

**39F.140 Purchase, disposal, and inspection of equipment -- Audit of funds.**

- (1) The rescue squad shall order or purchase with state or federal grant funds only the approved equipment, services, or training, and no other, within fifteen (15) days of the receipt of the grant funds and shall provide a copy of all paid invoices as well as proof of payment, (canceled check, cash paid receipt, or similar document), within ninety (90) days of the receipt of the grant funds. An extension of time periods may be granted for cause upon written application to the director. Requests for time extensions shall be submitted through the local emergency management director to the area manager, for transmittal to the director. The director may grant or deny extensions based upon need. Any funds not encumbered or expended during the grant period shall be returned to the division, unless authorized in writing by the director to make additional purchases with encumbered funds.
- (2) All equipment purchased with rescue aid funds shall be selected from the minimum equipment list unless an exception is approved by the director. Optional items shall not be approved until all items on the required list have been acquired.
- (3) The rescue squad shall be accountable to the Commonwealth of Kentucky for all equipment purchased in whole or in part with rescue aid funds, and shall ensure the storage or positioning of all equipment within the geographical boundaries of the Commonwealth at all times, except when being utilized on an out-of-state mission approved by the division. All equipment with a purchase price of three hundred dollars (\$300) or more shall be assigned a serial number provided by the division which shall be engraved on the equipment. After five (5) years from the date of purchase, all equipment costing less than three hundred dollars (\$300) shall be released to the squad. Equipment costing in excess of three hundred dollars (\$300) may be released to the squad after approval has been granted by the director. Squads requesting release of equipment shall define in writing the rationale and justification for the release.
- (4) Permission to dispose of unserviceable, obsolete, or damaged items, which have not been released to the squad pursuant to subsection (3) of this section, purchased in whole or in part with rescue aid funds, may be granted by the director. Requests for this action shall be submitted through the local emergency management director to the area manager for transmittal to the director.
- (5) When a rescue squad is disbanded, loses its local charter to operate, or otherwise becomes, in the determination of the director, incapable of performing its duties as provided in KRS 39F.020, all equipment purchased in whole or in part with rescue aid funds, and which has not been released to the squad pursuant to subsection (3) of this section, shall revert to the division for reallocation. If local funds were used to pay for a portion of the equipment or the equipment has depreciated, the squad may return the equipment to the division or repay an amount determined appropriate by the director. The option of repayment shall exist only upon the disbanding, loss of local charter, or determination of inability of the squad to perform its duties.
- (6) In making determinations with regard to equipment which a rescue squad possesses either for funding or accountability purposes, equipment personally owned by members of a rescue squad shall not be counted for any purpose. Personally owned

equipment shall not be used to fulfill the requirements of the minimum equipment list for the squad.

- (7) Equipment which has been purchased in whole or in part with rescue aid funds, and which has not been released to the squad pursuant to subsection (3) of this section, shall be subject to inspection upon twenty-four (24) hours notice, by the local emergency management director, an area manager, or any other employee of the division.
- (8) An inspection shall be made when accountable items are reported damaged, in need of replacement, or where there is evidence of misuse. Inspections may also be made upon the request of the local director, an area manager, or the director.
- (9) An annual inspection of equipment purchased in whole or in part with rescue aid funds, and which has not been released to the squad pursuant to subsection (3) of this section, may be conducted by the local director, or an area manager. The review shall be made to ensure accountability, or proper maintenance and utilization of the equipment.
- (10) All funds provided pursuant to KRS 39F.100, 39F.110, 39F.120, 39F.130, 39F.140, 39F.150, and 39F.160 shall be subject to state audit and rescue squads shall cooperate fully to provide necessary documentation and other support required for the audit.
- (11) A rescue squad aggrieved by a decision of the division to withdraw funds or equipment allocated to the rescue squad pursuant to subsection (5) of this section may appeal the decision in the manner provided in KRS 39C.080.

**Effective:** July 15, 1998

**History:** Created 1998 Ky. Acts ch. 226, sec. 96, effective July 15, 1998.

**Legislative Research Commission Note (7/15/98).** Although 1998 Ky. Acts ch. 226, sec. 96 had a citation to "Section 94 of this Act" (codified as KRS 39F.120) in subsection (5) of this statute, it is clear from context that Section 84 (codified as KRS 39F.020) was intended, and this manifest clerical or typographical error has been corrected in codification KRS 7.136(1)(h).