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TITLE 100 – DEPARTMENT OF STATE

CHAPTER 50 – PUBLIC RECORDS ADMINISTRATION

SUBCHAPTER 40 – LOCAL GOVERNMENT RECORDS RETENTION SCHEDULES

PART 9 – MUNICIPAL FIRE DEPARTMENT AND RESCUE RECORDS (LG9)

9.1 Purpose, Authority, Severability, and Destruction

9.1.1 Purpose

To establish the official retention, maintenance, and disposal requirements for a public record based upon any administrative, legal, fiscal, and/or historical value related to that record created or received by an agency, department, division, board, commission, office, or quasi-public corporation under any branch of State or local government which performs functions relating to government, or acts on behalf of a governmental agency, pursuant to law or relating to the transaction of public business.

9.1.2 Authority

This Regulation is promulgated pursuant to the authority granted in R.I. Gen. Laws Title 38 (“Public Records”), including expressly but without limitation R.I. Gen. Laws §§ 38-3-1 et seq.

9.1.3 Severability

If any provision of these Regulations or the application thereof to any Person or circumstances is held invalid by a court of competent jurisdiction, the validity of the remainder of the regulations shall not be affected thereby.

9.1.4 Destruction Review Procedure

Government employees should also consult with their administration to determine if any records eligible for destruction may be involved in current, pending, or anticipated litigation, any government investigation or regulatory proceeding, or request under the Access to Public Records Act. (Part 10-2 of this Chapter (Legal Records) and R.I. Gen. Laws Chapter 38-2)

LG9.1 Fire Prevention

LG9.1.1 Street Files/Building Information Files

Ongoing reference record of fire department activity for individual street addresses or buildings. May include inspection reports and certificates, petitions for variances, investigation records, memos, photographs, plans, copies of reports, or other documentation.

Retention: Retain for life of building or until occupancy classification legally changed. Purge obsolete records and records of no further administrative value after three (3) years.

LG9.1.2 Inspection/Compliance Files

Ongoing files relating to individual schools, apartment buildings, office buildings, nursing or group homes, and rooming houses relative to fire prevention, inspection, and compliance as defined by the Fire Safety Code. May include certificates of inspection and reports, Department of Education fire drill code reports, surveys, Board of Appeal and Fire Safety decisions, applications for variances.

Retention: Retain during functional life of building. Destroy drill reports after three (3) years.

LG9.1.3 Inspections and Certifications

Records of inspection, release, and approval by fire department for requirements such as Certificates of Occupancy, residential fire detection (smoke detectors) certification for transfer of title, and other Fire Safety Code regulations or municipal ordinances.

Retention: Retain for life of building or until occupancy classification legally changed. Purge obsolete records and records of no further administrative value after three (3) years.

LG9.1.4 Alarm Systems Files

Inspection and testing records for individual alarm systems. May include systems testing and certification documentation, inspection records, service contracts and reports, permits, diagrams, site information, emergency contact lists, and correspondence.

Retention: Retain systems documentation during functional life of system. Retain other records until obsolete or of no administrative value.

LG9.1.5 Permits/Licenses Issued

Applications and copy permits issued by local fire authority. May include permits relating to fireworks, storage and handling of flammable liquids or hazardous substances, model rocket engines, or the selling of fire detection equipment.

Retention: Retain three (3) years after expiration.

LG9.1.6 Permits/Licenses Notification

Notification from State Fire Marshall or other licensing authority to municipal fire department that permit has been issued. May include copies of applications and permits relating to the possession, manufacturing, dealing, or use of explosives, permits for servicing of portable fire extinguishers, asbestos removal, fumigation. May also include copy license applications for permits issued by other municipal departments which require release by fire department.

Retention: Retain one (1) year.

LG9.1.7 Violation/Complaint Files

Notification record of violations and complaints relating to the Fire Safety Code. May include time, name, address, location of violation/complaint, complaint summaries, investigation reports, disposition, and departmental follow-ups.

