

Rule Summary and Fiscal Analysis (Part A)**Department of Public Safety**

Agency Name

Division

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4501-21-01

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Definitions.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **SB19**General Assembly: **129**Sponsor: **Senator Hughes**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **R.C. 4501.02, 4510.311, 4510.037, 4510.038 and 5502.011**

5. Statute(s) the rule, as filed, amplifies or implements: **R.C. 4510.11, 4510.037, 4510.038 and 4510.02**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

This rule is being filed to implement statutory changes set forth in SB19, 129th General Assembly, which incorporate advanced juvenile driver improvement courses into the remedial driving course program.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

This rule provides the definitions of terms used throughout the chapter related to advanced Juvenile driver improvement programs and other remedial programs. The proposed amendments include definitions for "Advanced Juvenile Driver Improvement Program," "Advanced Skills Instructor," "Chief Instructor," and "Range." Existing definitions were modified to include the advanced juvenile program and clarify definitions for "Juvenile Remedial Driving Course" and "year." Finally, paragraph (V) was added to address materials incorporated by reference in Chapter 4501-21.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This rule incorporates "Certificate of Completion," "Digest of Motor Vehicle Laws," "Driver Training Vehicle Inspection," "Juvenile Driver Improvement Curriculum," and "Remedial Course Provider Application" by reference. To comply with sections 121.71 to 121.74 of the Revised Code, paragraph (V) of this rule addresses the specific version/date of the materials as applicable, as well as where each may be accessed via the driver training website.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

The "Digest of Motor Vehicle Laws," "Driver Training Vehicle Inspection," "Juvenile Driver Improvement Curriculum," and "Remedial Course Provider Application" are all being filed as part of this package. However, the "Certificates of Completion" are not as these are numbered, tracked, and issued to remedial schools as purchased.

To comply with sections 121.71 to 121.74 of the Revised Code, all materials are fully addressed in paragraph (V) of this rule, which provides full citation, date/version of the materials, and availability.

Note: The formatting (not content) for the "Juvenile Driver Improvement Curriculum" is still being finalized in CJS' printing services, and therefore, a draft

version is filed with this rule. The finalized version of this material will be available at public hearing and published at final-filing.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so. If applicable, indicate each specific paragraph of the rule that has been modified:

Not Applicable.

12. 119.032 Rule Review Date: **4/9/2015**

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

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This rule is not expected to impact the agency's budget in the current biennium.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

N/A

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

It is estimated that this rule will not result in any costs of compliance for stakeholders.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**

S.B. 2 (129th General Assembly) Questions

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **Yes**

19. Specific to this rule, answer the following:

A.) Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? **No**

This rule, in and of itself, does not require prior authorization to engage in business. However, it is part of a filing package that does, as rule 4501-21-05 and provisions in Chapter 4501-21 require authorizing officials to obtain and renew the appropriate approval issued by the director of the department of public safety prior to engaging in business.

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**

This rule, in and of itself, does not impose a penalty or sanction. However, it is part of a filing package that does, as administrative sanctions up to and including revocation of an approval may be imposed for violations of Chapter 4501-21 of the Administrative Code pursuant to rule 4501-21-10 of the Administrative Code.

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