

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4501-21-05

Rule Type: Amendment

Rule Title/Tagline: Application for and renewal of remedial driving course approval.

Agency Name: Department of Public Safety

Division:

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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?** 2/4/2022
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?** 4510.038, 4510.311, 5502.011
5. **What statute(s) does the rule implement or amplify?** 4510.037, 4510.038
6. **What are the reasons for proposing the rule?**

This rule is being filed according to 106.03 ORC periodic rule review.

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

The rule deals with application for and renewal of remedial driving course approval. The rule is updated to current practices. Restrictions are removed in accordance with 121.95 ORC.

8. **Does the rule incorporate material by reference?** Yes

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.**

The rule directs readers to rule 4501-21-17 that deals with all materials incorporated by reference for the chapter.

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?**

The electronic application process has allowed for expedited times for placing and approving the applications. To scan and upload documents for an application is estimated at 10-40 minutes. The time is based upon the number of documents needed for the application type.

Background checks:

- State check - \$37 each
- Federal check - \$24
- Combination - \$65 - \$90 – total cost is determined by the fingerprinting agency

Renewals – remedial companies perform a full renewal every other year. On the full renewal year, the time to upload and submit documents is estimated at 10 minutes. The cost is the cost for each background check required.

On the years a full renewal is not required, the time to upload the document required is approximately one to two minutes. No additional costs identified.

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**

This rule does require prior authorization to engage in or operate a line of business, and some provisions in Chapter 4501-21 require remedial driving schools to obtain and maintain the appropriate certification prior to engaging in remedial training, pursuant to sections 4510.311, 4510.037 and 4510.038 of the Revised Code.

- 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**

Administrative actions may be taken which may result in the denial of an application or impose sanctions up to and including suspension and revocation of a license if licensees fail to meet the requirements set forth in this chapter of the Administrative Code.

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

The electronic application process has allowed for expedited times for placing and approving the applications. To scan and upload documents for an application is estimated at 10-40 minutes. The time is based upon the number of documents needed for the application type.

Background checks:

- State check - \$37 each
- Federal check - \$24
- Combination - \$65 - \$90 - total cost is determined by the fingerprinting agency

Renewals – remedial companies perform a full renewal every other year. On the full renewal year, the time to upload and submit documents is estimated at 10 minutes. The cost is the cost for each background check required. On the years a full renewal is not required, the time to upload the document required is approximately one to two minutes. No additional costs identified.

- 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

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. **Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes**

- A. **How many new regulatory restrictions do you propose adding?** 0

- B. **How many existing regulatory restrictions do you propose removing?** 36

Paragraph (A) second sentence - "...shall ensure..."

Old Paragraph (B) - "...approval shall submit..."

Paragraph (C)(1) stem - "(C)...shall submit: (1)..."

Paragraph (C)(2) stem - "(C)...shall submit: (2)..."

Paragraph (C)(2) third sentence - "...proof shall include..."

Paragraph (C)(3) stem - "(C)...shall submit: (3)..."

Paragraph (C)(4) stem - "(C)...shall submit: (4)..."

Paragraph (C)(5) stem - "(C)...shall submit: (5)..."

Paragraph (C)(5) second sentence - "...checks shall be..."

Paragraph (C)(5)(a) stem - "(C)(5)...shall include: (a)..."

Paragraph (C)(5)(b) stem - "(C)(5)...shall include: (b)..."

Paragraph (C)(6) stem - "(C)...shall submit: (6)..."

Paragraph (C)(7) stem - "(C)...shall submit: (7)..."

Paragraph (C)(8)(a) stem - "(C)(8)...shall include: (a)..."

Paragraph (C)(8)(b) stem - "(C)(8)...shall include: (b)..."

Paragraph (C)(8)(c) stem - "(C)(8)...shall include: (c)..."

Paragraph (C)(9) stem - "(C)...shall submit: (9)..."

Paragraph (C)(10)(a) stem - "(C)(10)...shall include: (a)..."

Paragraph (C)(10)(b) stem - "(C)(8)...shall include: (b)..."

Paragraph (C)(10)(c) stem - "(C)(10)...shall include: (c)..."

Paragraph (C)(11) stem - "(C)...shall submit: (11)..."

Paragraph (C)(11)(a) - ",...proposal shall...:"

Paragraph (C)(11)(b) - ",...no time shall...:"

Paragraph (C)(11)(b) - ",...nor shall a...:"

Paragraph New (D)(1) stem - "(D)...shall also submit: (1)..."

Paragraph New (D)(2) stem - "(D)...shall also submit: (2)..."

Paragraph New (D)(3) stem - "(D)...shall also submit: (3)..."

Paragraph new (F) - "...department shall..."

Paragraph new (H) - "...shall receive..."

Paragraph (K)(2) second sentence - "...shall be dated..."

Paragraph (K)(2)(a) stem - (K)(2) ...shall include: (a)..."

Paragraph (K)(2)(b) stem - (K)(2) ...shall include: (b)..."

Paragraph (L) - "...shall submit..."

Paragraph (M) - "...shall change..."

Paragraph (O) first sentence - "...shall submit..."

Paragraph (O) second sentence - "...shall identify..."