

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4501-21-12

**Rule Type:** Amendment

**Rule Title/Tagline:** Records and certificates of completion.

**Agency Name:** Department of Public Safety

**Division:**

**Address:** 1970 West Broad Street PO Box 182081 Columbus OH 43218-2081

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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?** 4510.02, 4510.037, 4510.038, 4510.311
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 records and certificates of completion.
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 estimated costs of compliance include the cost of the certificates. A Certificate of completion is \$4.

\* The adverse impact on the schools is based on the number of students completed by the business enterprise. The stakeholder group indicated these certificate costs are included in the cost of the course and paid by the student. The estimated time to type and issue a certificate is approximately three (3) minutes per student. The estimated time to complete all records and file them takes approximately five (5) to ten (10) minutes per student. The time estimate includes establishing the contract, recording all data captured in the required documents, and filing of the related documents.

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? No

- 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 estimated costs of compliance include the cost of the certificates. A Certificate of completion is \$4.

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- 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? Yes

However the reduction in revenue for the \$4 certificate completion should be outweighed by increased students that require the certificate.

**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? 3**

Paragraph New (G) second sentence - "...shall be made..."

Paragraph New (H) first sentence - "...shall be stored...."

Paragraph New (H) last sentence - "...shall be accessible...."

**B. How many existing regulatory restrictions do you propose removing? 9**

Paragraph (A)(1) stem - "(A) ...shall include: (1) ..."

Paragraph new (A)(3) stem - "(A) ...shall include: (3) ..."

Paragraph new (A)(4) stem - "(A) ...shall include: (4) ..."

Paragraph (F)(1) - "...shall be given..."

Paragraph (F)(2) last sentence - "...shall be..."

Paragraph (F)(4) second sentence - "...shall sign..."

Paragraph (F)(4) second sentence - "...shall be..."

Paragraph (F)(4) last sentence - "...shall be..."

Paragraph (G) first sentence - "...shall be..."