..." While it could be argued that during 1990-1992 there may have been information that was unclear, any requirements of reporting information can never extend beyond the applicable Health and Safety Code and, further, it is the responsibility of all to be aware of, understand and follow the statute.

Finally, it should be noted that automating the data enabled the State Fire Marshal to offer a service to the fire departments by stripping the Hazardous Materials (HazMat) information from the records and reporting it to the Governor's Office of Emergency Services (OES). Therefore, the fire departments reporting on computer or magnetic tape derived a benefit in that the HazMat information was forwarded to OES, thereby relieving the need to report HazMat on a separate form to OES.

Sincerely,

Ruben Grijalva
Director/State Fire Marshal

cc: All Interested Parties (see attached "Proof of Service")

Attachment ("Proof of Service")

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RE: California Fire Incident Reporting System Manual, CSM-4419/00-TC-02
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Health and Safety Code Section 13110.5 as Amended by Statutes 1987, Chapter 345

I, the undersigned, declare as follows:

On November 30, 2006, I transmitted electronically, facsimile and hand-delivered in a sealed envelope from the California Department of Forestry and Fire Protection, Office of the State Fire Marshal, in said cause, to the Commission on State Mandates, and a true copy thereof to all parties and interested parties by facsimile (where fax number is listed below) and placing in a sealed envelope to be deposited in the United States Mail at Sacramento, California, addressed as follows:

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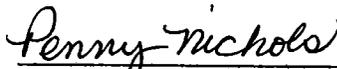Los Angeles, CA 90012
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