Rules and Regulations of the State of Georgia

Department 155 DEPARTMENT OF DEFENSE EMERGENCY MANAGEMENT DIVISION

Current through Rules and Regulations filed through April 4, 2023

Table of Contents

ADMINISTRATIVE HISTORY
Chapter 155-1. REPEALED (155-1-.01 thru 155-1-.20).
- Rule 155-1-.01. Repealed.
- Rule 155-1-.02. Repealed.
- Rule 155-1-.03. Repealed.
- Rule 155-1-.04. Repealed.
- Rule 155-1-.05. Repealed.
- Rule 155-1-.06. Repealed.
- Rule 155-1-.07. Repealed.
- Rule 155-1-.08. Repealed.
- Rule 155-1-.09. Repealed.
- Rule 155-1-.10. Repealed.
- Rule 155-1-.11. Repealed.
- Rule 155-1-.12. Repealed.
- Rule 155-1-.13. Repealed.
- Rule 155-1-.14. Repealed.
- Rule 155-1-.15. Repealed.
- Rule 155-1-.16. Repealed.
- Rule 155-1-.17. Repealed.
- Rule 155-1-.18. Repealed.

Rule 155-1-.19. Repealed.
Rule 155-1-.20. Repealed.
Chapter 155-2. EMERGENCY MANAGEMENT DISASTER PREPAREDNESS EQUIPMENT GRANTS-IN-AID.
Rule 155-2-.01. The Act.
Rule 155-2-.02. Purpose.
Rule 155-2-.03. Definitions.
Rule 155-2-.04. Matching Funds.
Rule 155-2-.05. Qualified Equipment.
Rule 155-2-.06. Requirements and Restrictions.
Rule 155-2-.07. Priorities.
Rule 155-2-.08. Application Procedures.
Rule 155-2-.09. Financial Procedures.
Rule 155-2-.10. Grant Limitation.
Rule 155-2-.11. Retention of Records.

ADMINISTRATIVE HISTORY

The **Administrative History** following each Rule gives the date on which the Rule was originally filed and its effective date, as well as the date on which any amendment or repeal was filed and its effective date. Principal abbreviations used in the Administrative History are as follows:

f. - filed

eff. - effective

R. - Rule (Abbreviated only at the beginning of the control number)

Ch. - Chapter (Abbreviated only at the beginning of the control number)

ER. - Emergency Rule

Rev. - Revised.

Chapter 155-1, entitled "Rescue Organizations", containing Rules 155-1-.01 through 155-1-.17, was filed on July 23, 1974; effective August 15, 1974, as specified by the agency.

Chapter 155-1 has been repealed and a new Chapter 155-1, of the same title, containing Rules 155-1-.01 through 155-1-.20, adopted. Filed July 2, 1979; effective July 22, 1979.

Chapter 155-2, entitled "Civil Defense Disaster Preparedness Equipment Grants-in-Aid," containing Rules 155-2-.01 through 155-2-.11, was filed on October 31, 1980; effective November 20, 1980.

In accordance with Ga. L. 1981, pp. 389, 390, the title "Civil Defense Division" has been changed to "Emergency Management Division." Filed June 5, 1981; effective July 1, 1981, as specified by the Agency.

In accordance with Ga. L. 1981, pp. 389, 390, the words "civil defense" wherever appearing in Chapters 155-1 and 155-2 have been changed to "emergency management". Filed June 5, 1981; effective July 1, 1981, as specified by the Agency.

Rule 155-1-.09 has been amended by the repeal of subparagraph (1)(a) and by the adoption of a new subparagraph (1)(a). Filed October 28, 1981; effective November 17, 1981.

Chapter 155-1 has been repealed and a new Chapter 155-1, of the same title, containing Rules 155-1-.01 through 155-1-.19, adopted. Filed August 17, 1982; effective September 6, 1982.

Rules 155-1-.10(3)(a); .11(2)(3); .12(2) were amended. Filed November 16, 1990; effective December 9, 1990.

Rule 155-1-.13(3)(b)(c) has been amended and (5)(e)(f) adopted. Filed November 16, 1990; effective December 9, 1990.

Rule 155-1-.15(3)(4)(5)(6) has been repealed and new paragraphs, adopted. Filed November 16, 1990; effective December 9, 1990.

Chapter 155-1 has been repealed. Filed March 16, 1994; effective April 5, 1994.

Chapter 155-1. REPEALED (155-1-.01 thru 155-1-.20).

Rule 155-1-.01. Repealed.

Cite as Ga. Comp. R. & Regs. R. 155-1-.01
Authority: Ga. L. 1951, pp. 224-236, as amended (Ga. Code Ann., Chapters 86-18 and 86-19, as amended).
History. Original Role entitled "The Act" was filed on July 23, 1974; effective August 15, 1974, as specified by the Agency.
Rule repealed and a new Rule of the same title adopted. Filed July 2,1979; effective July 22, 1979.
Filed June 5, 1981; effective July 1, 1961; as specified by the Agency.

Rule repealed and a new Rule of the same title adopted. Filed August 17, 1982; effective September 6, 1982.
Repealed: F. Mar. 16, 1994; off. Apr. 5, 1994.

Rule 155-1-.02. Repealed.

Cite as Ga. Comp. R. & Regs. R. 155-1-.02
Authority: Ga. L. 1951, pp. 224-236, as amended (Ga. Code Ann., Chapters 86-18 and 86-19, as amended).
History. Original Rule entitled "Purpose" was filed on July 23, 1974; effective August 15, 1974, as specified by the Agency.
Rule repealed and a new Rule of the same title adopted. Filed July 2, 1979; effective July 22, 1979.
Rule repealed and a new Rule of the same title adopted. Filed August 17, 1982; effective September 6, 1982.
Repealed: F. Mar. 16, 1994; eff. Apr. 5, 1994.

