

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 1501:46-2-37

Rule Type: No Change

Rule Title/Tagline: Open vendor area permit fee.

Agency Name: Department of Natural Resources

Division: Division of Parks and Watercraft

Address: 2045 Morse Road, D-3 Columbus OH 43229

Contact: Brian Becker **Phone:** (614) 265-6861

Email: brian.becker@dnr.state.oh.us

I. Rule Summary

1. **Is this a five year rule review?** Yes
 - A. **What is the rule's five year review date?** 8/9/2023 and 08/09/2028
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 1546.04
5. **What statute(s) does the rule implement or amplify?** 1501.09, 1546.02, 1546.04
6. **What are the reasons for proposing the rule?**

Five year review
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule allows the chief of the division to establish vendor areas and sets fees for vendors to utilize those areas.
8. **Does the rule incorporate material by reference?** No

9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

Not Applicable

10. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Not Applicable

II. Fiscal Analysis

11. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

0.00

No change in costs.

12. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

The fee for a vendor permit ranges from \$10 to \$35 depending on how many days the vendor is requesting permission to operate within the park.

13. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

14. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

15. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

Fees are deposited into the parks revenue fund which is utilized to provide services directly utilized by such vendors (electric service, water, trash removal, area maintenance, and security)

III. Common Sense Initiative (CSI) Questions

16. Was this rule filed with the Common Sense Initiative Office? Yes

17. Does this rule have an adverse impact on business? Yes

A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes

This rule requires short-term vendors to obtain a permit to operate in state parks.

B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? Yes

Failure to comply with the permit requirements established in this rule may result in a minor misdemeanor

C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes

The rule requires a fee for a vendor to obtain a permit.

D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No