Retention: Retain three (3) years after resolution.

See Also: LG9.1.1 (Street/Building Information Files), LG9.1.2 (Inspection/Compliance Files), or LG9.1.3 (Inspections and Certifications).

LG9.1.8 Plans

Building plans used for inspection and approval process. Details fire detection specifications or other Fire Safety Code compliance requirements.

Retention: Retain until Certificate of Occupancy issued, and plans are of no further administrative value.

LG9.1.9 Variances

Municipal fire department copy of variance applications and decisions handed down by the Fire Safety Code Board of Appeal and Review.

Retention: Retain for life of building or until occupancy classification legally changed.

See Also: LG9.1.1 (Street/Building Information Files), LG9.1.2 (Inspection/Compliance Files), or LG9.1.3 (Inspections and Certifications).

LG9.1.10 Education Programs

Multi-media materials relating to fire prevention education created by the department. May include brochures, films/or video files, program materials, posters, and pamphlets.

Retention: Retain until updated or superseded. Retain reference materials until of no further administrative value.

See Also: GRS5.11 (Reference Materials).

LG9.2 Fire and Rescue Response

LG9.2.1 Dispatch Tapes/Digital Files

Audio of incoming calls and outgoing dispatch instructions.

Retention: Retain thirty (30) days.

LG9.2.2 Dispatch Cards

Record of incoming calls received by the department. Data may include how call was received (phone, radio), complainant name, address and phone number, name of dispatcher, time received, dispatched to scene, and recalled, rescue or engine numbers responding.

Retention: Retain three (3) years.

LG9.2.3 Dispatch Logs

Record of dispatch responses to incoming calls or alarms. Data may include case, incident, alarm, or box numbers, location, time received, origin of call, arrival time, type of response (engine number or rescue), description, and recall or elapsed time of vehicle responding.

Retention: Retain three (3) years.

LG9.2.4 Alarm Tapes

Machine tape record of alarms received detailing box number, time received, and date of alarm.

Retention: Retain one (1) year.

LG9.2.5 Alarm Response Cards

Record detailing location and appropriate response for alarms from individual boxes. Information may include location, contact names, number of vehicle(s) to respond, stand by vehicles.

Retention: Retain until updated, superseded, or obsolete.

LG9.2.6 Circuit/Radio/Box Test Logs

Record of alarm response tests conducted on all circuit, radio, and location alarm boxes to ensure proper alarm signals are being received.

Retention: Retain one (1) year.

LG9.2.7 Day Sheets

Summary of daily activities. May include personnel, assignments, drills, inspections, testing, fire, and rescue responses.

Retention: Retain five (5) years.

LG9.2.8 Personnel Accountability Sheets

Daily personnel listing of each company detailing drivers, officer in charge, and privates.

Retention: Retain one (1) year.

LG9.2.9 Fire Reports

Reports on individual fire incidents. Data includes name and address, vehicle(s) and number of personnel responding to scene, date, and time of response, lists of injuries or extent of damage. May include supplementary/follow-up reports and casualty reports.

LG9.2.9A First, Second, and Third-Degree Arson

Retention: Permanent or until legal proceedings complete.

See Also: GRS2 (Legal Records).

LG9.2.9B All Others

Retention: Retain ten (10) years.

LG9.2.10 Rescue Reports

Reports on individual rescue responses. Information may include incident number, date, time, location, responding personnel, patient

identification and history, injury, vitals, treatment information, signed and witnessed patient refusal of service or treatment, and disposition.

Retention: Retain ten (10) years.

Note: If minor involved, retain three (3) years after minor reaches the age of eighteen (18) years.

LG9.2.11 Fire/Rescue Report Index [SUPERSEDED]

Index used for retrieving individual fire or rescue reports. Information may include report number, names of callers or patients, victims, and address/location of incident.