Rule 155-1-.03. Repealed.

Cite as Ga. Comp. R. & Regs. R. 155-1-.03
Authority: Ga. L. 1951, pp. 224-236, as amended (Ga. Code Ann., Chapters 86-18 and 86-19, as amended).
History. Original Rule entitled "Definitions" was filed on July 23, 1974; effective August 15, 1974, as specified by the Agency.
Rule repealed and a new Rule of the same title adopted. Filed July 2, 1979; effective July 22, 1979.
Filed June 5, 1981; effective July 1, 1981; as specified by the Agency.
Rule repealed and a new Rule of the same title adopted. Filed August 17, 1982; effective September 6, 1982.
Repealed: F. Mar. 16, 1994; eff. Apr. 5, 1994.

Rule 155-1-.04. Repealed.

Cite as Ga. Comp. R. & Regs. R. 155-1-.04
Authority: Ga. L. 1951, pp. 224-236, as amended (Ga. Code Ann., Chapters 86-18 and 8649, as amended).
History. Original Rule entitled "License" was filed on July 23, 1974; effective August 15, 1974, as specified by the Agency.
Rule repealed and a new Rule of the same title adopted. Filed July 2, 1979; effective July 22, 1979.
Filed June 5, 1981; effective July 1, 1981, as specified by the Agency.
Rule repealed and a new Rule of the same title adopted. Filed August 17, 1982; effective September 6, 1982.
F. Mar. 16, 1994; eff. Apr. 5, 1994.

Rule 155-1-.05. Repealed.

Cite as Ga. Comp. R. & Regs. R. 155-1-.05
Authority: Ga. L. 1951, pp. 224-236, as amended (Ga. Code Ann., Chapters 86-18 and 86-19, as amended).
History. Original Rule entitled "Application for License" was filed on July 23, 1974; effective August 15, 1974, as specified by the Agency.
Rule repealed and a new Rule of the same title adopted. Filed July 2, 1979; effective July 22, 1979.
Filed June 5, 1981; effective July 1, 1981, as specified by the Agency.
Rule repealed and a new Rule of the same title adopted. Filed August 17, 1982; effective September 6, 1982.
Repealed: F. Mar. 16, 1994; eff. Apr. 5, 1994.

Rule 155-1-.06. Repealed.

Cite as Ga. Comp. R. & Regs. R. 155-1-.06
Authority: Ga. L. 1951, pp. 224-236, as amended (Ga. Code Ann., Chapters 86-18 and 86-19, as amended).
History. Original Rule entitled "Duties of the License Officer" was filed on July 23, 1974; effective August 15, 1974, as specified by the Agency.
Rule repealed and a new Rule of the same title adopted. Filed July 2, 1979; effective July 22, 1979.
Rule repealed and a new Rule entitled "Application for License" adopted. Filed August 17, 1982; effective September 6, 1982.
Repealed: F. Mar. 16, 1994; eff. Apr. 5, 1994.

Rule 155-1-.07. Repealed.

Cite as Ga. Comp. R. & Regs. R. 155-1-.07
Authority: Ga. L. 1951, pp. 224-236, as amended (Ga. Code Ann., Chapters 86-18 and 86-19, as amended).
History. Original Rule entitled "Renewal of License" was filed on July 23, 1974; effective August 15, 1974, as specified by the Agency.
Rule repealed and a new Rule of the same title adopted. Filed July 2, 1979; effective July 22, 1979.
Rule repealed and a new Rule entitled "Duties of the License Officer" adopted. Filed August 17, 1982; effective September 6, 1982.
Repealed: F. Mar. 16, 1994; eff. Apr. 5, 1994.

Rule 155-1-.08. Repealed.

Cite as Ga. Comp. R. & Regs. R. 155-1-.08
Authority: Ga. L. 1951, pp. 224-236, as amended (Ga. Code Ann., Chapters 86-18 and 86-19, as amended).
History. Original Rule entitled "Revocation of License" was filed on July 23, 1974; effective August 15, 1974, as specified by the Agency.
Rule repealed and a new Rule of the same title adopted. Filed July 2, 1979; effective July 22, 1979.
Rule repealed and a new Rule entitled "Renewal of License" adopted. Filed August 17, 1982; effective September 6, 1982.
Repealed: F. Mar. 16, 1994; eff. Apr. 5, 1994.

Rule 155-1-.09. Repealed.

Cite as Ga. Comp. R. & Regs. R. 155-1-.09
Authority: Ga. L. 1951, pp. 224-236, as amended (Ga. Code Ann., Chapters 86-18 and 86-19, as amended).
History. Original Rule entitled "Standards for Rescue Workers" was filed on July 23, 1974; effective August 15, 1974, as specified by the Agency.
Rule repealed and a new Rule entitled "Standards for Basic Rescue Workers" adopted. Filed July 2, 1979; effective July 22, 1979.
Filed June 5, 1981; effective July 1, 1981, as specified by the Agency.
Filed October 28, 1981; effective November 17, 1981.
Rule repealed and a new Rule entitled "Revocation or Suspension of License" adopted. Filed August 17, 1982; effective September 6, 1982.
Repealed: F. Mar. 16, 1994; eff. Apr. 5, 1994.

Rule 155-1-.10. Repealed.

