

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 1501:46-3-26
Rule Type: Amendment
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? 6/19/2018**
2. **Is this rule the result of recent legislation? Yes**
 - A. **If so, what is the bill number, General Assembly and Sponsor? SB 293 - 131 - Balderson**
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? 1546.02, 1546.04, 1501.09**
6. **What are the reasons for proposing the rule?**

SB 293 combined the divisions of parks and recreation with the division of watercraft. The rule is being amended to update the rule adoption authority and to revise the name of the division as enacted in SB 293.
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. The amendment updates the rule adoption authority.

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. 121.71 to 121.76, 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.**

The public hearing has been rescheduled.
No other changes to the rule package have been made.

II. Fiscal Analysis

11. **As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

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 change in costs

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**

III. Common Sense Initiative (CSI) Questions

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

16. 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? No

C. Does this rule require specific expenditures or the report of information as a condition of compliance? No