See Also: For associated retention, see LG9.2.9 (Fire Reports) or LG9.2.10 (Rescue Reports).

LG9.2.12 Investigation Files

Record of fire department investigations of suspicious or incendiary fires. May include reports (fire, rescue, investigators', State Fire Marshall, police, casualty, insurance), photos, memos, diagrams, or other documentation relating to investigation.

Retention: Retain until final disposition of case.

LG9.2.13 Photographic and Video Evidence

Film or video documentation relating to fire investigations. May include film, prints, video cassettes, negatives, digital files, and index detailing dates, address, or owner of property photographed.

Retention: Retain until final disposition of case. Review for historical value.

LG9.2.14 Evidence Logs

Log recording date, incident number, incident address, and media type (prints, negatives, video, digital files). May also act as finding aid to location of media.

Retention: Retain one year after final disposition of all entries.

LG9.3 Hazardous Materials

LG9.3.1 Hazardous Substances Right to Know Files

Consists of detailed product/chemical identification listings supplied annually by individual employers that hold, use, or sell products

considered hazardous by the US Department of Labor, Division of Occupational Health and Safety. Series may include US Department of Labor forms or material safety data sheets, emergency and hazardous chemical inventory forms, company emergency plans, inspection reports, or other mandated documentation relating to hazardous substances.

Retention: Retain annual updates three (3) years. Retain other records as long as the employer does business in the municipality, plus seven (7) years.

LG9.3.2 Storage Tank Files

Record detailing the installation/removal of individual storage tanks and the storage of flammable or hazardous materials. May include permits for the maintenance, installation, abandonment, or removal of storage tanks, permits for the storage of hazardous/flammable substances, inspection, plans, complaints, memos, and correspondence.

Retention: Retain seven (7) years after removal of tank.

LG9.3.3 Hazardous Materials Incident File

Record of hazardous material incidents. May include hazardous incident reports, copy fire/rescue reports, narratives, and memos.

Retention: Permanent.

LG9.4 Apparatus and Equipment

LG9.4.1 Apparatus Inspection Sheets

Record of inspection checks including vehicle, mechanical systems, and equipment.

LG9.4.1A Daily and Weekly Inspections

Retention: Retain one (1) year.

LG9.4.1B Monthly Inspections

Retention: Retain three (3) years.

LG9.4.2 Fuel Inventory Sheets

Record of daily, weekly, or monthly fuel use by station and/or vehicles. Data may include type of fuel used, pump location, meter readings,

gallons delivered, stick reading of tank, odometer reading, and total gallons consumed.

Retention: Retain until audit plus one (1) year.

LG9.4.3 Apparatus Accident Files

Department record of accidents sustained to municipal fire/rescue vehicles. May include police reports, witness statements, memoranda, diagrams, photographs, or other related documentation.

Retention: Retain three (3) years unless in litigation.

Note: If minor involved, retain three (3) years after minor reaches the age of eighteen (18) years.

LG9.4.4 Fire Hose Test/Disposition Cards

Record history of fire hoses used by the department. Data may include type of hose, date acquired, when and where serviced, tests conducted, and disposition.

Retention: Retain until final disposition of hose.

LG9.4.5 Fire Hydrant Identification Cards

Record of individual fire hydrants in service. Data may include identifying characteristics of each hydrant including location, date installed, size of lead, make, number of turns to open, size of main.

Retention: Retain until hydrant replaced or no longer in service.

LG9.4.6 Work Request and Repair Orders

Request and repair record for alarm circuits, vehicles, or equipment. May include dates and times of request and repair, data on materials used or needed, location of circuit, pole number, instructions, description of work, name of person completing work, and hours spent.

Retention: Retain three (3) years.

LG9.4.7 Mask Service and Tank Cards

Record inventory and service record for individual fire department air pacs. Includes model, serial number, purchase date, type, cubic feet of tank, and service record.

Retention: Retain until replaced or no longer in service.