Cite as Ga. Comp. R. & Regs. R. 155-1-.10
Authority: Ga. L. 1951, pp. 224-236, as amended (Ga. Code Ann., Chapters 86-18 and 86-19, as amended).
History. Original Rule entitled "Standards for Local Rescue Instructors" was filed on July 23, 1974; effective August 15, 1974, as specified by the Agency.
Rule repealed and a new Rule entitled "Standards for Advanced Rescue Workers" adopted. Filed July 2, 1979; effective July 22, 1979.
Filed June 5, 1981; effective July 1, 1981, as specified by the Agency.
Rule repealed and a new Rule entitled "Standards for Rescue Specialist" adopted. Filed August 17, 1982; effective September 6, 1982.
Amended: F. Nov. 19, 1990; eff. Dec. 9, 1990.
Repealed: F. Mar. 16, 1994; eff. Apr. 5, 1994.

Rule 155-1-.11. Repealed.

Cite as Ga. Comp. R. & Regs. R. 155-1-.11
Authority: Ga. L. 1951, pp. 224-236, as amended (Ga. Code Ann., Chapters 86-18 and 86-19, as amended). O.C.G.A. Sec. 38-3-36.
History. Original Rule entitled "Master Rescue Instructors" was filed on July 23, 1974; effective August 15, 1974, as specified by the Agency.
Rule repealed and a new Rule entitled "Standards for Local Basic Rescue Instructors" adopted. Filed July 2, 1979; effective July 22, 1979.
Filed June 5, 1981; effective July 1, 1981, as specified by the Agency.
Rule repealed and a new Rule entitled "Standards for Hazardous Materials Training for Rescue Specialists" adopted. Filed August 17, 1982; effective September 6, 1982.
Amended: F. Nov. 19, 1990; eff. Dec. 9, 1990.
Repealed: F. Mar. 16, 1994; eff. Apr. 5, 1994.

Rule 155-1-.12. Repealed.

Cite as Ga. Comp. R. & Regs. R. 155-1-.12
Authority: Ga. L. 1951, pp. 224-236, as amended (Ga. Code Ann., Chapters 86-18 and 86-19, as amended). O.C.G.A. Sec. 38-3-36.
History. Original Role entitled "Standards for Primary Rescue Vehicle" was filed on July 23, 1974; effective August 15, 1974, as specified by the Agency.
Rule repealed and a new Rule entitled "Standards for Local Advanced Rescue Instructors" adopted. Filed July 2, 1979; effective July 22, 1979.
Filed June 5, 1981; effective July 1, 1981, as specified by the Agency.
Rule repealed and a new Rule entitled "Standards for Auto Extrication for Rescue Specialists" adopted. Filed August 17, 1982; effective September 6, 1982.
Amended: F. Nov. 16, 1990; eff. Dec. 9, 1990.
Repealed: F. Mar. 16, 1994; eff. Apr. 5, 1994.

Rule 155-1-.13. Repealed.

Cite as Ga. Comp. R. & Regs. R. 155-1-.13
Authority: Ga. L. 1951, pp. 224-236, as amended (Ga. Code Ann., Chapters 86-18 and 86-19, as amended). O.C.G.A. Sec. 38-3-36.

History. Original Rule entitled "Special Interest Groups" was filed on July 23, 1974; effective August 15, 1974, as specified by the Agency.
Rule repealed and a new Rule entitled "Special Skills" adopted. Filed July 2, 1979; effective July 22, 1979.
Rule repealed and a new Rule entitled "Standards for Rescue Instructors" adopted. Filed August 17, 1982; effective September 6, 1982.
Amended: F. Nov. 16, 1990; eff. Dec. 9, 1990.
Repealed: F. Mar. 16, 1994; eff. Apr. 5, 1994.

Rule 155-1-.14. Repealed.

Cite as Ga. Comp. R. & Regs. R. 155-1-.14
Authority: Ga. L. 1951, pp. 224-236, as amended (Ga. Code Ann., Chapters 86-18 and 86-19, as amended).
History. Original Rule entitled "General" was filed on July 23, 1974; effective August 15, 1974, as specified by the Agency.
Amended: Rule repealed and a new Rule entitled "Master Rescue Instructors" adopted. Filed July 2, 1979; effective July 22, 1979.
Amended: Filed June 5, 1981; effective July 1, 1981, as specified by the Agency.
Amended: Rule repealed and a new Rule entitled "Special Skills" adopted. Filed August 17, 1982; effective September 6, 1982.
Amended: F. Nov. 16, 1990; eff. Dec. 9, 1990.
Repealed: F. Mar. 16, 1994; eff. Apr. 5, 1994.

Rule 155-1-.15. Repealed.

Cite as Ga. Comp. R. & Regs. R. 155-1-.15
Authority: Ga. L. 1951, pp. 224-236, as amended (Ga. Code Ann., Chapters 86-18 and 86-19, as amended). O.C.G.A. Sec. 38-3-36.
History. Original Rule entitled "Effective Date" was filed on July 23, 1974; effective August 15, 1974, as specified by the Agency.
Rule repealed and a new Rule entitled "Minimum Standards for Primary Rescue Vehicle and Equipment" adopted. Filed July 2, 1979; effective July 22, 1979.
Filed June 5, 1981; effective July 1, 1981, as specified by the Agency.
Rule repealed and a new Rule of the same title adopted. Filed August 17, 1982; effective September 6, 1982.
Repealed: New Rule of same title adopted. F. Nov. 16, 1990; eff. Dec. 9, 1990.
Repealed: F. Mar. 16, 1994; eff. Apr. 5, 1994.

Rule 155-1-.16. Repealed.

