

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

Agency Name

Division

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4501-23-01

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Referenced material.**RULE SUMMARY**

1. Is the rule being filed for five year review (FYR)? **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: **4511.521**
5. Statute(s) the rule, as filed, amplifies or implements: **4511.521**
6. State the reason(s) for proposing (i.e., why are you filing,) this rule:
This rule is being filed according to a R.C. 106.03 periodic rule review.
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 contains incorporation by reference materials for this chapter. This

amendment adds the Application for Driver's License and Moped Registration Application to materials incorporated and updates the effective dates for all other referenced materials.

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 the "Application for Driver's License" form "BMV 2002," sample (January 2015) and the "Moped Registration Application," form "BMV 4510," (November 2016) which may be obtained by writing to the "Ohio Bureau of Motor Vehicles, 1970 West Broad Street, Columbus, Ohio 43223." The "moped registration application" will be available on the BMV website following the rules becoming effective. In the meantime, both of these forms are being filed with the rule. This rule also incorporates the following Federal Motor Vehicle Safety Standards (FMVSS) which can be accessed by writing "U.S. Department of Transportation, National Highway Traffic Safety Administration, 1200 New Jersey Avenue, SE Washington, DC 20590" or by visiting <http://www.ecfr.gov>:

- FMVSS 108, 49 C.F.R. 571.108 (October 1, 2011 edition)
- FMVSS 122, 49 C.F.R. 571.122 (October 1, 2011 edition)
- FMVSS 123, 49 C.F.R. 571.123 (October 1, 2011 edition)

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:

Both the BMV 2002 and BNVC 4510 form are being filed along with the rule.

The CFR sections are available through the Government Publishing Office website which is provided in the rule.

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. Five Year Review (FYR) Date: **3/8/2017**

(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.

0.00

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:

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:

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? **No**

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**

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**