

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 1501:46-3-26
Rule Type: No Change
Rule Title/Tagline: Commercial activity prohibited except by permit.
Agency Name: Department of Natural Resources
Division: Division of Parks and Watercraft
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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 prohibits vendors from selling any goods or services without first obtaining a permit or concession contract from the chief and lists exceptions.
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

Not applicable

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

No costs are required unless commercial activities are being conducted, which would be subject to provisions found in OAC 1501:46-2

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.

Not applicable

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**

A person is required to obtain a permit or contract in order to sell commercial items at 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? No**

- 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**