Cite as Ga. Comp. R. & Regs. R. 155-1-.16
Authority: Ga. L. 1951, pp. 224-236, as amended (Ga. Code Ann., Chapters 86-18 and 86-19, as amended).
History. Original Rule entitled "Enforcement" was filed on July 23, 1974; effective August 15, 1974, as specified by the Agency.
Rule repealed and a new Rule entitled "Duties of the Master Rescue Instructor Board" adopted. Filed July 2, 1979; effective July 22, 1979.
Filed June 5, 1981; effective July 1, 1981, as specified by the Agency.
Rule repealed and a new Rule entitled "Special Interest Groups" adopted. Filed August 17, 1982; effective September 6, 1982.
Repealed: F. Mar. 16, 1994; eff. Apr. 5, 1994.

Rule 155-1-.17. Repealed.

Cite as Ga. Comp. R. & Regs. R. 155-1-.17
Authority: Ga. L. 1951, pp. 224-236, as amended (Ga. Code Ann., Chapters 86-18 and 86-19, as amended).
History. Original Rule entitled "Penalty" was filed on July 23, 1974; effective August 15, 1974, as specified by the Agency.
Rule repealed and a new Rule entitled "Special Interest Groups" adopted. Filed July 2, 1979; effective July 22, 1979.
Filed June 5, 1981; effective July 1, 1981, as specified by the Agency.
Rule repealed and a new entitled "General" adopted. Filed August 17, 1982; effective September 6, 1982.
Repealed: F. Mar. 16, 1994; eff. Apr. 5, 1994.

Rule 155-1-.18. Repealed.

Cite as Ga. Comp. R. & Regs. R. 155-1-.18
Authority: Ga. L. 1951, pp. 224-236, as amended (Ga. Code Ann., Chapters 86-18 and 86-19, as amended).
History. Original Rule entitled "General" was filed on July 2, 1979; effective July 22, 1979.
Filed June 5, 1981; effective July 1, 1981, as specified by the Agency.
Rule repealed and a new Rule entitled "Enforcement" adopted. Filed August 17, 1982; effective September 6, 1982.
Repealed: F. Mar. 16, 1994; eff. Apr. 5, 1994.

Rule 155-1-.19. Repealed.

Cite as Ga. Comp. R. & Regs. R. 155-1-.19
Authority: Ga. L. 1951, pp. 224-236, as amended (Ga. Code Ann., Chapters 86-18 and 86-19, as amended).
History. Original Rule entitled "Enforcement" was filed on July 2, 1979; effective July 22, 1979.
Filed June 5, 1981; effective July 1, 1981, as specified by the Agency.
Rule repealed and a new Rule entitled "Penalty" adopted. Filed August 17, 1982; effective September 6, 1982.
Repealed: F. Mar. 16, 1994; eff. Apr. 5, 1994.

Rule 155-1-.20. Repealed.

Cite as Ga. Comp. R. & Regs. R. 155-1-.20
Authority: Ga. L. 1951, pp. 224-235, as amended (Ga. Code Ann., Chapters 86-18 and 86-19, as amended).
History. Original Rule entitled "Penalty" was filed on July 2, 1979; effective July 22, 1979.
Rule repealed. Filed August 17, 1982; effective September 6, 1982.

Chapter 155-2. EMERGENCY MANAGEMENT DISASTER PREPAREDNESS EQUIPMENT GRANTS-IN-AID.

Rule 155-2-.01. The Act.

Provisions of the Georgia Emergency Management Act of 1981, (Ga. L. 1981, pp. 389, 390) (Ga. Code annotated, Chapter 86-18, as amended) to which these regulations pertain are:

" (c) There is hereby created a State fund to provide assistance to local organizations for emergency management which are authorized by subsections (a) and (b) of this Section. Said fund shall be used for the purpose of making grants to such local emergency management organizations to enable such organizations to purchase or otherwise obtain equipment which is needed for disaster preparedness. Said fund shall be administered by the Director of Emergency Management who, by rules and regulations, shall establish uniform criteria governing application for and the use of funds granted to local organizations for emergency management pursuant to this subsection. Such rules and regulations shall include, but shall not be limited to, provisions:

(1) Requiring that, as a condition precedent to receiving a State grant pursuant to this subsection, an amount equal to the State grant shall be raised from local funds for the purchase of disaster preparedness equipment; and

(2) Defining disaster preparedness equipment which shall qualify for purchase by the use of matching funds made available pursuant to this subsection; and

(3) Establishing procedures and requirements governing the purchase of disaster preparedness equipment when matching funds made available pursuant to this subsection are used for such purchase; and

(4) Establishing priorities governing grants made pursuant to this subsection which shall be based on the most effective and efficient use of disaster preparedness equipment purchased with matching funds made available pursuant to this subsection; and

(5) Establishing forms, procedures and requirements governing applications for grants pursuant to this subsection; and

(6) Prohibiting any single local emergency management organization from receiving more than 12 ½ percent of the total funds annually appropriated to carry out the provisions of this subsection.

The funds necessary to carry out the provisions of this subsection shall come from funds specifically appropriated for such purpose by the General Assembly."

Cite as Ga. Comp. R. & Regs. R. 155-2-.01
Authority: Ga. L. 1980, pp. 1247-1249 (Ga. Code Ann., Ch. 86-18).
History. Original Rule entitled "The Act" was filed on October 31, 1980; effective November 20, 1980.
In accordance with Ga. L. 1981, pp. 389, 390, the words "civil defense" wherever appearing in this Rule have been changed to "emergency management." Filed June 5, 1981; effective July 1, 1981, as specified by the Agency.

Rule 155-2-.02. Purpose.

To implement the Act; to establish uniform criteria governing application for and use of funds granted to local organizations for emergency management under the Act; to define equipment qualified for matching funds; to establish priorities governing grants; to limit grants to single local organizations to the amount raised from local funds for the purchase of disaster

preparedness equipment, or 12 ½% of the total funds annually appropriated by the General Assembly for matching grants, whichever is lesser.