LG9.4.8 Ladder Test Records

Record history of ground and aerial ladders used by department. Data may include length of ladder, date purchased, when and where serviced, tests conducted, and disposition.

Retention: Retain until final disposition of ladder.

LG9.4.9 Vehicle Records

Records relating to each vehicle owned and serviced by the municipality. May include title, registration, inspection, maintenance, checklists, repair, and incident reports.

Retention: Retain until one (1) year after disposal of vehicle and completion of audit.

LG9.4.10 Traffic Light Records

Record of traffic lights which department is responsible for maintaining and servicing. May include intersection/signal diagrams, specifications, schematics, and work and repair orders.

Retention: Retain diagrammatic records during functional life of signal. Retain maintenance records three (3) years.

LG9.5 Administration

LG9.5.1 Directives and Orders

Official statements of policy, operating procedure, and standards. May include general or special orders.

Retention: Permanent - one record copy signed or issued by department or division head.

LG9.5.2 Reports

Internally generated reports including, but not limited to, manpower, operation, analysis, fire prevention and response, inspection, or other statistical and summary reports.

LG9.5.2A Daily and Weekly Reports

Retention: Retain one (1) year.

LG9.5.2B Monthly and Quarterly Reports

Retention: Retain three (3) years.

LG9.5.2C Periodic Reports

Retention: Retain three (3) years.

LG9.5.2D Annual Reports

Retention: Permanent.

LG9.5.3 Record Books/Journals

Summary record of operations and activity within fire department.

Retention: Permanent.

LG9.5.4 Committee Minutes

Record of meetings, minutes, agendas, and calendars.

Retention: Permanent.

LG9.5.5 Certificates of Record Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6, and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

LG9.5.6 Recruit Files

These files primarily include BCI checks, credit checks, interviews with various parties, reports, notes and supporting documentation relative to background investigations performed for fire department applicants including EMT.

Retention: Retain three (3) years unless in litigation.

Note: Records may be partially duplicated in the personnel file.

See Also: If in litigation, see GRS2.1 (Case Files).

LG9.5.7 Training Records

Fire and EMT personnel undergo a continuing program of training including company level and department wide training. Some training is mandated by the Rhode Island Department of Health to maintain certification in specific areas that are part of the requirements for obtaining and maintaining employment as an emergency medical technician (EMT). Training and education include but is not limited to paramedic/rescue, apparatus, hazmat, and dive training. Records include but are not limited to practical and written examination records, certifications, records of completed course work, copies of applications for licenses and any other records that are part of the application and training process as required.

LG9.5.7A Trainee Records

Retention: Retain five (5) years from date of training.

Note: Retain summary information in the personnel file.

LG9.5.7B EMT Instruction Certification Records

Retention: Retain three (3) years.

Note: Summary information or copies of certifications may reside in the personnel file.

LG9.5.8 Requests for Copies of Rescue Reports

Fire departments routinely receive requests for copies of rescue reports from interested parties including state agencies and attorneys. Documents may include, but are not limited to, correspondence, request forms and usage logs.

Retention: Retain three (3) years completion of request unless request is related to litigation.

See Also: If in litigation, see GRS2.1 (Case Files).

LG9.5.9 Waivers

Liability releases for ride-alongs on fire or rescue vehicles. May include Application of Clinical Experience of EMS students.

Retention: Retain three (3) years. In case of accident or injury of a minor, retain three (3) years after minor reaches the age of eighteen (18) years.

See Also: If in litigation, see GRS2.1 (Case Files).

LG9.5.10 **Fire Details**

This series documents fire details or “standbys” as referenced in the school fire code for events in places of assembly. Once the detail is completed, the following records are filed with the local fire marshal of the department or district: checklists for determining compliance with the fire code; invoices billed; facility use and indemnification agreement and copy of payable vouchers for fire fighter working the detail. May include correspondence.

Retention: Retain four (4) years.