

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

Agency Name

Bureau of Motor Vehicles

Division

James Hogan

Contact

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4501-27-01

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

License plate specifications.**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. 4503.22**

5. Statute(s) the rule, as filed, amplifies or implements: **R.C. 4503.22**

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 rule review of Ohio Administrative Code Chapter 4501-27.

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 specifications for the manufacture of license plates for the state of Ohio to include requirements for plate size and thickness, material strength

and thickness, and retroreflective sheeting adherence and photometric retro reflective performance. This rule is proposed for amendment to update the citations, applicable versions, and contact information for the materials incorporated in paragraphs (C) and (E) in this rule.

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:

License plate manufacturers are the persons who can reasonably be expected to be affected by the rules of OAC Chapter 4501-27. They have access to and already stay abreast of the generally accepted industry standards incorporated by reference in OAC Chapter 4501-27 (industry standards include those of the American Society for Testing and Materials (ASTM) and applicable federal regulations). Therefore, under R.C.121.75, this information, when incorporated by reference, and properly cited in this rule is excepted from the requirements of R.C. 121.71 to 121.74. To address availability of the incorporated materials, we have provided contact information including the address, telephone number, and web site information for the above organization so that persons may purchase the materials. Additionally, we have provided the Department's address where persons may view the materials at no charge.

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:

N/A

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:

This refiling is to propose additional versions of the ASTM standard A653 to which the galvanized steel used in manufacturing license plates may conform. To provide

our vendors with the greatest flexibility in complying with this rule, and to draft a rule that will allow materials to meet the standards of 1998 or better while also meeting JCARR's criteria for incorporated materials, and to mirror the standards that are current in the industry, we propose incorporating versions of ASTM A653 approved in 1998, 2004, 2007, and 2010.

12. 119.032 Rule Review Date: **6/14/2011**

(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's budget.

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

N/A

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:

This rule incorporates standards already established by the American Society for Testing and Materials (ASTM) for galvanized steel manufacturing, and therefore, requires no additional costs of compliance above the industry's acceptable standards. Paragraphs (C) and (D) state that at the director's discretion, a manufacturer may need to provide a certification from an independent testing

facility stating that the sheeting meets ASTM standards. The cost of independent testing would vary dependent upon the facility chosen by the manufacturer and the size and number of samples being analyzed; however, a broad estimate is \$100-\$500. Source: Assured Testing Services, Ridgway, PA (listed as an independent testing facility with the American Society for Testing and Materials,' whose standards we cite).

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**