Cite as Ga. Comp. R. & Regs. R. 155-2-.02
Authority: Ga. L. 1980, pp. 1247-1249 (Ga. Code Ann., Ch. 86-18).
History. . Original Rule entitled "Purpose" was filed on October 31, 1980; effective November 20, 1980.
In accordance with Ga. L. 1981, pp. 389, 390, the words "civil defense" wherever appearing in this Rule have been changed to "emergency management." Filed June 5, 1981; effective July 1, 1981, as specified by the Agency.

Rule 155-2-.03. Definitions.

Unless a different meaning is required by the context, the following terms used in these regulations have the meaning hereinafter respectively ascribed to them:

(a) "Qualified Organization"-a local emergency management organization which fulfills the requirements of Rule 155-2-.06(1) below;

(b) "State Office"-the Georgia Department of Defense, Emergency Management Division;

(c) "State Director"-the State Director of Emergency Management, Georgia Department of Defense;

(d) "Approved"-Certified as acceptable by the State Office;

(e) "Disaster Preparedness Equipment"-Equipment required for alleviation of hardship and danger during a disaster. Such equipment is over and above that required for day-to-day functions of local government, although some equipment may serve a dual function, day-to-day and disaster (e.g., communications equipment);

(f) "Disaster"-an occurrence threatening the health, safety or property of a community or larger area;

(g) "Local Emergency Management Director"-a person nominated by the Chief Executive Officer or governing body of a political subdivision, approved by the State Director and appointed by the Governor to carry out the overall responsibility of the local emergency management program;

(h) "State Grant Funds"-Funds specifically appropriated by the General Assembly of Georgia to carry out the provisions of Georgia Laws 1980, pp.1247-1249, codified as Georgia Code Annotated, Section 86-1809(c), and further provided to grantees in accordance with these rules and regulations.

Cite as Ga. Comp. R. & Regs. R. 155-2-.03
Authority: Ga. L. 1980, pp. 1247-1249 (Ga. Code Ann., Ch. 86-18).
History. Original Rule entitled "Definitions" was, filed October 31, 1980; effective November 20, 1980.
In accordance with Ga. L. 1981, pp. 389, 390, the word,"civil defense" wherever appearing in this Rule have been

changed to "emergency management." Filed June 5, 1981; effective July 1, 1981, as specified by the Agency.

Rule 155-2-.04. Matching Funds.

(1) State contribution for an approved purchase may not exceed 50% of the allowable costs. No part of the applicant's share may be derived from state or federal funds. No grant application will be processed if the jurisdiction is eligible for assistance under another state or federal program and funds are available.

(2) Matching fund grants-in-aid will be provided through reimbursement to the local government. Using procedures outlined in Rule 155-2-.08, the local government obtains approval of the State Director for the purchase, makes the purchase paying 100% of the cost and then submits the required documentation for reimbursement of the approved amount up to 50% of the total cost, not to exceed 12 ½% of the state appropriation.

Cite as Ga. Comp. R. & Regs. R. 155-2-.04
Authority: Ga. L. 1980, pp. 1247-49 (Ga. Code Ann., Ch. 86-18).
History. Original Rule entitled "Matching Funds" was filed October 31, 1980; effective November 20, 1980.

Rule 155-2-.05. Qualified Equipment.

(1) All disaster preparedness equipment is qualified for approval including rescue equipment described in Chapter 155-1, Rules and Regulations Pertaining to Rescue Organizations. Examples of items qualified for matching grants are:

(a) Emergency warning equipment;

(b) Emergency communications equipment;

(c) Rescue equipment-self contained breathing apparatus, portable resuscitators, etc.;

(d) Emergency Operations Center equipment (excluding furniture and fixtures), e.g., generators;

(e) Special service boats and small watercraft required solely for emergency management emergency use;

(f) Self-propelled wheeled vehicles required solely for emergency management emergency use.

(2) Items not qualified for approval include:

(a) Equipment not directly related to emergency management;

(b) Replacement and repair parts;

(c) Costs of transportation, rehabilitation or installation of equipment;

(d) Furniture, buildings and land;

(e) Administrative vehicles.

Cite as Ga. Comp. R. & Regs. R. 155-2-.05
Authority: Ga. L. 1980, pp. 1247-1249 (Ga. Code Ann., Ch. 86-18).
History. Original Rule entitled "Qualified Equipment" was filed on October 31, 1980; effective November 20, 1980. In accordance with Ga. L. 1981, pp. 389, 290, the words "civil defense" wherever appearing in this Rule have been changed to "emergency management." Filed June 5, 1981; effective July 1, 1981, 55 specified by the Agency.

Rule 155-2-.06. Requirements and Restrictions.

(1) To be a qualified organization eligible for grants-in-aid, the local emergency management organization must:

(a) Have a copy of the city ordinance and/or county resolution establishing the local emergency management organization on file in the State Office;

(b) Have a legally appointed Emergency Management Director;

(c) Have an approved local emergency and disaster operations plan;

(d) Have an approved current fiscal year Program Paper, FEMA Form 19-1;

(e) Submit an annual Program Status Report, FEMA Form 70-13;

(f) Have DCPA Forms 856 & 860 (FEMA forms), Assurance of Compliance and Checklist, on file at the State Office.

