

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

Agency Name

Division

David McCallister

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4501-21-03

Rule Number

RESCISSION

TYPE of rule filing

Rule Title/Tag Line

Eligibility.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

2. Are you proposing this rule as a result of recent legislation? **No**

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. 4507.40(L)**

5. Statute(s) the rule, as filed, amplifies or implements: **R.C. 4507.40(L)**

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

Based on a R.C. 119.032 rule review of Ohio Administrative Code (OAC) Chapter 4501-21, this rule and the four remaining rules of this chapter are being proposed for rescission. At the same time, new OAC Chapter 4501-21 rules governing remedial driving courses are being proposed for adoption.

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 eligibility requirements for approval to operate a remedial driving course.

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:

Ohio Revised Code Section 121.76 provides that the provisions of R.C. 121.71 to 121.75 do not apply to the incorporation by reference of a section of the Ohio Revised Code or of a rule in the Ohio Administrative Code.

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:

Ohio Revised Code Section 121.76 provides that the provisions of R.C. 121.71 to 121.75 do not apply to the incorporation by reference of a section of the Ohio Revised Code or of a rule in the Ohio Administrative Code.

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:

Ohio Revised Code Section 121.76 provides that the provisions of R.C. 121.71 to 121.75 do not apply to the incorporation by reference of a section of the Ohio Revised Code or of a rule in the Ohio Administrative Code.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

This rule refiling does not include changes from the previously filed version of the proposed rule. Instead, this rule is being refiled to keep it with the balance of the proposed rules of the OAC Chapter 4501-21 refile package.

12. 119.032 Rule Review Date: **11/7/2005**

(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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It is not anticipated that rescission of this rule will affect the agency budget.

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

Not applicable.

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:

Proposed rescission of the five current rules of OAC Chapter 4501-21 is being made simultaneously with proposed adoption of new rules that will address remedial driving courses. It is not anticipated that rescission of this rule will increase compliance costs.

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**