

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

Agency Name

Division

**David McCallister**

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**4501-23-01**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Referenced material.****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? **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. 4511.521**

5. Statute(s) the rule, as filed, amplifies or implements: **R.C. 4511.521**

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

This rule filing is based on a scheduled R.C. 119.032 five-year rule review of Ohio Administrative Code Chapter 4501-23. To assist the public, manufacturers, importers and dealers of motorized bicycles in obtaining the Federal Motor Vehicle Safety Standards (FMVSS) that are incorporated by reference in some of the rules of Chapter 4501-23 of the Administrative Code, this new rule is being proposed to provide address and web site information, and the most recent applicable effective date and prior effective dates of cited federal regulations.

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:

For use in obtaining the Federal Motor Vehicle Safety Standards (FMVSS) that are incorporated by reference in some of the rules of Chapter 4501-23 of the Administrative Code, this rule provides address and web site information, and the most recent applicable effective date and prior effective dates of the cited federal regulations.

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:

As provided in Section 121.75 of the Revised Code (R.C.), the federal regulations incorporated in this rule include applicable dates and the dates of prior versions. Federal regulations are available at depository libraries throughout Ohio and the rule is therefore excepted from the provisions of R.C. 121.71 to 121.74. To further assure that the incorporated material is generally available to persons affected by the rule, this proposed new rule provides address, web site, and date information for use in obtaining relevant cited regulations.

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:

As provided in Section 121.75 of the Revised Code (R.C.), the federal regulations incorporated in this rule include applicable dates and the dates of prior versions. Federal regulations are available at depository libraries throughout Ohio and the rule is therefore excepted from the provisions of R.C. 121.71 to 121.74. To further assure that the incorporated material is generally available to persons affected by the rule, this proposed new rule provides address, web site, and date information for use in obtaining relevant cited regulations.

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:

The original filing of this rule provided that the date of the most recent applicable version of a federal regulation incorporated by reference in OAC Chapter 4501-23 was included in the language of each rule. In addition to the effective dates of prior versions of incorporated federal regulations, this refiled rule additionally includes the date of the most recent applicable version of each federal regulation incorporated by reference in OAC Chapter 4501-23.

12. 119.032 Rule Review Date:

(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 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:

We do not anticipate that this rule will result in additional 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**