(2) Items acquired with state grant funds may be used for these emergency management purposes:

(a) Reserve or standby for emergency use in emergency management or rescue functions;

(b) In the performance of activities by assigned civil defense personnel in preparation for and during disasters or rescue operations. As used herein, assigned emergency management personnel are:

1. Personnel employed by an emergency management agency;

2. Personnel employed by an agency of government other than the emergency management agency when actually assigned to emergency management duties;

3. Volunteer personnel when on an emergency management assignment;

4. Rescue workers when performing rescue operations or training under the direction and control of an emergency management agency.

(3) Items acquired with state grant funds may not be used for any purpose other than that for which approved, unless so authorized by the State Director. The State Director has authorized the following additional use provided that such use does not jeopardize the immediate and unconditional availability in operating condition for the purpose for which the item was obtained:

(a) The general use of emergency equipment when such use does not involve removal of the equipment from its place of use for the emergency management purposes for which obtained.

(4) Damage or loss.

(a) Equipment acquired with state grant funds shall be maintained in usable condition and if consumed, lost, damaged, or destroyed shall be replaced promptly by the local emergency management organization or local government.

(b) The replacement cost of items consumed, lost, damaged, or destroyed in other than emergency management use, even when such had been authorized by the State Director, is not eligible for state contributions under this program.

(c) State may make contributions for the replacement of equipment which is consumed, lost, damaged, or destroyed during use for emergency management purposes.

(d) The State Office must be notified in writing immediately when equipment is lost, damaged, or destroyed. Give project application numbers and full details.

(5) Each item of equipment obtained with state grant funds shall be marked with the official emergency management insignia whenever practicable. Insignia decals can be obtained from the State Office.

(6) Procurement standards are provided for use by local governments in establishing procedures for the purchase of disaster preparedness equipment with state grant funds. These standards are furnished to insure that such equipment is obtained in an effective manner and in compliance with the provisions of applicable state law. Grants to local government by the State of Georgia are conditioned on grantee compliance with the

procurement standards. Grantee may use its own procurement regulations which reflect applicable state and local law, rules and regulations provided that procurements made with state grant funds adhere to the standards set forth as follows:

(a) The grantee shall maintain a code of standards of conduct which shall govern the performance of its officers, employees, or agents in contracting with and expending state grant funds. Grantee's officers, employees or agents, shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or potential contractors. To the extent permissible by state or local law, rules or regulations, such standards shall provide for penalties, sanctions, or other disciplinary actions to be applied for violations of such standards by either the grantee officers, employees, or agents, or by contractors or their agents;

(b) All procurement transactions regardless of whether negotiated or advertised and without regard to dollar value shall be conducted in a manner so as to provide maximum open and free competition. The grantee should be alert to organizational conflicts of interest or non-competitive practices among contractors which may restrict or eliminate competition or otherwise restrain trade;

(c) The grantee shall establish procurement procedures which provide for, as a minimum, the following requirements:

1. Proposed procurement actions shall be reviewed by grantee officials to avoid purchasing unnecessary or duplicative items;

2. Invitations for bids or requests for proposal shall be based upon a clear and accurate description of the technical requirement for the equipment to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. "Brand name or equal" description may be used as a means to define the performance or other salient requirements of a procurement, and when so used the specific features of the named brand which must be met by offers should be clearly specified;

3. Positive efforts shall be made by the grantee to utilize small business and minority-owned business sources of equipment. Such efforts should allow these sources the maximum feasible opportunity to compete for contracts to be performed utilizing state grant funds;

4. Formal advertising, with adequate purchase description, sealed bids, and public openings shall be the required method of procurement unless negotiation pursuant to paragraph 5, below is necessary to accomplish sound procurement. However, procurements of $100.00 or less need not be so advertised unless otherwise required by state and local law or regulations. Where advertised bids are obtained, the awards shall be made to the bidder whose bid is responsive to the invitation and is most advantageous to the grantee, price and other factors considered. Invitations for bids shall clearly

set forth all requirements which the bidder must fulfill in order for his bid to be evaluated by the grantee. Any or all bids may be rejected when it is in the grantee's interest to do so, and such rejections are in accordance with applicable state and local law, rules and regulations;

5. Procurements may be negotiated if it is impracticable and unfeasible to use formal advertising. Prior approval of the State Director is required if procurements of $100.00 or more are to be negotiated. Generally, procurements may be negotiated by the grantee if:

   (i) The public exigency will not permit the delay incident to advertising;

   (ii) The equipment to be procured is available from only one person or firm; (all contemplated sole source procurements where the aggregate expenditure is expected to exceed $100.00 shall be referred to the State Office for prior approval);

   (iii) No acceptable bids have been received after formal advertising;

   (iv) The purchases are for technical equipment requiring standardization and interchangeability of parts with existing equipment.

6. Procurement records or files for purchases in amounts in excess of $100.00 shall provide at least the following pertinent information: justification for the use of negotiation in lieu of advertising, contractor selection, and the basis for the cost or price negotiated.

(7) These standards do not relieve the grantee of the contractual responsibilities arising under its contracts. The grantee is the responsible authority, without recourse to state regarding the settlement and satisfaction of all contractual and administrative issues arising out of procurements entered into, in support of a grant. This includes, but is not limited to: disputes, claims, protests of award, source evaluation or other matters of a contractual nature. Matters concerning violation of law are to be referred to such local and state authority as may have proper jurisdiction.

(8) Emergency management disaster preparedness equipment shall be controlled in accordance with accepted or prescribed methods of accounting, identification, and administrative responsibility. State representatives shall have access to the equipment at all reasonable times for purpose of inspection. The state shall also be granted ready access to the books and records of the local emergency management organizational/local government.

(9) Property Management.

(a) A physical inventory of equipment shall be taken and the results reconciled with the property records at least once a year.

