

December 2006 Ga POST Council Update - Waiver Instructions and Form Revision for POST rule 464-5-.03.1 titled "Annual Firearms Training."

The Georgia POST Council approved the waiver standards for the annual firearms requalification at the December 2006 meeting. Officers may now access these instructions and waiver form at www.gapost.org under the forms and applications tab in the miscellaneous form section titled "Application for Waiver of 20 Hour Annual Training Requirement."

WAIVERS ARE NEEDED WHEN:

1. POST records show that you do not meet the annual requirements, and
2. An officer is unable to document that the annual training requirements were completed.



FIREARMS TRAINING WAIVERS

Any officer that fails to qualify with a firearm to satisfy the minimum POST standard will not be issued a waiver restoring authority to arrest until compliance with O.C.G.A. § 35-8-21 has been demonstrated.

The following are waiver conditions and actions on the part of the officer relating to annual firearms qualifications requirements.

Officer Fails to Obtain 20 Hours Annual Training & Fails to Qualify with a Firearm

The officer must:

1. Submit a waiver request form indicating type of request as both 20 Hour Annual Training Requirement & Firearms Requalification.
2. The officer must also make up the deficiency by:
 - a. completing 20 hours of training,
 - b. qualify with a firearm,
 - c. complete Use of Deadly Force training,
3. Remit the administrative fee (\$100.00) with the waiver request form.

Once all these requirements are met, a waiver would be granted by POST staff. *Until such time as the waiver is granted, the officer will have no authority to arrest, and therefore, the officer will not be eligible to serve in a peace officer capacity.* **NOTE:** An officer shall be permitted to submit a firearms requalification waiver **three** times before having to personally appear before Council.

December 2006 Ga POST Council Update - Waiver Instructions and Form Revision for POST rule 464-5-.03.1 titled "Annual Firearms Training."

Officer Obtained 20 Hours of Training But Failed to Qualify

The officer must:

1. Submit a waiver request form indicating type of request as Firearms Requalification.
2. The officer must also make up the deficiency by:
 - a. qualifying with a firearm,
 - b. complete Use of Deadly Force training (if not already completed)
3. Remit the administrative fee (\$100.00) with the waiver request form.

Once all these requirements are met, a waiver would be granted by POST staff. *Until such time as the waiver is granted, the officer will have no authority to arrest, and therefore, the officer will not be eligible to serve in a peace officer capacity.* **NOTE:** An officer shall be permitted to submit a firearms requalification waiver **three** times before having to personally appear before Council.

Medical Waivers related to Firearms Qualification

This type of instance is where an officer is fit enough to obtain their 20 hours of annual training, but not capable of qualifying with their firearm.

Therefore, if an officer has a medical condition that temporarily impaired their ability to qualify with a firearm during the course of a year, **the officer must:**

1. Submit a waiver request form indicating type of request as Firearms Requalification.
2. Submit documented proof from a licensed physician, surgeon or doctor of optometry indicating the date of onset and date of clearance to return to duty,
3. The officer must also make up the deficiency by:
 - a. qualifying with a firearm
 - b. complete Use of Deadly Force training (if not already completed)
4. Administrative fee for the first occurrence is **not required**. The second and third medical waiver requests are subject to the administrative fee; however, it may be waived upon written request by the officer justifying the need for the fee waiver. The administrative fee waiver must be approved by both the Executive Director and the Chair of the Council.

Until such time as **the waiver is granted**, the officer would have no authority to arrest and therefore would not be eligible to serve in a peace officer capacity. Once all requirements are met, a waiver would be granted by POST staff.

NOTE: Please see the POST web site for information on other waiver conditions related to medical or other reasons for not meeting the 20 hour annual training requirement.

Additional information and waiver forms are available at www.gapost.org . Waiver requests should be directed to:

*Lara Cooper
Training Standards Assistant
P.O. Box 349
Clarkdale, GA 30111-0349*

Please call Lara at (678) 838- 6306 if you have any waiver questions.