

Request for Waiver of Equipment Requirements State FY 2021

Waiver Consideration

The Division Director and Rescue Aid Fund Committee will consider granting an equipment waiver to squads who are newly formed, squads who are forming a specialty, or squads who do not have a piece of equipment on the minimum equipment list, but do however have a piece of equipment that is similar in nature and can provide the same level or enhanced function.

KRS 39C.090 Requests for Waiver of Requirements

Requests for the waiver of any requirement of KRS 39C.050, 39C.060, 39C.070, and 39C.080 or any criteria of KRS Chapter 39F may be submitted with appropriate justification to the director of the division. The director may grant waivers only upon the finding that the justification merits special action and failure to grant the waiver would jeopardize the continuation or development of a viable local emergency management agency and program. In every case, the director shall insure the local agency and program continues to meet the basic intent of KRS Chapter 39B. Waivers shall apply on a one (1) time basis relating to a specific request and shall not be construed to establish precedents.

Effective: July 15, 1998

History: Created 1998 Ky. Acts Ch. 226, sec. 48, effective July 15, 1998

Criteria to Apply for a Waiver

- 1 Applicants must meet all other requirements in KRS 39F.120.
- 2 Applicants may not request a waiver for equipment listed on the "replacement only equipment" list if the squad has not previously self-funded the piece of equipment. The intention of "replacement only equipment" is for the squad to initially fund the purchase, and for the Rescue Aid fund to replace if the equipment has exceeded the life expectancy or is unable to be repaired.
- 3 The waiver request must be completed and returned with the FY 2020 grant application.
- 4 One time waiver requests must be clearly requested with support justification and rationale. One time waivers will be reviewed by the grant One time waiver requests must be clearly requested with support justification and rationale. One time waivers will be reviewed by the grant committee who will provide the Division Director with a non-binding recommendation.

Example of when to request a waiver: The Water Rescue and Recovery Operations specialty requires a john boat in excess of nineteen (19) feet or larger. The squad has a john boat that is fifteen (15) feet. This boat is similar in function and serves the squad within their capacity to perform their duties as stated in the affiliation agreement.

Name of Squad

1. List the pieces(s) of equipment that you are requesting a waiver for.

1	
2	
3	
4	
5	
6	

2. Please provide a justification statement. This statement should demonstrate need for special action. The statement should also include how this grant award will aid in the continuation or development of a viable local emergency management agency and program. Use additional space if necessary.

Endorsements

The chief rescue officer, county search and rescue coordinator, and the county emergency manager **MUST** endorse this request for an equipment waiver.

Chief Rescue Officer Endorsement Signature

Date

**Comments from
Chief Rescue
Officer**

County Emergency Management Endorsement Signature

Date

**Comments from
the County EM**