(b) Equipment obtained with state grant funds must, whenever practical, be marked with the official emergency management insignia decals.

(c) The grantees are authorized to use their own property management standards and procedures.

(d) Equipment no longer required for its original use will be reported to the State Office for disposition instructions.

(10) Disposal by Sale or Trade-In.

(a) Disaster preparedness equipment procured with state grant funds may not be disposed of by local emergency management organizations/local government without the prior approval of the State Emergency Management Director.

(b) Since emergency management disaster preparedness equipment is subject to obsolescence, and since program objectives change, the State Office will consider granting approval of the sale or trade-in of disaster preparedness equipment previously purchased with state grant funds subject to subparagraphs (d) and (e) below.

(c) Disposal and Replacement with Assistance of State Grant Funds. Approval may be given for the disposal and replacement of equipment procured through state grant funds if the proposed transaction will provide a more effective and efficient emergency management program, and realize the fair market value of the equipment, as determined by state.

1. In submitting a proposal to replace equipment initially purchased with state grant funds, the local Emergency Management Director/local government will prepare an Application for Grant, GCDF 7-2, in the usual manner. In addition, the application shall contain a detailed description of the equipment to be disposed of, the manner of disposal, the amounts to be received, the purchase price of the new equipment, and all other pertinent details, together with a complete justification therefor.

2. If the State Office approves of the above, the state grant funds will be computed in accordance with the following example:

Cost of new equipment	$ 1,000
Sale or trade-in value of old equipment	400
Balance due on new equipment	$ 600
State share (½ of balance) $300	
Local share (½ of balance) $300.	

(d) Disposal Without Replacement. Equipment purchased with state grant funds may not be disposed of without replacement until state has made a determination that the need which justified the purchase of the equipment by the local emergency management organization/local government under the state grant funds program no longer exists, and the sale will realize the fair market value of the equipment.

1. In order that such a determination can be made, a request to dispose of disaster preparedness equipment must be prepared by the local Emergency Management Director/local government, with a full statement of facts, including:

   (i) Reference to the project application(s) under which the procurement was made;

   (ii) Condition of the equipment;

   (iii) Full cost of each item when procured;

   (iv) State share of the cost of each item;

   (v) Estimated fair market value of the equipment, together with the source of information.

   (Note: the estimate shall be subject to state approval or state appraisal. Sale at less than the estimated fair market value will not be approved unless the sale is made pursuant to formal advertisement);

   (vi) Estimated amount to be refunded to state (usually one-half of amount realized).

2. If the transaction is approved by the State Director, the local Emergency Management Director/local government will be requested to forward to the State Office a check covering the state government's share.

(e) Disposal and Replacement Without Assistance of Matching Funds. Approval may be given to the disposal of equipment procured with state grant funds and its replacement without use of matching funds if the State Director determines that the Emergency Management need which justified the purchase of the equipment under the state grant program no longer exists, or, if it exists, that the need will be met by the new equipment; and the sale or trade-in will realize the fair market value of the equipment. The procedures followed in such cases are the same as prescribed in subparagraph (d) above, for disposal without replacement.

Cite as Ga. Comp. R. & Regs. R. 155-2-.06
Authority: Ga. L. 1980, pp. 1247-1249 (Ga. Code Ann., Ch. 86-18).

History. Original Rule entitled "Requirements and Restrictions" was filed on October 31, 1980; effective November 20, 1980.
In accordance with Ga. L. 1981, pp. 389, 390, the words "civil defense" wherever appearing in this Rule have been changed to "emergency management." Filed June 5, 1981; effective July 1, 1981, as specified by the Agency.

Rule 155-2-.07. Priorities.

(1) The State Director shall approve grant applications in accordance with the following priorities:

(a) Rescue equipment needed by qualified organizations in order to meet the minimum standards to become a licensed rescue organization;

(b) Communications equipment identified in a current Emergency Communications Development Plan approved by the State Director. Priority will be given to establishing a radio base station on the state emergency management frequency (45.56 Mhz);

(c) Warning equipment identified in a current Warning Plan approved by the State Director. Included are radio signal encoder/decoder and associated communication systems;

(d) Other disaster preparedness equipment to include but not limited to:

1. Optional equipment for rescue vehicles listed in Chapter 155-1;

2. Special service boats and small watercraft required solely for emergency management emergency use;

3. Self-propelled wheeled vehicles required solely for emergency management emergency use.

(2) The State Director may revise the general priority list when necessary and publish revisions in an appropriate media such as the state Emergency Management Bulletin.

(3) The State Director may approve applications for equipment in other than the listed priority for valid reasons. Such reasons may include availability of funds, exceptional need and unusual risk factors.

Cite as Ga. Comp. R. & Regs. R. 155-2-.07
Authority: Ga. L. 1980, pp. 1247-1249 (Ga. Code Ann., Ch. 86-18).
History. . Original Rule entitled "Priorities" was filed on October 31, 1980; effective November 20, 1980.
In accordance with Ga. L. 1981, pp. 389, 390, the words "civil defense" wherever appearing in this Rule have been changed to "emergency management." Filed June 5, 1981; effective July 1, 1981, as specified by the Agency.

Rule 155-2-.08. Application Procedures.

(1) Application for state grant-in-aid funds will be made on form GCDF 7-2, Application for Grant. The application will be completed in accordance with the instruction thereon. Completed applications will be submitted by the local Emergency Management Director in an original and one copy.

(2) Applications must contain a full description of the equipment to be purchased. Estimated cost must not include any items listed in paragraph 155-2-.05(2).

(3) Applications must be signed by the local Emergency Management Director and an authorized official of the local political subdivision.

(4) Additional justification to be attached to the application includes:

(a) Rescue equipment. (Reference: Chapter 155-1, Rules and Regulations Pertaining to Rescue Organizations):

1. List of minimum required equipment for rescue vehicles on hand and to be purchased;

2. List of optional equipment for rescue vehicles on hand and to be purchased;

3. Complete description of vehicle to be purchased and certification that such vehicle meets minimum standards for primary rescue vehicles;

(b) Communications equipment. A copy of the letter of approval of the Emergency Communications Development Plan;

(c) Warning equipment. A copy of the letter of approval of the Warning Plan;

(d) Other equipment. Sufficient information about the planned use(s) and other facts surrounding the proposed purchase upon which to make a decision concerning the allowability and priority of the request.

(5) No obligation will be incurred by local governments toward purchase of equipment for which application for matching funds has been made until final action on the request is received from the State Office.

Cite as Ga. Comp. R. & Regs. R. 155-2-.08
Authority: Ga. L. 1980, pp. 1247-1249 (Ga. Code Ann., Ch. 86-18).
History. Original Rule entitled "Application Procedures" was filed on October 31, 1980; effective November 20, 1980.
In accordance with Ga. L. 1981, pp. 389, 398, the words "civil defense" wherever appearing in this Rule have been changed to "emergency management." Filed June 5, 1981; effective July 1, 1981, as specified by the Agency.

Rule 155-2-.09. Financial Procedures.

(1) The State Office will provide funds to local jurisdictions in the grant-in-aid program for emergency disaster equipment by reimbursement for items procured and paid for by local organizations.

(2) Upon receipt from the State Office of an approved application, procurement will be effected by the local organization in accordance with the standards outlined in Rule 155-2-.06. Funds must be obligated by purchase order or similar document within 60 days of approval date of GCDF 7-2 or prior to the end of the current fiscal year, whichever is sooner.

(3) Costs in excess of application estimates. State reimbursement is limited to one-half of the allowable cost as specified in the approved application. If, however, the final actual cost exceeds the estimate shown in the application for identical items and quantities, and additional state funds are available, the state may contribute toward the additional cost on a matching basis. The state will not contribute toward costs resulting from procurement of items or quantities which were not specified on the approved application.

(4) Reimbursement shall be requested using form GCDF 7-3, Request for Reimbursement. Form GCDF 7-3 will be completed in accordance with instructions thereon.

(5) Form GCDF 7-3 will be submitted to the State Director in an original and one copy. A separate GCDF 7-3 will be used for each approved Application for Grant, GCDF 7-2.

(6) Requests must be based on actual payments to vendors by the applicant. Reimbursement will be made only for items and quantities specified in the approved application.

(7) An authorized official of the local political jurisdiction and the local Emergency Management Director must authenticate the certification on form GCDF 7-3.

(8) Partial requests for reimbursement are encouraged when unusual delays in delivery prevent the complete billing against an approved application.

(9) When a final request for reimbursement is submitted and some items approved for procurement were not purchased, a statement to that effect must be attached to the request.

(10) A copy of the following documents and similar evidence of the transaction must be attached to the original of each Request for Reimbursement, GCDF 7-3:

(a) Purchase Order;

(b) Vendor's invoice;

(c) Evidence of Payment;

(d) Evidence of competitive bidding, when applicable;

(e) Statement that each item has been marked with the official emergency management insignia, where practical;

(f) Serial numbers.

Cite as Ga. Comp. R. & Regs. R. 155-2-.09
Authority: Ga. L. 1980, pp. 1247-1249 (Ga. Code Ann., Ch. 86-18).
History. Original Rule entitled "Financial Procedures" was filed on October 31, 1980; effective November 20, 1980. In accordance with Ga. L. 1981, pp. 389, 390, the words "civil defense" wherever appearing in this Rule have been changed to "emergency management." Filed June 5, 1981; effective July 1, 1981, as specified by the Agency.

Rule 155-2-.10. Grant Limitation.

The act provides that no single local emergency management organization may receive more than 12 ½ percent of the total funds annually appropriated for the grant-in-aid program by the General Assembly.

Cite as Ga. Comp. R. & Regs. R. 155-2-.10
Authority: Ga. L. 1980, pp. 1247-1249 (Ga. Code Ann., Ch. 86-18).
History. Original Rule entitled "Grant Limitation" was filed on October 31, 1980; effective November 20, 1980. In accordance with Ga. L. 1981, pp. 389, 390, the words "civil defense" wherever appearing in this Rule have been changed to "emergency management." Filed June 5, 1981; effective July 1, 1981, as specified by the Agency.

Rule 155-2-.11. Retention of Records.

(1) The State Director does not impose record retention requirements over and above those established by the State of Georgia or local governments receiving state grant funds except that financial records, supporting documents, statistical records, and all other records pertinent to a grant shall be retained for a period of three years, with the following qualifications:

(a) The records shall be retained beyond the three-year period if audit findings have not been resolved;

(b) The retention period starts from the date of the submission of the final billing;

(c) Inventory records for property acquired with state grant funds shall be retained for three years after date of inventory.

(2) The local governments are authorized, if they so desire, to substitute microfilm copies in lieu of original records.

(3) The State Director, or any of his duly authorized representatives, shall have access to any books, documents, papers, and records of the local governments and their subgrantee

which are pertinent to a specific grant program for the purpose of making audit, examination, excerpts and transcripts.

Cite as Ga. Comp. R. & Regs. R. 155-2-.11
Authority: Ga. L. 1980, pp. 1247-1249 (Ga. Code Ann., Ch. 86-18).
History. Original Rule entitled "Retention of Records" was filed on October 31, 1980; effective November 20, 1980.